

Exhibit 9

In The Matter Of:

In re: ADELPHIA COMMUNICATIONS CORPORATION, et al. v.

TERRENCE M. DONOVAN

October 26, 2005

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1 TERRENCE M. DONOVAN
2 respect to the 8-K filing made by ACC in
3 connection with the May 15 schedules that were
4 marked as DiBella number 1?
5 MR. O'CONNOR: Objection to
6 form.
7 Q. Or the May schedules.
8 A. The May schedules, I helped
9 prepare the actual schedule that was attached.
10 I assisted in the review and editing of the
11 global notes.
12 Q. Were you aware that the May
13 schedules marked as DiBella number 1 were
14 going to be filed with the SEC?
15 A. Yes.
16 Q. Since the filing of the May
17 schedules in the 8-K filing, have you been
18 involved in any issues with respect to whether
19 or not a corrective filing needs to be made
20 with the SEC?
21 MR. O'CONNOR: That is a yes
22 or no answer. I am not going to let him
23 testify about the substance of anything he did
24 in that connection.
25 A. Yes.

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1 TERRENCE M. DONOVAN
2 Q. Are you aware of any
3 communications with the Audit Committee of ACC
4 relating to the 8-K which contains the May
5 schedules in DiBella number 1?
6 A. I am not aware of what
7 discussions may or may not have been had with
8 the Audit Committee.
9 Q. What is your understanding of
10 the identity of the individuals at the company
11 who were involved in issues related to the
12 8-K?
13 MR. O'CONNOR: Object to the
14 form of the question. I guess because, I
15 don't think you really defined for the
16 witness, when you say issues, what issues
17 there are with respect to the 8-K?
18 Q. Sure. Have you seen any
19 correspondence with the company relating to
20 the accuracy of the May schedules marked as
21 DiBella number 1 as filed with the SEC?
22 A. We continue to work with, I
23 continue to work with other Adelphia
24 personnel, as well as Wilkie in ongoing
25 research regarding the intercompany schedules

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1 TERRENCE M. DONOVAN
2 that were filed in May.
3 MR. O'CONNOR: His question
4 was have you seen any correspondence to the
5 company from anyone concerning the 8-K.
6 A. I have not.
7 Q. Are you aware issues have been
8 raised as to whether or not the May schedules
9 reflected in DiBella number 1 as filed with
10 the SEC understate the amount of money owed by
11 the Bank of Adelphia to any other legal entity
12 as of the petition date?
13 MR. HOBART: Object to form.
14 MR. JACOBS: Objection to the
15 form.
16 A. I'm not aware that specific
17 concern. I am aware of the fact that there
18 are a lot of questions on the May schedules
19 from the various constituencies.
20 Q. With whom at the company have
21 you been working with on issues relating to
22 the May schedule?
23 A. Primarily Teri McMullen, Scott
24 Macdonald. There is a few staff people that
25 we have help us.

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1 TERRENCE M. DONOVAN
2 Q. Other than Scott Macdonald, are
3 you aware of anybody at the company senior to
4 you who was involved in issues, currently
5 involved in issues relating to the accuracy of
6 the May schedules?
7 A. I try to keep my direct boss,
8 Bob DeLucia, abreast of the issues. And
9 Vanessa Wittman is also involved.
10 Q. Anybody else?
11 A. As far as the people directly
12 above me in the accounting chain, is that what
13 you mean?
14 Q. Yes.
15 A. It would be Bob, Scott and
16 Vanessa.
17 Q. Have you been aware of any
18 communications within the company as to
19 whether or not the May schedules should be
20 further amended? You can leave out legal
21 counsel if you like, I am not going to
22 necessarily agree there is a privilege there.
23 MR. O'CONNOR: No. But the
24 problem, I think. Is that whatever work the
25 company is doing now is at the direction of

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1 TERRENCE M. DONOVAN
2 Willkie. So that I am going to instruct him
3 not to answer that question, even if someone
4 from Willkie was not present in the course of
5 a conversation he had with another company
6 person.
7 Q. Are you going to follow Mr.
8 O'Connor's advice?
9 A. I am.
10 Q. Let me just follow-up, just so
11 I set the record. What was said within the
12 company regarding whether or not the May
13 schedules should be further amended?
14 MR. O'CONNOR: That is the
15 same direction not to answer.
16 Q. Are you going to follow Mr.
17 O'Connor's advice?
18 A. I am.
19 Q. For the record Donovan number
20 31 is a single page document bearing Bates
21 numbers ACC IC 2002108.
22 Can you identify what has been
23 marked as Donovan 31?
24 A. Yes. This is email
25 correspondence from Vanessa to Scott. Then

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1 TERRENCE M. DONOVAN
2 from Scott to myself with a copy to Bob
3 DeLucia informing us that we needed to file
4 the SOFA schedules that we filed in the
5 January time frame.
6 Q. As of 10:56 a.m. on January 21,
7 where were you as far as generating the
8 schedules that had to be filed on January 22?
9 MR. O'CONNOR: Objection.
10 Q. Or the Monday after, January
11 24th?
12 MR. O'CONNOR: Objection to
13 form.
14 A. I believe we had a working
15 draft of the schedule itself.
16 Q. At that point did that reflect
17 all intercompany receivables flowing through
18 the Bank of Adelpia?
19 A. It was prepared in the same
20 format, we tried to prepare the January
21 schedule in the same format we prepared the
22 October presentation. Which would include
23 those intercompany balances that we defined
24 and had talked, have talked about previously.
25 Q. Okay. Do you have an

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1 TERRENCE M. DONOVAN
2 understanding as to why the intercompanies
3 actually had to be filed by Monday as referred
4 to in Donovan 31?
5 A. I can give you my thoughts. My
6 understanding would be is that we had at this
7 point in time, in December we had just issued
8 the 2003 10-K. Of course then we immediately
9 had to go into the year end close effort.
10 Once we came up for air for
11 that, apparently the time we were allowed to
12 update the intercompany schedules we were
13 getting a lot of pressure to produce those
14 schedules now that the 2003 10-K audit was
15 completed. People were extremely anxious to
16 see them.
17 Q. When you say the people, what
18 people? Who was pressuring?
19 A. It would be my understanding it
20 would be the various constituencies.
21 Q. Do you have 32? I am going to
22 turn just to the transfer out issue for a
23 moment. I think we can handle this quickly.
24 For the record Donovan 32 is a
25 three-page document bearing numbers ACC IC

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1 TERRENCE M. DONOVAN
2 000110 to 112.
3 A. You don't by chance have the
4 attachments to this email?
5 Q. No. First of all, can you
6 identify what's been marked as Donovan 32? I
7 don't have the attachments because I haven't
8 been given the attachments.
9 A. It's email traffic that started
10 with Christine Morris regarding a draft memo.
11 It doesn't say anything what it's about.
12 There is a response from
13 Maurice Lefkort on Christine's memo regarding
14 an initial draw of 400 million that paid down
15 the Century facility with a question from
16 Maurice as to the 400 million was recorded on
17 Century's books, specifically did it result in
18 intercompany payable to the Bank of Adelpia
19 or some other entity or did it get deferred
20 treatment.
21 Q. Let me ask you the first
22 question, did anybody on the intercompany
23 project team have responsibility for analyzing
24 the transactions that are referred to in
25 Donovan 32?