

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

JPMORGAN CHASE BANK, N.A.,

Petitioner,

vs.

DAVID WAYNE REDKEY,

Respondent.

No. PB2009-002224

Phoenix, Arizona  
November 16, 2015  
10:58 a.m.

BEFORE THE HONORABLE ARYAH D. SCHWARTZ

TRANSCRIPT OF PROCEEDINGS

Hearing

Proceedings recorded by electronic sound recording; transcript produced by eScribers, LLC.

KLANCIE GARREL  
Transcriptionist



I N D E X

November 16, 2015

PETITIONER'S WITNESSES      DIRECT   CROSS   REDIRECT   RECROSS   VD

None

RESPONDENT'S WITNESSES      DIRECT   CROSS   REDIRECT   RECROSS   VD

None

M I S C E L L A N E O U S

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APPEARANCES

November 16, 2015

Judge: Aryeh D. Schwartz

For the Petitioner:

William A. Clarke

Witnesses:

None

For the Respondent:

David Wayne Redkey, Pro Se

Witnesses:

None



Phoenix, Arizona

November 16, 2015

(The Honorable Aryah D. Schwartz Presiding)

HEARING:

THE COURT: - in the matter of David Wayne Redkey,  
PB2009002224.

Counsel, please state your presence for the record.

MR. CLARKE: Yes. William A. Clarke.

THE COURT: Mr. Clarke, thanks for being here.

I reviewed the file and see that we met last week.  
This is a continued hearing on the petition for partial release  
of funds to pay off the credit card. And at the hearing on  
November 9th, I had asked for Mr. Redkey to appear on his own  
behalf as you no longer represent Mr. Redkey, you represent the  
Conservator. And I had concerns additionally because the  
conservative seeking to have the Court authorize payment of a  
credit card issued by the Conservator.

Mr. Clarke, do you know if Mr. Redkey is here?

MR. CLARKE: I believe is available by on the  
telephone.

THE COURT: All right, very well.

MR. CLARKE: I apologize, Your Honor, we -- David  
forgot.

THE COURT: Okay. Appreciate the candor. We'll try  
to connect him in here.



1 MR. CLARKE: I did -- I went back to the office and  
2 made arrangements.

3 THE COURT: I understand.

4 Okay.

5 THE CLERK: I have Mr. Redkey on the line.

6 THE COURT: Thank you.

7 Hello. You're in the courtroom.

8 MR. REDKEY: Hello.

9 THE COURT: Hi. Who am I speaking with?

10 MR. REDKEY: My name is David Redkey, David Wayne  
11 Redkey.

12 THE COURT: All right, Mr. Redkey, thanks for joining  
13 us this morning. We are here as a result of the Conservator in  
14 your case, JPMorgan Chase Bank, having filed a request to have  
15 funds released from your state in order to pay off a credit  
16 card that's been issued by JPMorgan Chase Bank, the same as the  
17 Conservator. Are you aware of that petition?

18 MR. REDKEY: Yes, I am.

19 THE COURT: Okay. Actually before I -- I've got a  
20 couple of questions for you. Do you mind if we swear you in?

21 MR. REDKEY: Yes..

22 THE COURT: So if you're somewhere where you can  
23 stand, please stand and hold your right hand up and we'll have  
24 you sworn in by our clerk.

25 MR. REDKEY: Okay. My hand is up.



1 THE COURT: Okay.

2 DAVID REDKEY

3 Respondent, having been duly sworn, testified as  
4 follows, telephonically: MR. REDKEY: I do.

5 THE COURT: Okay. Thank you, Mr. Redkey. I've got a  
6 couple of questions for you.

7 Before I begin, I'll ask Mr. Clarke if there's  
8 anything he'd like to add in support of the petition or  
9 questions that he may want to ask of you?

10 MR. CLARKE: Your Honor, no. I think between the  
11 conversation that we had a week ago and the petition, I think  
12 the -- I think you're fully aware of the legal basis for our  
13 request here.

14 THE COURT: I am. And my concern was the Conservator  
15 no longer representing Mr. Redkey and seeking permission to pay  
16 off a credit card to itself --

17 MR. CLARKE: Yeah.

18 THE COURT: Basically. And I -- there isn't  
19 necessarily any bad self-dealing going on but I wanted to be  
20 sure.

21 And Mr. Redkey, that's why I asked for you to  
22 participate in this hearing. But do you understand the  
23 petition filed by JPMorgan?

24 MR. REDKEY: Yes, I do.

25 THE COURT: You've been able to read it and you agree



1 with it?

2 MR. REDKEY: I -- I mean I agree with it. I read it.  
3 I know that the credit card was originally issued because when  
4 I -- they set up my checking account, I kept going over and  
5 over almost monthly because I would spend -- overspend what was  
6 given to me each month. And so originally, I was called --  
7 contacted by JPMorgan about this credit card in lieu of doing  
8 that because it somehow was hurting my account or made it run  
9 over. And so they had said -- gave me this credit card. And  
10 then I was under the impression that they were -- they -- the  
11 Conservatorship and the credit card department were the same  
12 place. And JPMorgan -- Sherry Stone (phonetic), at the time,  
13 did not know that the credit card was issued to me.

14 So there was no communication with them at JPMorgan.  
15 So yeah, I read over that and so the reason why is because I  
16 kept trying to pay off the credit card and I -- with my monthly  
17 allowance and -- and it's, you know, not being able to do that  
18 and live off my monthly allowance at the same time. So they  
19 decided they're -- well, we decided that it would be better --  
20 more -- just to get rid of it and close the credit card because  
21 it was an unneeded expense.

22 THE COURT: Was it your idea to pay off this credit  
23 card?

24 MR. REDKEY: Yes. I asked -- I request to Mr. Clarke  
25 to actually pay it off because I was always coming up, you

1 know, having the difficulty of deciding trying to pay it off  
2 and also pay my other expenses, like for my electricity and  
3 whatever other -- and having to -- and friends having that --  
4 and kind of -- yeah. So I -- I requested him to do it.

5 THE COURT: Okay. Mr. Redkey, are you under any  
6 pressure from any other party to pay off this credit card?

7 MR. REDKEY: No. The only pressure is myself.

8 THE COURT: Understood. Do you have the other credit  
9 cards?

10 MR. REDKEY: No, I do not.

11 THE COURT: Okay. So this is the only one and you'll  
12 be paying off this one?

13 MR. REDKEY: Yes.

14 THE COURT: Okay. Do you have somebody that you've  
15 been able to talk to about your finances other than JPMorgan?

16 MR. REDKEY: Yeah, my -- my -- well outside of my  
17 wife, no, it's just JPMorgan. I talked to another financial  
18 institution about -- there's a possibility of transitioning  
19 from JPMorgan to them. But that was about the extent of it.  
20 There's nothing about no -- what JPMorgan was doing -- or has  
21 done or anything along those lines.

22 THE COURT: Okay. So you don't have any reservations  
23 about the petition filed by JPMorgan and the relief that  
24 they're requesting?

25 MR. REDKEY: No, I do not.



1 THE COURT: Okay. Based upon -- well Mr. Clarke,  
2 anything to add?

3 MR. CLARKE: No objections, Your Honor.

4 THE COURT: You see where I'm going.

5 So based upon the petition and the evidence,  
6 including Mr. Redkey's own testimony in support of the petition  
7 file by the Conservator, it is hereby order approving the  
8 petition. I'll sign the form of order provided. And if  
9 there's nothing else, we'll be adjourned.

10 Mr. Clarke?

11 MR. CLARKE: Thank you very much, Your Honor.

12 THE COURT: All right. Thank you.

13 Mr. Redkey, you can hang up now.

14 MR. REDKEY: Oh, thank you very much, Your Honor.

15 THE COURT: You're welcome. Thank you.

16 We're adjourned.

17 (Proceedings concluded at 11:07 a.m.)

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## CERTIFICATE

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KLANCIE GARREL,  
Transcriber

September 26, 2024

