

STATE OF LOUISIANA  
PARISH OF NATCHITOCHEs  
10TH JUDICIAL DISTRICT COURT

CALVIN W. BRAXTON, SR. \*

VERSUS \* DOCKET NO.: C-90,284

LOUISIANA STATE TROOPERS \*  
ASSOCIATION AND JAY \*  
OLIPHANT \*

\* \* \* \* \*

The deposition of DONALD RACHAL, taken in connection with the captioned cause, pursuant to the following stipulations before Kim Taylor, Certified Court Reporter, at the Law Offices of McCoy, Roberts & Begnaud, 300 St. Denis Street, Natchitoches, Louisiana, on the 2nd day of October 2020, beginning at 11:47 a.m.

1 APPEARANCES:

2

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23 ALSO PRESENT:

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24 LT. MAJOR JAY OLIPHANT

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S T I P U L A T I O N

It is hereby stipulated by and among counsel for plaintiff and counsel for defense that the deposition of

DONALD RACHAL,

be taken before Kim Taylor, Certified Court Reporter, by counsel for the plaintiff for all purposes, pursuant to notice and to the provisions of the appropriate statutes of the Code of Civil Procedure of the State of Louisiana.

The parties hereto waive all formalities in connection with the taking of said deposition, except the reading and signing thereof, the swearing of the witness, and the reduction of the questions and answers to typewriting.

Per Article 1443(D) of the Louisiana Code of Civil Procedure, counsel for all parties reserve all objections until trial or other use of the deposition.

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INDEX

EXAMINATION BY MS. CRAFT . . . . . 5

EXAMINATION BY MR. FALCON. . . . .15

EXAMINATION BY MR. OXENHANDLER . . . . .20

EXAMINATION BY MR. MAYEAUX . . . . .22

RE-EXAMINATION BY MS. CRAFT. . . . .23

OBJECTIONS:

BY MS. CRAFT. . . . . 17, 19

EXHIBITS:

NONE

1 DONALD RACHAL,  
2 after having been duly sworn, was examined and did  
3 testify as follows:

4 EXAMINATION BY MS. CRAFT:

5 Q Mr. Rachal, my name is Jill Craft, and I  
6 represent Mr. Braxton in connection with the  
7 lawsuit that's pending here in Natchitoches  
8 Parish. I know that you and I spoke on the  
9 phone day before yesterday. You had contacted  
10 my office; is that correct?

11 A Yes.

12 Q And I returned the call that you had placed to  
13 my office; is that correct?

14 A Yes.

15 Q Sir, would you give us your full name and  
16 address for the record, please?

17 A Donald Rachal, 1316 Shady Grove Road,  
18 Natchitoches, Louisiana.

19 Q Sir, I am apologetic for you being here, but as  
20 I think I explained on the phone, I have to do  
21 my job. And some of that sometimes involves  
22 asking people questions I don't want to. Sir,  
23 you were married to Lydia Rachal; is that  
24 correct?

25 A Yes.

1 Q And can you tell me what relationship you have  
2 with Mr. Oliphant who is seated here in the  
3 room?

4 A He's a friend.

5 Q Well, you're also related to him, sir; are you  
6 not?

7 A No. Well, he's married to a relative of mine.  
8 Yes.

9 Q In fact, when you and I spoke on the phone, you  
10 told me that he was your relative; isn't that  
11 right?

12 A Yes. Uh-huh.

13 Q And can you tell me how it is he's related to  
14 you?

15 A By his marriage to Danielle Conda. She's my  
16 cousin.

17 Q Danielle Conda?

18 A Uh-huh.

19 Q How is that spelled?

20 A C-o-n-d-a.

21 Q And I neglected to tell you this, but I may ask  
22 you to spell names, places, or things, not to  
23 test your spelling. It's just when our court  
24 reporter is trying to type, she's not picking  
25 up all the words.

1 A Okay.

2 Q And so that way she can get it later on and  
3 say, okay, that's how it's actually spelled.

4 When did Mr. Oliphant and Ms. Conda get  
5 married; do you remember?

6 A I don't remember.

7 Q Do you remember what year it was?

8 A No, I don't.

9 Q Did Mr. Oliphant and your cousin, did they date  
10 for a while before they got married?

11 A Yes.

12 Q About how many years did they date?

13 A I'm not sure, ma'am.

14 Q Did they live together before they were  
15 married?

16 A I'm not sure of that either.

17 Q Now, you indicated that you and Mr. Oliphant,  
18 in addition to being related, are friends.

19 A Yes.

20 Q How long have you been friends?

21 A I guess since we've been in law enforcement.

22 Q So how many years is that?

23 A I'd say 30 years.

24 Q And you're with the sheriff's office; is that  
25 right?

1 A Now I am, yes.

2 Q And how long have you been with the sheriff's  
3 office?

4 A Six years.

5 Q That's the Natchitoches Parish Sheriff's  
6 Office, right?

7 A Yes.

8 Q Sorry, let me finish so she can get it down and  
9 we're not talking over each other.

10 A Okay.

11 Q Before that, you were with which law  
12 enforcement agency?

13 A NSU.

14 Q Which is?

15 A Northwestern State University.  
16 Q Police Department?

17 A Yes.

18 Q And how long had you been with those people?

19 A Thirty-three (33) years.

20 Q When was the last time you talked to Mr.  
21 Oliphant?

22 A A couple of weeks ago.

23 Q When was the last time you texted with Mr.  
24 Oliphant?

25 A I didn't text him.



1 Q What did you and he talk about a couple of  
2 weeks ago?

3 A When I received a subpoena.

4 Q And tell me --

5 A I was wondering what it was about, and he  
6 basically told me it would be for this  
7 deposition into the -- my wife's death.

8 Q What did he say about that?

9 A What you mean what did he say?

10 Q He said this case was about your wife's death?

11 A Yes, because we had talked about it a while  
12 back.

13 Q What do you mean?

14 A On one occasion, we talked and, you know, we  
15 just discussed -- really just basically said,  
16 "What do you think about it?"

17 Q On one occasion, you and Mr. Oliphant talked  
18 about it?

19 A Uh-huh.

20 Q Is that a yes, sorry?

21 A Yes. Yes.

22 Q She can't take down "uh-huh."

23 A Yes. Uh-huh.

24 Q And so when you had the conversation one time  
25 with Mr. Oliphant about your wife's death, was

1           it he who brought it up or you who brought it  
2           up?

3 A        I did.

4 Q        And what did you say to him?

5 A        I just feel like there was a lot of things that  
6           wasn't done with the case back when it happened  
7           20 years ago.

8 Q        When was that?

9 A        That would have been 2000.

10 Q       In the year 2000?

11 A       Yes, May of 2000.

12 Q       May of 2000 when you had --

13 A       Uh-huh.

14 Q       -- that conversation with Mr. Oliphant?

15 A       No. No.

16 Q       When your wife died?

17 A       Yes. Yes.

18 Q       When did you have the conversation with Mr.  
19       Oliphant?

20 A       Oh, I think it might be less than a year or a  
21       year ago some time.

22 Q       Some time within the last 12 months?

23 A       Yes. Uh-huh.

24 Q       Had you talked to him before, or had he talked  
25       to you before about your wife's death before

1 any time within the last 12 months?

2 A No. Huh-uh.

3 Q Now, you indicated that you guys had been  
4 friends. You'd been friends since the year  
5 2000. Did you and he talk about this stuff at  
6 the time it happened?

7 A No. No.

8 Q So the only time the two of y'all talked about  
9 it was within the last 12 months?

10 A Yes.

11 Q Did you ever hear any -- hear about Mr.  
12 Oliphant making any statements -- and I don't  
13 want to talk about what you and -- you said you  
14 and he talked about it one time in the last 12  
15 months. Before that time, had you ever heard  
16 anything in the community -- Mr. Oliphant  
17 making any statements about your wife's death?

18 A No.

19 Q Had you ever heard anything in the community  
20 about maybe other people saying things about  
21 your wife's death?

22 A Yeah. It's a small town, so yeah, you hear  
23 rumors.

24 Q Like what?

25 A Like they didn't -- they just didn't think it

1           happened like I said it did.

2 **Q       Was there some other sheriff's deputy, and**  
3 **again, I don't want to be indelicate, to your**  
4 **knowledge that attended your wife's autopsy?**

5 **A       I really wouldn't know. I wouldn't know.**

6 **Q       I don't want to be indelicate, sir, but at the**  
7 **time it happened, I know it was in Shreveport;**  
8 **is that right?**

9 **A       Yes.**

10 **Q       And the Shreveport Police Department**  
11 **investigated; is that right?**

12 **A       Right.**

13 **Q       And at that time, were you satisfied with their**  
14 **investigation?**

15 **A       Yes. At one point, yes. But I say satisfied,**  
16 **but they kept saying they were giving me**  
17 **professional courtesy and then when -- they**  
18 **couldn't actually talk to me about the case,**  
19 **but that once it was over and the case was**  
20 **settled, then they would provide me with any**  
21 **information that I needed because I was trying**  
22 **to find closure for my kids.**

23 **Q       I understand.**

24 **A       Yes.**

25 **Q       And did they do that?**

1 A No.

2 Q Were you ever able to get the report?

3 A No.

4 Q But you tried, right?

5 A Yes.

6 Q You tried several times to get the report on  
7 your wife's death, even after the case was  
8 closed?

9 A Yes.

10 Q When was the last time you tried to get the  
11 report on your wife's death?

12 A I don't know. It was --

13 Q A couple of years ago?

14 A Oh, no, it was back probably '01.

15 Q But it was after the case was closed?

16 A Yes.

17 Q And you, a family member, were not able to get  
18 a copy of that report?

19 A Well, they were cooperating until I started  
20 asking the wrong questions.

21 Q Like what?

22 A Like who was the last person that she talked to  
23 or who was the last person that -- and if they  
24 had questioned Mr. Braxton concerning her  
25 death. And at the next time I talked to them,

1 they advised me that they were no longer able  
2 to discuss the case with me because we were  
3 legally divorced.

4 Q But after that time, after the case was closed  
5 as you understood it, your effort to get a copy  
6 of the report on your wife's death, you  
7 couldn't even get it yourself.

8 A No.

9 Q And you were a law enforcement officer at that  
10 time; is that right?

11 A Yes.

12 Q And did you ever ask anyone to try to get a  
13 copy of that report for you?

14 A No, ma'am.

15 Q Do you -- did you authorize anyone with the  
16 state police to go back and look at -- and I'll  
17 use the correct terminology, to go look into  
18 your ex-wife's death?

19 A No.

20 Q Did you ever ask Mr. Oliphant to have state  
21 police go back and look at your wife's -- your  
22 ex-wife's death --

23 A No.

24 Q -- to see if there was any foul play?

25 A No. I told him I would like for it to happen,

1 but I would have to talk with my kids first  
2 because I didn't want to put them through that  
3 again.

4 **Q And that was some time in the last 12 months?**

5 A Yes, and after talking with them, they said no,  
6 they didn't want their mom's name brought back  
7 up again, and I relayed that message to him.

8 **Q In the last 12 months?**

9 A Yes.

10 MS. CLARK:

11 Sir, that's all the questions I have.  
12 Thank you. They may have questions for  
13 you. I don't know.

14 MR. FALCON:

15 You have questions?

16 MR. MAYEAUX:

17 Go ahead.

18 MR. FALCON:

19 Yes, sir.

20 EXAMINATION BY MR. FALCON:

21 **Q Mr. Rachal, my name is Floyd Falcon, and I**  
22 **represent the Louisiana Troopers Association in**  
23 **this matter.**

24 A Yes.

25 **Q Have you had any involvement with the Louisiana**

1 Troopers Association?

2 A No, sir.

3 Q Ever talked to anybody with the Louisiana  
4 Troopers Association about your wife's death?

5 A No, sir.

6 Q Ever talked to anybody with the Louisiana  
7 Troopers Association about Colonel Oliphant?

8 A No, sir.

9 Q And like you said, you know Colonel Oliphant.  
10 You've been knowing him from years through your  
11 association with law enforcement; is that  
12 correct?

13 A Yes, sir.

14 Q Now, Ms. Craft emphasized multiple times in her  
15 brief questioning that this all occurred, this  
16 discussion with Oliphant, occurred in the last  
17 12 months. Are you sure that it wasn't longer  
18 than that, sir?

19 A It may have been. It may be longer than that.  
20 I'm not sure.

21 Q Yes, sir.

22 A I really have to -- I didn't really write down  
23 anywhere, make a mental note --

24 Q She suggested 12 months to you, and you  
25 accepted that --



1 MS. CRAFT:

2 No, sir, Mr. Falcon, that's not what  
3 happened. He said within the last six  
4 months to a year.

5 MR. FALCON:

6 I'm asking the questions. You can  
7 object.

8 MS. CRAFT:

9 I understand, but I'm going to object  
10 to your question because it's improper.

11 MR. FALCON:

12 And you can answer it, sir.

13 A It may be. It may have been longer. It may  
14 have been longer.

15 MR. FALCON:

16 Q One further question, sir. Were you -- did you  
17 ever hear that at the time of your wife's  
18 death, and I don't want to be indelicate  
19 either, but at the time of your ex-wife's death  
20 that she was using a vehicle that was owned by  
21 Mr. Calvin Braxton?

22 A Yes.

23 Q Did you ever find out anything about that?

24 A Like I said --

25 Q Stuff

1 A Yeah. I know that to be a fact because of the  
2 conversation I had with him at the time of her  
3 death.

4 Q With whom?

5 A Mr. Braxton.

6 Q And what did Mr. Braxton tell you at the time  
7 of her death?

8 A At the time, my youngest daughter was actually  
9 driving a -- it was an Expedition, and he  
10 wanted to know if I would let him continue to  
11 pay the note on the vehicle that he had been  
12 paying for for my daughter to drive. And I  
13 told him under no circumstances would I allow  
14 him to do that. And the vehicle was parked at  
15 my kids' house at the time until my son  
16 actually ended up buying the vehicle because my  
17 daughter was not allowed to drive it anymore.

18 Q In addition to that Expedition, was there  
19 another vehicle that Calvin was providing to  
20 any members of your family?

21 A No, sir. Not that I knew of anyway.

22 Q Now, one of the things I -- if I understood you  
23 correctly, one of the things you were concerned  
24 about the Shreveport Police Department  
25 investigation is whether or not that they had

1           interrogated Calvin Braxton?

2 A           Yes, sir.

3 Q           And were you able to determine -- were you ever  
4           -- did you ever learn whether or not they did?

5 A           No, sir.

6 Q           Did you ever get any information on that issue?

7 A           Like I said, once I started asking questions  
8           pertaining to him, all the cooperation with the  
9           Shreveport PD was shut down between me and the  
10           investigating detective.

11 Q           And when you had that conversation with the  
12           Shreveport Police Department, could that have  
13           been prior to them completing and closing out  
14           their investigation?

15 A           Yes, sir.

16           MS. CRAFT:

17                     I'm going to object to the form.

18                     That's not what he testified to, Mr.

19                     Falcon. If you want to get him to change  
20                     his testimony, that's one thing.

21           MR. FALCON:

22                     I asked him could it have been prior to  
23                     the end of their investigation.

24 A           Like I said, I wouldn't know because they  
25           stopped cooperating with me. So I didn't know

1 if the investigation was complete or not.

2 MR. FALCON:

3 Q Do you know the date they closed their file on  
4 their investigation?

5 A No, sir, I don't.

6 Q And do you -- can you correlate the date that  
7 -- this unknown date when they closed the file  
8 with your conversation -- your inquiry about  
9 them taking Calvin Braxton's statement?

10 A No, sir.

11 MR. FALCON:

12 Thank you, sir. That's all I have.

13 EXAMINATION BY MR. OXENHANDLER:

14 Q Mr. Rachal, my name is Steve Oxenhandler, and I  
15 represent Colonel Oliphant. You testified  
16 earlier that you are related to Mr. Oliphant,  
17 but you're not personally related by blood?

18 A No. No.

19 Q And your wife is somehow related to Colonel  
20 Oliphant -- I mean, your --

21 A No.

22 Q -- his wife is --

23 A His wife is related to me, yes.

24 Q And how is that?

25 A Her dad is my first cousin.

1 Q And if I told you that Colonel Oliphant and his  
2 wife were married on October 12th of 2018,  
3 would you have any reason to doubt that?

4 A No, sir.

5 Q Do you recall giving Colonel Oliphant any  
6 warning regarding Calvin Braxton?

7 A I told him I didn't trust him. I didn't trust  
8 -- I don't trust him at all.

9 Q Did you ever tell Colonel Oliphant that he  
10 needed to be careful regarding Calvin Braxton?

11 A Yes, I did.

12 Q And what did you mean by that?

13 A Because he's unpredictable.

14 Q Do you remember when you told Calvin Braxton  
15 that?

16 MS. CRAFT:

17 You mean --

18 A I never talked to Calvin Braxton.

19 MR. OXENHANDLER:

20 Q I'm sorry, when you told Colonel Oliphant that?

21 A Not exactly, no.

22 Q Some time in the last year or --

23 A Probably.

24 Q -- couple of years?

25 A Yes, sir. Uh-huh.

1 Q Did you tell Colonel Oliphant anything else  
2 about Calvin Braxton?

3 A No, sir.

4 Q And you never saw any report authored by  
5 Colonel Oliphant regarding Calvin Braxton, did  
6 you?

7 A No, sir.

8 MR. OXENHANDLER:

9 Those are all the questions I have.

10 MS. CRAFT:

11 Couple of follow-ups.

12 RE-EXAMINATION BY MS. CRAFT:

13 Q Didn't you tell me --

14 MR. FALCON:

15 Mr. Mayeaux might have --

16 MS. CRAFT:

17 Oh, sorry, go ahead.

18 EXAMINATION BY MR. MAYEAUX:

19 Q Mr. Rachal, I'm Ben Mayeaux. I represent  
20 Louisiana State Police. Did you ever talk to  
21 anybody from the Louisiana State Police about  
22 Ms. Lydia's death?

23 A No, sir.

24 MR. MAYEAUX:

25 That's all I have. Thank you.

1 RE-EXAMINATION BY MS. CRAFT:

2 Q Didn't you tell me on the phone, Mr. Rachal,  
3 that Mr. Oliphant at some point asked you to  
4 check on his house to make sure that it was  
5 safe?

6 A I would patrol that area. That's my area to  
7 patrol with the sheriff's office, and I told  
8 him I would make passes by in my patrols.

9 Q Right. Because he asked you to do so; isn't  
10 that right?

11 A I volunteered to do it. Uh-huh.

12 Q And what --

13 A To make sure that his family was safe.

14 Q And that was within the last year or so?

15 A Probably. Yeah.

16 Q And did he tell you what concerns, if any, he  
17 had for his family's safety?

18 A Yeah, he mentioned something to me about a  
19 suspicious vehicle parked right down from his  
20 house.

21 Q Well, you patrol that area. Have you ever seen  
22 anything like that?

23 A I mean, what I would consider suspicious it  
24 wouldn't be the same, so...

25 Q So the answer is --

1 A I never -- I never -- I patrol mostly during  
2 the daytime, so...

3 Q **You never saw anything?**

4 A No, ma'am.

5 MS. CRAFT:

6 That's all I have. Thank you, sir.  
7 And I appreciate your patience. You have  
8 the right to read and sign your deposition  
9 as short as it is, which means the court  
10 reporter is going to type out -- it's going  
11 to take her a little while to type out what  
12 she got from the questions and answers.  
13 She can send it to you, and you have the  
14 right to make corrections on the sheet that  
15 she'll attach. It's called an errata  
16 sheet. They'll have, like, lines what you  
17 think it should say and the reason for the  
18 change. You can do that, or you can waive  
19 it and the transcript will stand however  
20 she types it. That's up to you.

21 THE WITNESS:

22 Okay.

23 MS. CRAFT:

24 So you need to let her know.

25 THE COURT REPORTER:



1                   Do you want to read and sign, or do you  
2                   want to waive it?

3                   THE WITNESS:

4                   Yeah, I'll read it.

5                   THE COURT REPORTER:

6                   You'll read it?

7                   THE WITNESS:

8                   Yes, ma'am.

9

10 THE WITNESS WAS EXCUSED.

11 DEPOSITION CONCLUDED AT: 12:04 P.M.

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## 1 CERTIFICATE

2  
3 This certification is valid only for a  
4 transcript accompanied by my original signature and  
5 original required seal on this certificate.

6 I, Kim Taylor, Certified Court Reporter in and  
7 for the State of Louisiana, as the officer before  
8 whom this testimony was taken, do hereby certify  
9 that DONALD RACHAL, after having been duly sworn by  
10 me upon authority of R.S. 37:2554, did testify on  
11 the 2nd day of October 2020, at Natchitoches,  
12 Louisiana, as hereinbefore set forth in the  
13 foregoing 25 pages; that this testimony was reported  
14 by me in the Stenographic reporting method, was  
15 prepared and transcribed by me or under my personal  
16 direction and supervision, and is true and correct  
17 to the best of my ability and understanding; that  
18 the transcript has been prepared in compliance with  
19 the transcript format guidelines required by statute  
20 and rules of the board; that I am informed about the  
21 complete arrangement, financial or otherwise, with  
22 the person or entity making arrangements for  
23 deposition services; that I have acted in compliance  
24 with the prohibition on contractual relationships,  
25 as defined by Louisiana Code of Civil Procedure

1 Article 1434 and rules of the board; that I have no  
2 actual knowledge of any prohibited employment or  
3 contractual relationship, direct or indirect,  
4 between a court reporting firm and any party  
5 litigant in this matter, nor is there any such  
6 relationship between myself and a party litigant in  
7 this matter; that I am not related to counsel or to  
8 any of the parties hereto, I am in no manner  
9 associated with counsel for any of the interested  
10 parties to this litigation, and I am in no way  
11 concerned with the outcome thereof.

12           This 15th day of November 2020, Lafayette,  
13 Louisiana.

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16           Kim Taylor, CCR          #91244  
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1 Errata Sheet

2

3 NAME OF CASE: CALVIN W. BRAXTON, SR. VERSUS LOUISIANA STATE TROOPERS ASSOCIATION, ET AL

4 DATE OF DEPOSITION: 10/02/2020

5 NAME OF WITNESS: Donald Rachal

6 Reason Codes:

7 1. To clarify the record.

8 2. To conform to the facts.

9 3. To correct transcription errors.

10 Page \_\_\_\_ Line \_\_\_\_ Reason \_\_\_\_

11 From \_\_\_\_\_ to \_\_\_\_\_

12 Page \_\_\_\_ Line \_\_\_\_ Reason \_\_\_\_

13 From \_\_\_\_\_ to \_\_\_\_\_

14 Page \_\_\_\_ Line \_\_\_\_ Reason \_\_\_\_

15 From \_\_\_\_\_ to \_\_\_\_\_

16 Page \_\_\_\_ Line \_\_\_\_ Reason \_\_\_\_

17 From \_\_\_\_\_ to \_\_\_\_\_

18 Page \_\_\_\_ Line \_\_\_\_ Reason \_\_\_\_

19 From \_\_\_\_\_ to \_\_\_\_\_

20 Page \_\_\_\_ Line \_\_\_\_ Reason \_\_\_\_

21 From \_\_\_\_\_ to \_\_\_\_\_

22 Page \_\_\_\_ Line \_\_\_\_ Reason \_\_\_\_

23 From \_\_\_\_\_ to \_\_\_\_\_

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