

# Exhibit "NN"

page 1 of 8

July 26, 1999, I was stopped and cited by a Santa Cruz Police Officer . . . he was cool, a bit confused, but wrote the ticket.

E: = Santa Cruz City Police Officer Bernie Escalente

Q: = Richard Quigley

---

E: Could I see you driver's license . . .

Q: Yessir.

E: Registration and insurance.

Q: I believe I got everything. How are you today?

E: Good. Is there any reason why you're not wearing . . .?

Q: No. This helmet's good.

E: That hat right there is good?

Q: This helmet right here is good, yessir.

E: Huh?

Q: Yessir, this helmet's good.

E: Okay.

Q: Uh, insurance here . . . registration title . . . here's the title on the thing, I don't have my registration with me. And wait a minute, I just got my license today . . . my new one . . . you don't want my temporary if I got my new one, right?

E: Yeah, whatever is the most current.

Q: Yeah, this is the one I got today.

E: Okay. . . . you still live on Fresno Street?

Q: Yeah.

E: Your current address?

Q: Yeah. I just got that . . . not four hours ago. Took my picture, got my fingerprints . . . everything.

E: Okay.

Q: Been a long time.

E: What are you doing over there? (I was adjusting my chaps . . . the zipper does not stay down.)

Q: Oh, I was just messing with my zipper. No big deal. No problem man.

E: Try to keep your hands in the open.

Q: Yeah. No sweat.

E: The uh title is in your name now?

Q: Yeah.

E: Okay.

Q: Yeah.

E: (garbled, something about paperwork)

Q: Well I've got that . . . lemme get what I got.

E: So obviously the reason why I'm stopping you is because that hat does not consist of a legal motorcycle helmet.

Q: Okay. Here's the, here's the title. If you run the reg, you'll find out that the uh registration is current. In one of these exchanges . . .

E: Yeah, it it comes back current. Does it come back in your name?

Q: Yeah. Yeah. Yeah, my papers are in order. I meant to pick up another duplicate registration today, one of those little slips, 'cause in one of these exchanges here lately, I lost it in the pile, so . . . but everything's cool with the bike.

E: So the name of the bike is under Wayne Thomas . . .?

Q: No, that is the title that he signed over. That is for the motor that is in it. The frame and the other motor that were in it were registered . . . they are what's registered. That's the slip that I don't have is that little registration slip. And the title on the thing hasn't come back to me so . . .

E: Okay, if you could just stand by here . . .

Q: Yeah. No problem. Is it okay with you if I light a cigarette?

E: If you could just hold off, okay. I don't know what's in your pockets.

Q: Oh no. Oh no, I understand. I'll keep my hands out where you can see them and remain comfortable. You bet.

(Break -- about 5 minutes -- while he's gone to his patrol unit.)

E: Here's your insurance.

Q: Okay, thank you.

E: Here's your . . . (referring to the interim license) they didn't make you sign this when you left the DMV?

Q: No. No I signed the uh. . . the deal down there for the permanent license. They had some little electronic thing I signed, but naw. They just handed it to me like that. (The DMV knows that I don't just put my signature on everything they stick in front of me . . . they didn't ask, and I didn't offer.)

E: (garbled)

Q: I took my driver's test, passed my driver's test . . .

E: Okay, so as I stated before, I pulled you over and I'm citing you for driving without a motorcycle helmet, okay?

Q: Well now wait a minute, I'm wearing a helmet.

E: Where is it?

Q: It's on my head.

E: Okay. Is it underneath that hat?

Q: No, this is the motorcycle helmet. You're lookin' at it. That's it.

E: That's not . . . that hasn't passed it, okay?

Q: Well no, that's okay. As long as, as long as we're in agreement that I got something on my head . . . if you don't, if you don't agree that it's a helmet, that's fine, I don't have a problem with that, I'll take the ticket and then we go do the thing, okay. I go no problem with that.

E: Okay.

Q: None.

E: That's fine.

Q: Okay?

E: Do you understand what a legal motorcycle helmet needs to be like? I understand that you think that one is legal, but it's not. So . . .

Q: Well and, and the reason it's not is because . . .?

E: California vehicle code states that a, I don't know, what's that a canvass hat? . . . what material kinda cap is that?

Q: I don't think that . . . I don't think that the helmet law describes what a helmet is supposed to be made of.

E: Yeah, it's supposed to be, it's supposed to be certified . . . a motorcycle helmet will have a certification inside of it with a sticker stating that this is, you know, was passed inspection. Okay, a cap, a wool cap like what you're wearing, doesn't pass inspection.

Q: Okay, and that's your understanding? . . . Okay, I have . . . I have no problem. I believe you're acting faith. And trust me when I tell you I am too. But, we'll get it straight.

E: Sign in the red box.

Q: Okay.

E: It your notice to take care of it within 30 days.

Q: Okay, could you . . . could you make a note . . .

E: (talking to a woman looking for information) Not right now. Could you just give me one minute?

Q: Could you just make a note on there that you didn't like what I was wearing. I mean . . .

E: It's not that I don't like it. Your hat . . .

Q: As long as it . . .

E: It's not an opinion of your hat.

Q: Well no, as long as it has some reference on there to to something on my head. That what I wearing was not a helmet. Or whatever you want to . . . if you don't mind. (He fixed the ticket.)

E: What kind of material is that, wool? It might say inside your cap there . . .

Q: No, it doesn't say inside any materials.

E: Wearing a wool . . . I think it's wool . . .

Q: If you're going to put "wearing a cap", just as long as you got me wearing something, that's all I care about. That's the only thing. So that we both remember when we get there that I had something on my head, and then we get . . .

E: Freedom Fighter . . .

Q: Okay, got it.

E: Wearing a wool Freedom Fighter cap.

Q: Perfect. Let me sign that sucker and, and we can both get back to work.

E: Okay.

Q: Right here?

E: Yeah, right in that red box.

Q: Okay. . . .

E: Okay.

Q: Yessir.

E: Just a mere suggestion . . . I don't think it's just my interpretation of the vehicle code, or how they write it . . . I suggest you get a certified helmet or else you can get stopped by anybody else and they can also cite you.

Q: Okay, I'm curious about one thing, and that is, do you have any idea of who . . . what is your understanding of who would certify the helmet?

E: Okay. You know, I'm not a motorcycle rider myself.

Q: Okay, no problem.

E: But what I'm gonna do . . . (garbled) it should only take a short second. (while breaking out his "Qwik Code").

Q: It's not in that little book, trust me.

E: Yeah it is. I just looked it up here.

Q: Okay.

E: Helmets. **Approved type. Motorcycle, motorized-bicycle, or motor-driven cycle operated on the highway. Driver and passenger must wear approved helmet . . .**

Q: Right.

E: . . . on his or her head, fastened with helmet straps, correct size and fit securely.

Q: Okay, and . . .

E: And then it says . . . **this is the section (showing me the book), helmet required, driver and passenger not wearing approved . . . no way that's approved.**

Q: Right. Got it. Could you flip that back to we can see. (I was attempting to establish that he was not working out of the Vehicle Code, but from a Qwik Code put out by the California Police Officer's Association -- a completely different problem we experience here in California.) I think you're working out of that same vehicle code that's put out by the Police Officer's Association.

E: Uh huh.

Q: If you look at the front page . . .?

E: Yeah.

Q: I just want to verify that so that we got no . . . flip it over one more page. I don't want to touch your stuff. Okay, yeah, that's the one that's put out . . . that's the Qwik Code . . .

E: Qwik Code by the California Peace Officers . . .

Q: Peace Officer's Association. Okay. That's all I wanted. That's the second one I've got outta that book. The first one was over in Capitola.

E: Uh huh.

Q: And it's . . . they don't give you guys enough information in there. But that's okay. I mean, we're both good. I mean, you know, it's one of those deals . . . the court will decide it, and it's nothing personal for either one of us, I hope?

E: Nope.

Q: Good. Okay. Thank you very much officer.