

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION

UNITED STATES OF AMERICA,)
)
) Plaintiff,
) CASE NO. 3:07cr114/LAC
vs.)
)
) PENSACOLA, Florida
) November 30, 2007
) 8:32 A.M.
JUSTIN KING,)
)
) Defendant.
-----))

TESTIMONY OF TANYA E. VARDAZHIEVA

TRANSCRIPT OF TRIAL PROCEEDINGS
BEFORE THE HONORABLE LACEY A. COLLIER,
SENIOR UNITED STATES DISTRICT JUDGE
(Pages 1 thru 19.)

APPEARANCES:

For the Plaintiff: TIFFANY H. EGGERS
 Assistant U.S. Attorney
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 Pensacola, Florida 32502

For the Defendant: SPIRO T. KYPREOS
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1 (Court in session.)

2 (Defendant present.)

3 (Excerpt.)

4 THE COURT: All right. Invite our friends in.

5 (Jury present.)

6 THE COURT: Good morning. And we are ready to proceed
7 in this matter and you may call your next witness.

8 MS. EGGERS: Tanya Vardazhieva.

9 **TANYA E. VARDAZHIEVA, GOVERNMENT WITNESS.**

10 THE DEPUTY CLERK: Do you solemnly swear that the
11 testimony that you shall give will be the truth, the whole
12 truth and nothing but the truth so help you God?

13 THE WITNESS: I do.

14 THE DEPUTY CLERK: Be seated.

15 Please state your full name and spell your last name
16 for the record.

17 THE WITNESS: Tanya Vardazhieva,
18 V-A-R-D-A-Z-H-I-E-V-A.

19 **DIRECT EXAMINATION**

20 BY MS. EGGERS:

21 Q. What country are you originally from?

22 A. I'm from Bulgaria.

23 Q. Can you pull your seat a little closer? You're soft
24 spoken.

25 A. I'm from Bulgaria.

8:35AM 1 Q. If you sit up in front of the mike, it will pick it up.

2 When did you come to the country the first time,

3 Ms. Vardazhieva?

4 A. On the 9th of August 2005.

5 Q. And was that for you to work for Eurohouse Holding

6 Corporation?

7 A. Yes, that's correct.

8 Q. And were you brought into the country for Eurohouse under

9 some type of specific type of Visa, namely an H2B Visa?

10 A. Yes, that's correct.

11 Q. What hotel did your Visa indicate that you were going to

12 work at upon your entry?

13 A. Baypointe Marriott.

14 Q. If you would, how was it that you obtained the position in

15 the first place? Was it some recruiting firm in Bulgaria that

16 helped you with that?

17 A. Yes. It was a company, Ameritrex, which helped me to do --

18 obtain a Visa.

19 Q. Did you have to pay any money in order to obtain a Visa

20 through Ameritrex?

21 A. Yes, I did. I paid \$950 to come here.

22 Q. Once you got into the country, did they start asking you

23 for additional money once you started your position with

24 Ameritrex?

25 A. Yes. They did ask me for additional \$250 from my first

8:36AM 1 salary, which I was supposed to send them on the bank account
2 in Bulgaria.

3 Q. Did you send him that additional \$250?

4 A. Yes, I did.

5 Q. Who was the individual in Bulgaria that you actually had
6 contact with and obtained -- or obtained your contingent offer
7 of employment, the name of the individual?

8 A. The individual from the Ameritrex?

9 Q. Yes, ma'am.

10 A. Nellie. I'm sorry. I don't remember the family name.

11 Q. I'm going to show you what's been previously marked for
12 identification purposes only as Government's Exhibit 103. If
13 you would, look on the monitor that's right next to you.

14 Do you recognize this document?

15 THE COURT: Just a moment. I'll need to -- all right.

16 BY MS. EGGERS:

17 Q. I'll move back to the top of it. Do you recognize that
18 document?

19 A. Yes. That is the petition, the original petition, which I
20 obtained a Visa.

21 Q. That's the notice of contingent --

22 A. Yes.

23 MS. EGGERS: Your Honor at this time, I would ask to
24 introduce Government's Exhibit 103.

25 MR. KYPREOS: No objection, Your Honor.

8:38 AM 1

THE COURT: It's admitted.

2 BY MS. EGGERS:

3 Q. Ms. Vardazhieva, this -- up at the top, does it have
4 Baypointe Marriott?

5 A. Yes, that's correct.

6 Q. And you said that that was the company that you -- that was
7 the location where you were supposed to work when you entered
8 the United States?

9 A. Yes.

10 Q. And then down at the bottom on the back, the second page of
11 it, does it have the name Veronica T. Strickland?

12 A. Yes, that's correct.

13 Q. So you entered the United States on August 9, 2005?

14 A. Yes, ma'am. That's correct.

15 Q. And to enter the United States, were you actually provided
16 a United States H2B Visa?

17 A. Yes, ma'am.

18 Q. I'm going to show you what's been previously marked for
19 identification purposes only. First, Government's Exhibit 104,
20 do you recognize this document, ma'am?

21 A. Yes. That is my passport.

22 Q. That's your Bulgarian passport?

23 A. Yes, that's my Bulgaria passport.

24 Q. And I'm going to show you Government's Exhibit 105. Do you
25 recognize this document?

8:39 AM 1 A. Yes. That is my H2B Visa.

2 MS. EGGERS: Your Honor, at this time I'd ask to
3 introduce Government's Exhibit 104 and 105.

4 MR. KYPREOS: No objection.

5 BY MS. EGGERS:

6 Q. Ms. Vardazhieva, you said this is your Bulgarian passport,
7 Government's Exhibit 104?

8 A. Yes, ma'am. That's correct.

9 Q. And then Government's Exhibit 105, that is the H2B Visa
10 that you obtained through Ameritrex to work for Eurohouse
11 Holding Corporation?

12 A. Yes, ma'am. That's correct.

13 Q. Does it state right here at the bottom of your Visa
14 Eurohouse Holding d/b/a Baypointe and M-A?

15 A. Yes, ma'am. That's correct.

16 Q. Once you entered the United States -- or what was your port
17 of entry? How did you. . .

18 A. Orlando airport.

19 Q. Once you entered the U.S. through Orlando, you came up here
20 obviously to the northern district, to the Destin, Fort Walton
21 Beach area; is that correct?

22 A. Yes, ma'am.

23 Q. Once you got up here, what location provided by Eurohouse
24 Holding Corporation were you first taken to?

25 A. I was first taken to Sheraton Four Point.

8:40 AM

1 Q. Where did they have you live at first? I'm sorry.

2 A. Well, I did live -- I was living in Destin at XXX XXXXXXXX
3 Avenue.

4 Q. Was that a location that was provided to you, a living
5 quarters that was provided by Eurohouse?

6 A. Yes, ma'am. That's correct.

7 Q. And were you living there with other people that were
8 working for Eurohouse as well?

9 A. Yes, ma'am.

10 Q. And during the course of your work with Eurohouse, did you
11 have to pay rent in order to live there?

12 A. Yes, ma'am.

13 Q. I neglected to ask you this, but I think it said on your
14 Visa, your Visa began issue date of August 2, 2005, and then
15 the ending date was -- is that November 30, 2005?

16 A. Yes, that's correct.

17 Q. So how many other people were living with you there at
18 XXXXXXXX Court when you first got here?

19 A. Another four people were in the unit.

20 Q. After you got settled in to XXXXXXXX Court, did there come a
21 time that you had any conversation with Justin King concerning
22 where you were going to work? Did he talk to you about that?

23 A. Yes, he did.

24 Q. If you would, go ahead and tell the jury about that.

25 A. Initially, when we came and we spoke with Mr. King and we

8:41 AM 1 had been told that we have to wait a couple of days, just get
2 rest, and they are going to provide us a job, and they are
3 going to let us know. So I think I wait, like, between three
4 and four days.

5 Q. After you waited three or four days, what happened then?

6 A. Then I been told from Mr. King that I'm going to work in
7 Sheraton Four Point on the Okaloosa Island in Destin.

8 Q. Did he take you to the Four Point Sheraton?

9 A. Not actually him. I needed just to check the
10 transportation, which was going there and go and start to work
11 on the next day when I been told that.

12 Q. How long did you work at the Four Point Sheraton?

13 A. Probably only about three weeks.

14 Q. Where did you go then, or did somebody find you another
15 job, another location?

16 A. Yes. I had a health reason. I was off work for about four
17 days, I think. I was getting sick from the air conditioning.
18 There is outside corridors, and probably I was not still ready
19 for that changes, in the temperature changes, so I get sick.
20 And after that, you know, I spoke with Mr. King, and he told me
21 that he would find me another job in a different hotel.

22 Q. Another hotel?

23 A. Yes.

24 Q. The Four Point Sheraton then, the hotel itself, has outside
25 corridors that y'all had to actually work in?

8:43AM 1 A. Yes.

2 Q. And it was a little difference in the temperature and
3 climate?

4 A. Yes. I probably wasn't used to it.

5 Q. So you went to Mr. King and told him about the conditions,
6 and then he said that he would get you a job at another
7 location. Where did he take you to at that point?

8 A. I think I wait, like, a couple more days and then I been
9 taken to Hilton, Hilton Sandestin.

10 Q. The Hilton Sandestin?

11 A. The Hilton Sandestin, that's correct.

12 Q. How long were you at the Hilton Sandestin?

13 A. We went only there, and I never start, actually. We only
14 spoke with the housekeeping manager, and my understanding, they
15 don't need people at that time. So I didn't start to work yet,
16 though.

17 Q. So where -- did you end up ever starting to work?

18 A. The same day Mr. King give me a ride to his own vehicle and
19 we went to the Embassy Suites at Miramar Beach in Destin. So I
20 start on the very same day working at Embassy Suites.

21 Q. So he had first taken you to the Four Point Sheraton, and
22 he then he ended up taking you to the Hilton, which they didn't
23 have any openings, and then he took you to the Embassy Suites?

24 A. That's correct.

25 Q. Were you able to find work at Embassy Suites?

8 : 4 4 A M 1 A. Yes. I started working there as a housekeeper.

2 Q. Housekeeper?

3 A. Yes.

4 Q. Let me ask you this, Ms. Vardazhieva: Did Mr. King or
5 anybody at Eurohouse -- obviously those three hotels weren't
6 the Baypointe Marriott. Did anybody at that time try to change
7 your Visa so it would be in compliance so you would be working
8 at the right location?

9 A. No, ma'am. We never been told we need to change the Visa,
10 any information.

11 Q. How long did you work at the Embassy Suites?

12 A. Six months.

13 Q. Okay. And how would you get back and forth to work,
14 Ms. Vardazhieva?

15 A. I missed the question.

16 Q. How would you get back and forth to work? Were there vans
17 that were provided?

18 A. Yes. We had transportation, the vans, which they were
19 taking us from the place where I was living to the hotel.

20 Q. How much were you making an hour at Embassy Suites?

21 A. As a housekeeper?

22 Q. Yes, ma'am.

23 A. \$7.25.

24 Q. Did you eventually get a promotion and start making more
25 money?

8:45AM 1 A. Yes, I did, and probably after a couple of months. And I
2 been promoted as inspector of housekeeping, which is supervisor
3 of housekeeping, inspecting rooms.

4 Q. How much was your raise; how much money?

5 A. I started getting \$8 per hour.

6 Q. \$8 an hour?

7 A. (Nods head.)

8 Q. Your Visa was scheduled to end in November of 2005. Did
9 anybody at Eurohouse offer to file some type of petition to get
10 an extension on your Visa?

11 A. Yes, they did offer to file an extension.

12 Q. Who offered to file an extension for you?

13 A. I spoke with Mr. Justin King and spoke with Stan -- I
14 forgot his name -- from Eurohouse. So I been told that they
15 are offering extension. They are going to provide for me. And
16 I wanted to be loyal to my employer. I was thinking that was
17 the right thing to do. I have a Visa from them, so I should
18 extend.

19 Q. So you were going to work longer at the Embassy Suites
20 then?

21 A. Yes.

22 Q. How much did they say -- or were they going to charge you
23 for the Visa extension?

24 A. They told me the extension is going to cost \$1,154.

25 Q. Now, in order for this Visa extension to occur, did anybody

8:47AM 1 bring you a new written agreement for you to stay on with
2 Eurohouse for a longer time?

3 A. Yes. Justin King bring me the new agreement, which I need
4 to sign.

5 Q. I'm going to show you for identification purposes only
6 Government's Exhibit 102. Do you recognize this document,
7 ma'am?

8 A. Yes, ma'am. That is it.

9 Q. Is that --

10 A. Yes, that is the agreement.

11 Q. That's the seasonal employment agreement that Mr. King
12 brought you?

13 A. Yes.

14 Q. And where did you -- you said he brought it to you. Where
15 did he bring you this agreement at?

16 A. At the housekeeping office in Embassy Suites hotel.

17 Q. So you were actually working the day he brought this to
18 you?

19 A. Yes.

20 MS. EGGERS: Your Honor, at this time I would ask to
21 introduce Government's Exhibit 102.

22 THE COURT: Admitted.

23 BY MS. EGGERS:

24 Q. Ms. Vardazhieva, the date on this document, is that around
25 January 20, 2006?

8:48 AM 1

A. Yes, ma'am.

2 Q. And this handwriting up here at the top, is that all your
3 handwriting?

4 A. Yes, it's mine.

5 Q. And the beginning and ending date for you to work for this
6 Visa extension, was that going to be 12/1/05 to, I believe,
7 10/31/06?

8 A. Yes, ma'am.

9 Q. And then the signature on the back, last name and first
10 name; is that your signature?

11 A. Yes, that's mine.

12 Q. And then there is an employer signature blank as well?

13 A. Yes.

14 Q. And it was Justin King that brought you Government's
15 Exhibit 102?

16 A. Yes, ma'am.

17 Q. Now, did Justin King, did he actually follow through with
18 this offer and apply for a Visa extension for you?

19 A. Yes, ma'am, he did.

20 Q. Did he ever tell you when he was applying for this Visa
21 extension that you weren't going to be able to work at Embassy
22 Suites where you were making \$8 an hour, and you were going to
23 have to go over and work at the Sandestin Beach and Golf
24 Resort?

25 A. No.

8:49 AM 1 Q. He never told you that you were going to have to change
2 hotels?

3 A. No.

4 Q. I'm going to show you what's already been introduced into
5 evidence as Government's Exhibit 104. Do you recognize this,
6 Ms. Vardazhieva?

7 A. Yes, ma'am. That is my extension of my Visa which I did
8 with Eurohouse.

9 Q. So this is the extension that Mr. King got for -- I think
10 you said you paid, \$1,154?

11 A. Yes, ma'am, that's correct.

12 Q. Can you read the amount received on this document?

13 A. Yes, ma'am.

14 MS. EGGERS: For the record -- I apologize -- this is
15 Government's Exhibit 100.

16 BY MS. EGGERS:

17 Q. The petitioner, the listed petitioner here, ma'am, if you
18 could read that and just tell me whether or not that says
19 Eurohouse d/b/w Sandestin Golf and Beach Resort?

20 A. Yes, ma'am, that's correct.

21 Q. You said he never -- he never told you that you were going
22 to have to change hotels?

23 A. No, ma'am.

24 MS. EGGERS: I apologize, Your Honor. Just one
25 moment.

8:50 AM 1

BY MS. EGGERS:

2 Q. So looking at Government's Exhibit Number 107.

3 MS. EGGERS: If I may publish it to the jury, Your
4 Honor.

5 BY MS. EGGERS:

6 Q. Mr. King never told you that you would be moved from your
7 current place of employment to the Sandestin Beach and Golf
8 Resort? He never made any statement like that?

9 A. No. No, ma'am.

10 Q. He never told you that he filed a document with the federal
11 government saying that that would happen?

12 A. No, ma'am.

13 Q. You said you were paid \$7.25 initially at the Embassy
14 Suites, and then you were promoted, and you started getting
15 paid \$8 an hour?

16 A. Yes, that's correct.

17 Q. What about overtime, Ms. Vardazhieva? When you received
18 paychecks from Eurohouse, were you provided overtime or
19 time-and-a-half?

20 A. No.

21 Q. Where they break up your paychecks and put 40 hours on
22 one --23 A. Yes. They were giving two separate checks. We were new in
24 the country, and I didn't know, and they told me that's the way
25 it have to be, and I was thinking that was normal.

8:52 AM 1 Q. And you didn't know any better?

2 A. Yes.

3 MS. EGGERS: Your Honor, at this time --

4 BY MS. EGGERS:

5 Q. I mean, Ms. Vardazhieva, do you recognize Government's
6 Exhibit 131-A, B?

7 A. Yes. That's my paychecks.

8 Q. Do you recognize that?

9 Did you turn these paychecks over to the federal agents?

10 A. Yes, I did.

11 MS. EGGERS: Your Honor, at this time I'd ask to
12 introduce Government's Exhibit 131 A, B, C, D, E and F into
13 evidence.

14 MR. KYPREOS: No objection.

15 THE COURT: Admitted.

16 BY MS. EGGERS:

17 Q. Ms. Vardazhieva, the first paycheck we have here says, the
18 date down at the bottom, the pay periods 12/10/2005, to
19 12/23/2005. Do you agree?

20 A. Yes, that's correct.

21 Q. And then 78.7 hours at \$8 an hour, and this looks to be
22 your year-to-date total pay? Would you agree?

23 A. Yes.

24 Q. And this is \$629.60. There was additional fees for \$354.
25 What were those additional fees that you were having to pay?

8:53AM 1 A. Those are the withholding for my extension which been done
2 not once, three different checks. That was \$1,154 for my
3 extension, the Visa.

4 Q. So they took it out over time?

5 A. Yes.

6 Q. So after working 78.7 hours that month, you made a sum
7 total of \$210.60?

8 A. That's correct.

9 Q. I'm going to show you Government's Exhibit 131-B. This is
10 the pay period of 12/24/2005, the 1/6/06 pay period, the top
11 check stub is, and this particular one says that you worked 80
12 at \$8 an hour for \$640. Do you agree?

13 A. Yes. That's correct.

14 Q. And then you had taken out \$67 for federal withholding. Do
15 you agree?

16 A. Yes. That's correct.

17 Q. And let's go down to the bottom on the check stub on this
18 particular one. It says you worked 6.5 hours at \$8 an hour?

19 A. Yes. That's correct.

20 Q. Fifty-two dollars?

21 A. Yes.

22 Q. Was that the same pay period, that 12/24?

23 A. Yes. That is the separate check that I had been given on
24 the same time, the same day, they gave me two separate checks.

25 Q. And this particular, the one that had your overtime hours,

8:54 AM 1 was that one purportedly issued by a company by the name of AA
2 Limited?

3 A. Yes.

4 Q. And then your full-time hours, did that pay stub say
5 Eurohouse?

6 A. Yes.

7 Q. Are the other paychecks similar as well, Ms. Vardazhieva,
8 that that continued?

9 A. Yes.

10 Q. You said Mr. King brought you the extension of your
11 agreement with Eurohouse to the Embassy Suites. Did Mr. King
12 know that you actually worked at Embassy Suites full time?

13 A. Yes, he did.

14 Q. Did you help in any capacity to bring people in, Eurohouse
15 employees over?

16 A. Yes. I been asked that we need people. And I tried to be
17 loyal to the company and tried to contact them and tell them we
18 need the people at this moment and if you have available, and
19 they were starting to work there.

20 Q. Who would give you your paychecks, Ms. Vardazhieva?

21 A. Justin King, Lena, the secretary of Eurohouse.

22 Q. Do you see the individual that you knew as Justin King in
23 the courtroom today?

24 A. Yes. He's here.

25 Q. If you would, please point to him and identify an article

8:56AM 1 of his clothing.

2 A. Yes.

3 Q. Just identify something he's wearing, color of his shirt.

4 A. Yes, the blue shirt.

5 MS. EGGERS: Your Honor, if the record would reflect
6 that she's identified the defendant.

7 THE COURT: Granted.

8 MS. EGGERS: Nothing further, Your Honor.

9 THE COURT: Mr. Kypreos.

10 MR. KYPREOS: No questions, Your Honor.

11 THE COURT: Your next witness?

12 MS. EGGERS: Petar Petrov.

13
14 (Excerpt concluded at 8:58 a.m.)
15

16 -----
17 I certify that the foregoing is a correct transcript from the
18 record of proceedings in the above-entitled matter. Any
19 redaction of personal data identifiers pursuant to the Judicial
Conference Policy on Privacy are noted within the transcript.

20 s/Gwen B. Kesinger

1-4-08

21 _____
22 Gwen B. Kesinger, RPR, FCRR
23 Official Court Reporter

Date