

*The PAIGE Notes*¹

Missouri High School Mock Trial Virtual Competition

2020-21 Edition

State of Missouri (Π)

V.

Parker Crimson (Δ)

The Case of Murder in the Mansion

In the event of a conflict, BAMSL's official Case Packet, Mock Trial Local Rules, Rules of Evidence, and Case Questions & Clarifications are controlling.

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The PAIGE Notes

Greetings All:

These herein are *The Paige Notes*, formerly known as the *Evidentiary INs and OUTs*, which are prepared to assist Missouri high school students across the State with understanding the Legal Rules of Evidence for use in the BAMSL mock trial competition, and includes witnesses' statements. Color (Δ) coded (Π) legal objections and responses are included in the witnesses' statements to show or suggest how an attorney may legally attempt to keep the statements or evidence that you want 'IN' (let the jury hear them) or statements or evidence that you want "OUT" (exclude from the jury's hearing). However, your strategy may change to where you may want some of the statements or evidence suggested to be excluded (OUT) to be included (IN), and vice versa.

These *Paige Notes* are not exhaustive but contain illustrations on basic strategies and objections. Sometimes you may want to make an objection to throw off your opponent or your opponent's witness. **However, pleaseeeeeease remember, just because you can object, you don't always have to. If the opposing side has a good response to your objection, the more points they will build up by responding to your objection.**

Please note that these *Paige Notes* do not include the line numbers shown in the case manual, which are important for impeachment (cross examining witness on an inconsistent statement), etc. You will need your case manual materials at trial. If your copy of the *Paige Notes* are printed in black and white, you may want to use a highlighter to highlight the suggestions or objections.

Nonetheless! These *Paige Notes* are no substitute for preparation. They only assist the students in understanding the case and in developing litigation strategies. It is the attorneys' and witnesses' responsibilities to thoroughly read the case and understand their respective parts or roles.

In the event of a conflict, BAMSL's official Case Packet, Mock Trial Local Rules, Rules of Evidence, and Case Questions & Clarifications are controlling.

Good luck in the competition! Judge Vinny,
a friend of the Fifth Beatle.

Basic Competition Strategies

Opening Statements: Requirements (not in any specific order)

Introduction of Attorneys & Witnesses

Burden of Proof (beyond a reasonable doubt)

Law

Facts *anticipated* at trial

Theme

Note: Your statement is limited to the evidence that you anticipate at trial. You may not treat the opening statement as a closing argument, except for perhaps the 'theme.'

Closing arguments contain burdens, law, theme, and facts *shown* at trial. (more of an argument). Team with burden of proof (for example, prosecution) uses jury instruction to show how they proved their case.

Basic Objections:

Relevance; Prejudicial effect outweighs probative value (even if relevant);

Leading questions; Narrative questions and answers (form); Improper character evidence; Beyond the Scope of direct/cross examination; **Hearsay;**

Speculation; Improper opinion; Lack of personal knowledge; Badgering;

Asked & answered (repetitive); **Lack of foundation;** Objection to form of

Questions (compound, confusing, etc); **"backdoor" objections** (see below) and Improper impeachment.

*Note: As a litigation strategy, the attorneys should especially consider using **"backdoor" objections**, which are "thoroughly stated" objections that are immediately withdrawn upon certain conditions. For example, "Your Honor, I object to the hearsay. Opposing counsel is attempting to elicit an out of court statement offered for the truth of the matter asserted. However, I will withdraw my objection if the testimony is not offered for the truth, but instead offered to show the subsequent investigation of the witness or for foundation for expert testimony." **"Backdoor" objections** may show evaluators a thorough understanding of the law, which may result in higher points for your team.

Remember: Just because you can object, you don't always have to. If the opposing side has a good response to your objection, the more points that they may obtain.

Other weapons:

Approach the Bench; **Offer of Proof** - highly illegal (may be prohibited under mock trial rules) but you may have to use this tool in this competition involving the expert witnesses in this case; **Move to Strike, witness is nonresponsive;** Direct the Witness; Cross-examination: Is that a Yes or No? "I withdraw the question". **The acting attorney@ [this is a complicated scheme where the witness is actually controlling the cross examination by opposing counsel].** And "like I told" responses.

Statement of Facts:

All witnesses are bound by the statement of facts. **These facts cannot be changed!**, but you may use "fair extrapolations." **Also, the facts or statements in the "INTRODUCTION" cannot be used during trial.**

State of Missouri (¶)

VS

Parker Crimson (Δ)

The Basic Facts & Hint:

During an evening dinner party on June 27, 2020 at the mansion residence of Charles Grey, a wealthy businessman, Grey was found deceased on a floor in the mansion's conservatory as a result of blunt forced trauma to his head. The murder occurred during a brief period of time when the power was turned off and the lights were out. A witness claims that he/she saw the Δ near the crime scene just before the murder. Although other party guests had motives, the Δ's alleged motive to murder Grey was that Grey cheated the Δ out of millions or billions of dollars in a business deal. A search warrant of Δ's house revealed a map of secret passages and location of an electrical panel in Grey's mansion.

This is a circumstantial evidence case with a boat load of hearsay that you have to try to get admitted into evidence either by expert testimony or hearsay exception, Rule 803(3).

The Indictment:

¶ The State of Missouri has charged in the indictment with First Degree Murder against Δ Parker Crimson by knowingly causing the death of Charles Grey after deliberation on the matter.

Prosecutor's Burden:

Beyond a Reasonable Doubt (Definition - Instruction number 13)

¶ State of Missouri must prove the following beyond a reasonable doubt (Instruction No. 12):

1st: Δ Parker Crimson caused the death of Jean Baptiste by striking him, and

2nd: Δ's purpose to cause the death of Charles Grey, and

3rd: Δ did so after deliberation (cool reflection upon the matter, for any length of time, no matter how Brief, and

4th: Δ was 18 years old or older at time of offense.

The Defense

Δ Parker Crimson has entered a plea of not guilty to the murder charge and does not have a burden to prove anything at trial. The Δ is presumed to be innocent unless and until the jury finds him/her guilty.

Δ's Right Not To Testify: (The 5th Amendment to the United States Constitution): "Under the law, a defendant has the right not to testify. No presumption of guilt may be raised and no inference of any kind may be drawn from the fact that the defendant did not testify." In other words, the prosecutors cannot comment on or argue that the defendant did not testify.

Witnesses for ¶ State of Missouri:

Jaylen Curry, a detective for the Pinewood Police Department

Prof. Landry Chartreuse, a professor of economics and party guest

Arizona Waddleworth, butler

Witnesses for Δ Parker Crimson:

Jamie Olive, niece/nephew of Charles Grey and chef

Reece Warren, private security hired by Parker Crimson

Dakota Forest, reporter for *The Financial Times* and party guest

Exhibits

- (1) Letter from Grey to Chartreuse
- (2) Letter from Chartreuse to Grey
- (3) Map of First Floor of Grey Residence (clean)
- (4) Email chain between Crimson and Grey provided by Sestric
- (5) Map of Grey's residence as discovered by police during the search of Crimson's residence
- (6) Receipt obtained from search of Crimson's residence
- (7) Medical Examiner's Report
- (8) Images taken from Reece Warren's phone
- (9) Memorandum of Understanding

"Some" Stipulations:

- ¶ 1: All documents and exhibits are authentic. Other objections to admissibility may be made.
- ¶ 2: Depositions were under oath, presumed to be read and updated, and authenticity cannot be denied.
- ¶ 6: Medical Examiner's report is admissible.
- ¶ 7: Emails between Δ and Charles Grey are authentic. Other objections to admissibility may be made.
- ¶ 8: Δ was above age of 18 years old on June 27, 2020.

The Citations of the Evidence Rules

Rule 403: Relevant, but **Probative value** outweighed by prejudicial effect
Confusing, misleading, cumulative, waste of time.

Rule 404: Character evidence Not Admissible to prove conduct. But see exceptions.

- (a)
 - (1) Character of defendant (offered by defendant or by prosecution to rebut same)
 - (2) Character (pertinent) of victim offered by defendant or prosecution to rebut same or to show victim's peacefulness in murder case to rebut defense evidence that victim was aggressor.
- (b)
Other crimes (bad acts) okay if shows person's action conforms with character; also okay to show **motive, opportunity, intent, plan, knowledge, absence of mistake.**

Rule 405(a): Proving character

- (a) Witness may give opinion (Did you survey people that know defendant? Did you form opinion as to character (note: on cross examination, examiner may go into specific conduct.
- (b) Specific instances of conduct okay.

Rule 406: Habit of person and Routine practice of Organization

[shows conduct on particular occasion was in conformity]

Rule 501: Privileges

Communications between attorney and client (defendant)

Rule 602: Witness, unless an expert, must have personal knowledge

[lack of foundation is the objection]

Rule 607: Impeachment

Any party may impeach any witness.

Rule 608: Evidence of Character and Conduct of Witness

Okay to attack credibility with evidence of opinion or reputation if: evidence refers to (un)truthfulness and evidence of truthfulness only after witness' credibility attacked. Specific instances of conduct okay if it affects (un)truthfulness, if judge allows it (discretionary).

Rule 609 (a): **Impeachment by Conviction** (witnesses with prior convictions)
May cross-exam witness or elicit by public record
Conviction must be punishable > 1 year (and more probative than prejudicial), unless involves dishonesty (like stealing)

Citations Continued

(b) conviction not admissible if > 10 years old (unless judge determines value outweighs prejudicial effect.

(d) juvenile adjudications generally not admissible

Rule 610: Religious Beliefs – Opinions

Not relevant to show witness' credibility is impaired or enhanced.

Rule 611 (b): **Scope of Cross-exam**, not limited to scope of direct exam, but may ask about any relevant facts in witness' statement.

Rule 612: Writing used to **refresh memory**

Rule 613: Examining Witness on **prior statement**

Need not show witness statement nor contents disclosed at time of examination.

Rule 701: Opinion by Lay Witness (non-expert)

Okay if based on perception, even if opinion or inference.

Rule 702: Expert Opinion, Specialized knowledge that will assist jury.

Based on experience, knowledge, skill, training, or education.

Rule 703: Expert Opinion, basis

Facts perceived or made known to expert.

If not admissible, facts reasonably relied upon by experts in Field

Rule 704: Expert may testify on **ultimate issue**, not including opinion as to guilt or innocence, or a defendant's mental state or condition.

Rule 801: Hearsay

Out of court statement by non-witness (oral or written) offered for the truth of matter asserted.

Examples: What did that person say to you?
 What did you learn? [based on hearsay]
 What did your investigation disclose?
 What is your understanding?

(d) Not hearsay

(1) prior statement of witness

(2) Admission of party opponent (including peo with authority or agents)

Citations Continued

Rule 803: Hearsay Exceptions (Doesn't matter if non-witness is available for court)

- (1) **Present sense impression**
Statement of explaining event/cond while perceiving same
- (2) **Excited Utterance**
Statement regarding startling event/cond while under stress of excitement
- (3) **State of Mind**, Emotion, Sensation, Physical Condition (“then existing”)
- (4) Statements regarding medical diagnosis or treatment
- (5) Recorded Recollection
- (6) Records of Regularly Conducted Activity (business)
- (7) **Learned treatises** – relied on by experts and must be established as a reliable authority.
- (8) Public Records under duty to report
- (9) Judgment of prior conviction
- (21) Reputation as to character of witness.

Rule 804: Hearsay Exceptions (non-witness is unavailable)

- (b)(2) statement ***under belief of impending death***.
- (b)(3) Statement (declaration) against interest
- (b)(4) Personal of family history, etc., of non-witness

Rule 805: Hearsay within Hearsay okay if exceptions apply.

The State of Missouri's Witnesses

Deposition Transcript of Detective Jaylen Curry

[Strategy Note: This witness mostly knows only facts told to or “learned” by her/him, which is hearsay. To a certain extent, only experts may rely on hearsay in forming opinions, unless it fits into one of the hearsay exceptions. Some mock trial judges may accept this witness as an investigatory expert, while some may not. The more “confidence” you have in presenting this witness as an expert may provide a better “likelihood” that this witness will be accepted. Otherwise, you may have to solely rely on a hearsay exception. In the real world, prosecutors would probably motion for change of judge in Missouri State courts for judges who may not think that this witness is an expert. In the mock trial world, this motion is prohibited and not allowed. Good luck and welcome to reality].

¶1. My name is Jaylen Curry. I am 27 years old. I attended Truman State University where I received my B.A. degree in criminal justice. Out of college, I immediately applied for and was accepted into the police academy in Pinewood, Missouri. I am from Pinewood, born and raised, and wanted to come back home and raise a family. Pinewood is the county seat for Southfield County, Missouri. After graduating the police academy, I spent two years doing routine patrols. Because of some larger busts I made, I was able to make detective at just 25 years old. I spent my first year in narcotics, and then moved over to homicide in November 2019. (Π: IN, relevant - Rule 403; foundation for first hand knowledge - rule 602; foundation for expertise as police detective - Rule 702; Δ: OUT, irrelevant; self serving;)

¶2. Prior to June 2020, I had investigated 9 homicides, with 5 resulting in convictions. The other four remain unsolved. Southfield County has a lot of violent crime for such a small county. (Π: IN, relevant - Rule 403; first hand knowledge as police officer - rule 602; perception - Rule 701 (personal opinion okay); expert opinion - Rule 702 (based on knowledge, experience, education, etc.); Δ: OUT, irrelevant; prejudicial effect of mentioning other convictions to persuade jury outweighs probative value Rule 403; lack of foundation; improper opinion;

testimony based on hearsay - rule 801) I've heard it called the "Angela Lansbury Effect." Something about the high number of mystery writers per capita, or something. I am definitely not a criminologist so I haven't done a lot of research on the subject. (**Π: IN, relevant - Rule 403; perception - Rule 701 (personal opinion okay); Δ: OUT, irrelevant; lack of foundation; improper opinion; testimony based on hearsay - rule 801;**) I'm here to investigate after the crime has occurred, not stop it. (**Π: IN, relevant - Rule 403; first hand knowledge - rule 602; Δ: OUT, irrelevant; self serving;**)

¶3. Before becoming a detective, I spent three weeks training with the Missouri Highway Patrol learning about forensic evidence, such as collecting DNA evidence, collecting and analyzing fingerprints, that kind of thing. I spent an additional week training in forensic pathology, learning about how to detect causes of death. Since becoming a detective, I have had regular training on basic investigation skills, such as interviewing witnesses, victims, and suspects; note taking; and general observational skills. (**Π: IN, relevant - Rule 403; foundation for expert opinion - Rule 702 (based on knowledge, experience, education, etc.); Δ: OUT, irrelevant; self serving;**)

¶4. I was on duty on the evening of June 27, 2020 when I received a call from my captain about a suspected homicide at the residence of Charles Grey. (**Π: IN, relevant - Rule 403; foundation for first hand knowledge - rule 602; Not hearsay - not offered for truth of matter asserted but to show subsequent investigation by detective; Δ: OUT, irrelevant; testimony based on hearsay - rule 801)** Everyone in Pinewood knows Grey. He is, or was, one of the wealthiest people in the country. We knew he had houses all over the world a lot more exotic than Pinewood. Grey became a local hero because he chose to spend most of his time in Pinewood. (**Π: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay); Δ: OUT,**

irrelevant; self serving; prejudicial effect outweighs probative value Rule 403; lack of foundation; speculation; improper character evidence regarding "hero" - Rule 404; testimony based on hearsay - rule 801;) To say I was shocked to get a call saying that his body had been found is an understatement. (Π: IN, relevant - Rule 403; perception - Rule 701 (personal opinion okay), witness' state of mind - Rule 803; Δ: OUT, irrelevant; self serving;)

¶5. I arrived at the residence at approximately 10:15 pm that evening. On my way to the residence, I received a call on my cell phone from the Governor herself. She asked me about the investigation, and I told her that I had not even gotten to the crime scene yet. She told me, "You need an arrest in this one, and fast. A lot of people are watching. If you need any help or resources, you tell your captain to call me immediately." I'm not sure how the governor had my cell phone number, but there is nothing like the pressure of having a governor demand an arrest before an investigation has even begun! (Π: IN, relevant - Rule 403; first hand knowledge - rule 602; Governor's statements not hearsay - not offered to prove truth of matter asserted, vs. OUT, irrelevant; hearsay rule 801; Δ: OUT, irrelevant; testimony based on hearsay - rule 801; vs. IN, impeachment on witness' bias - wide latitude for cross examination, rule 611:)

¶6. Grey's residence in Pinewood is immaculate. It's a large, two-story mansion that looks more like a movie set for a horror flick than the residence of one of the nation's wealthiest individuals. There were at least a dozen uniformed officers at the scene when I arrived. As I parked my vehicle, I noticed a local television station truck pull up next to me. I figured that if one reporter was there, more were sure to follow. I asked a uniformed officer to set up a perimeter to keep the press back. Inside the residence, I received a briefing from the first uniformed officer to arrive on the scene. She told me that there had been some sort of dinner party with a 1950s theme. According to the officer, there were six guests,

all of whom were being held for questioning, along with a butler, waiters and waitresses, and two cooks. The paid staff was also being held for questioning. (Π: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), foundation for investigation and expert opinion - Rule 702; Statements to Detective not hearsay - not offered for truth of matter asserted but to show subsequent investigation rule 801; routine practice of organization Rule 406;; Δ: OUT, irrelevant; lack of foundation; speculation; testimony based on hearsay - rule 801)

¶7. I learned that the body of Grey had been located in the conservatory just before 9:00 pm that evening. The body had been left there and had not been moved before my arrival. (Π: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), foundation for investigation and expert opinion - Rule 702; facts perceived or made known to expert or, if inadmissible, facts reasonably relied upon by experts Rule 703; routine investigatory practice of organization Rule 406; Δ: OUT, irrelevant; lack of foundation; speculation; testimony based on hearsay - rule 801) I started my investigation by examining the body. A large pool of blood had formed under the victim's head, and I noted extensive bruising around the victim's jaw and just below the temporal bone. There was no sign of penetrating trauma, just blunt force trauma. Without visible penetrating wounds on any part of the body, I was able to rule out gunshots or stabbing. I also noted blood on a stand near the body, suggesting the victim hit his head after the attack, which explained the significant blood loss. This suggested to me that the victim had been hit in the head by a blunt object, which caused massive bleeding and ultimately led to his death. I noted the likely cause of death to assist in my investigation. It is true that the coroner announced the official cause of death after the

official autopsy. (II: IN, relevant - Rule 403 first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), expert homicide detective opinion - Rule 702 (based on knowledge, experience, education, etc.) Δ: OUT, irrelevant; lack of foundation (detective is not a doctor); speculation; improper medical opinion;)

¶8. My investigation lasted five days. During that time, I received an additional call from the Governor's chief-of-staff asking for updates, and from the FBI field director, offering assistance. I was under a lot of pressure to get a collar, and fast. Ultimately, I arrested Parker Crimson, one of the party guests. (II: IN, relevant - Rule 403; first hand knowledge - rule 602; Governor's and FBI's statements not hearsay - not offered to prove truth of matter asserted, vs. OUT, irrelevant; hearsay rule 801; Δ: OUT, irrelevant; testimony based on hearsay - rule 801; vs. IN, impeachment on witness' bias - wide latitude for cross examination, rule 611;) I know its cliché, but Crimson had the motive, means, and opportunity. I am convinced Crimson is guilty based on several factors. (II: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), expert opinion - Rule 702 (based on knowledge, experience, education, etc.) Δ: OUT, irrelevant; prejudicial effect outweighs probative value Rule 403; lack of foundation; speculation; improper opinion, conclusory, Rule 704 - expert may not testify on guilt or innocence or on defendant's mental state;)

¶9. First, motive. This is where I began my investigation. I presumed that someone inside the house must be the murderer, since there was no evidence of any forced entry anywhere inside or outside of the house. Moreover, security camera video we obtained from a residence next door showed the six party guests and the paid staff arriving at the house, but nobody else. During my interviews, the cooks

and wait staff all verified and corroborated that each other was in the kitchen at the time of the power outage, when the murder most likely occurred. That left only the butler and six party guests as suspects. (Π: IN, relevant - Rule 403; investigative expert opinion - Rule 702 (based on knowledge, experience, education, etc.); expert opinion based on facts perceived or made known to expert or, if inadmissible, facts reasonably relied upon by experts Rule 703; testimony not offered for truth of matter asserted but to show subsequent conduct or investigation by detective in applying for search warrant and arresting Δ; routine investigatory practice of organization Rule 406; Δ: OUT, irrelevant; prejudicial effect outweighs probative value Rule 403; lack of foundation; testimony based on hearsay - rule 801, Rule 704 - expert may not testify on defendant's mental state; Rule 704 regarding "motive" - expert may not testify on guilt or innocence or on defendant's mental state)

¶10. During my investigation, I learned that each of the party guests at the house were all involved somehow, some way, in one of Mr. Grey's businesses. All of this stemmed from the 2007 merger of two major airlines, Braavos Airlines and Volantis Airlines. Before the merger became public, Grey's hedge fund invested hundreds of millions of dollars in both airlines. The resulting merger meant that Grey's clients doubled or tripled their investments, and Grey made billions. Each of the six party guests had somehow contributed to Grey's windfall; some of them knowing and some unknowing. (Π: IN, relevant - Rule 403; investigative expert opinion - Rule 702 (based on knowledge, experience, education, etc.); expert opinion based on facts perceived or made known to expert or, if inadmissible, facts reasonably relied upon by experts Rule 703; testimony not offered for truth of matter asserted but to show subsequent conduct or investigation by

detective in applying for search warrant and arresting Δ ; hearsay exception to show state of mind for suspects' motives, intents or plans - Rule 803(3); routine investigatory practice of organization Rule 406; hearsay exception for public records/information from other police officers under duty to report - rule 803(8); Δ : OUT, irrelevant; prejudicial effect outweighs probative value Rule 403; lack of foundation; testimony based on hearsay - rule 801; improper character evidence)

¶11. The six guests were Parker Crimson, Professor Landry Chartreuse, Dakota Forest, Emory Teal, Bari White, and Patricia Quinn. Each had a motive, but none greater than Crimson. (II: IN, relevant - Rule 403; expert opinion - Rule 702 based on knowledge, experience, education, etc. and facts perceived or made known to expert or, if inadmissible, facts reasonably relied upon by experts Rule 703; hearsay exception to show state of mind for motive, intent or plan - Rule 803(3); routine investigatory practice of organization Rule 406; Not offered for proof of matter asserted but to show subsequent investigation for search warrant and arrest; Δ : OUT, irrelevant; prejudicial effect outweighs probative value Rule 403; lack of foundation; speculation; conclusory; improper opinion regarding "greater" motive; testimony based on hearsay - rule 801; invading scope of jury's authority to determine motive; Rule 704 - expert may not testify on guilt or innocence or on defendant's mental state; improper character evidence) Chartreuse created a financial model that correctly predicted the merger, but Grey had purchased the rights to the research and significantly underpaid for an NDA (a non disclosure agreement). When he/she threatened to take Grey to Court, Grey sent a threatening letter. Forest lost

his/her job at Grey's hedge fund just before the merger and was pretty upset about it. Teal is a lobbyist that got into hot water with the feds after pushing for the merger. White owned a duck hunting business which used the wetlands next to the Volantis plant. The merger increased the air traffic over the field to a degree that the ducks stopped landing there. Eventually the EPA turned the wetland area into a CERCLA disaster area when a fuel tank on the Volantis property ruptured, and the Feds forced White to pay for the cleanup. Quinn was a Hollywood producer who had been ready to release a movie based on the merger called "Magenta" which she believed would be her big break, but Grey had objected to the director's choice to include multiple endings, and successfully sued to prevent the movie from coming out. Grey's quote to the media at the time was, "But I always win. I'm not having a movie where two out of three times, I end up a loser." (Π: IN, relevant - Rule 403; expert opinion - Rule 702 (based on knowledge, experience, education, etc.) and based on facts perceived or made known to expert or, if inadmissible, facts reasonably relied upon by experts Rule 703; hearsay exception to show suspects' state of mind for motive, intent or plan - Rule 803(3); not offered for truth of matter asserted but to show subsequent police investigation; routine investigatory practice of organization Rule 406; not hearsay by Chartreuse - testifying witness is subject to cross examination; Δ: OUT, irrelevant; lack of foundation; speculation, testimony based on hearsay - rule 801; vs. IN, impeachment on witness' bias - wide latitude for cross examination, rule 611; expert opinion - Rule 702 (based on knowledge, experience, education, etc.) and based on facts perceived or made known to expert or, if inadmissible, facts reasonably relied upon by experts Rule 703; not offered for truth of matter asserted but to show subsequent police investigation; improper character evidence; **Strategy Note:**

defense may want to stipulate to this hearsay information - establishes "others" had motives.)

¶12. But Crimson's motive took the cake. (Π: IN, relevant - Rule 403; expert opinion - Rule 702 based on knowledge, experience, education, etc. and facts perceived or made known to expert or, if inadmissible, facts reasonably relied upon by experts Rule 703; testimony not offered for truth of matter asserted but to show subsequent conduct or investigation by detective in applying for search warrant and arresting defendant; hearsay exception to show defendant's state of mind for motive, intent or plan - Rule 803(3); Δ: OUT, irrelevant; prejudicial effect outweighs probative value Rule 403; improper opinion; improper character evidence; testimony based on hearsay - rule 801; invading scope of jury's authority; Rule 704 - expert may not testify on guilt or innocence or on defendant's mental state;) Crimson was a business partner with Grey. Together, they used the information they obtained from their various sources and were going to pool their resources to invest in both airlines. During my investigation, I spoke with Amelia Sestric, an associate that worked with Crimson. Sestric provided me with an email chain and financial agreement that showed that Grey and Crimson were on the verge of investing hundreds of millions together. At the last minute, Grey pushed Crimson out of the deal. As a result, Grey made billions and Crimson got nothing. This gave Crimson billions of reasons to want revenge. I have provided to the prosecution the documentation provided to me by Sestric which I also included in my official report. (Π: IN, relevant - Rule 403; documents admissible per joint stipulation paragraph 1; hearsay exception to show defendant's state of mind for motive, intent or plan - Rule 803(3); expert investigatory opinion - Rule 702 based on knowledge,

experience, education, etc. or facts perceived or made known to expert or, if inadmissible, facts reasonably relied upon by experts Rule 703; testimony not offered for truth of matter asserted but to show subsequent conduct or investigation by detective in applying for search warrant and arresting Δ; Not hearsay - statement made or provided by admission of party opponent's agent (Sestric) Rule 801(d)(2); proper rebuttable character evidence of defendant Rule 404(a)(1); Δ: OUT, irrelevant; prejudicial effect outweighs probative value Rule 403; lack of foundation; speculation; improper opinion; testimony based on hearsay - rule 801; Rule 704 - expert may not testify on guilt or innocence or on defendant's mental state; improper character evidence)

¶13. Second, means. Once I had the documentation from Sestric, I talked to my captain about getting a search warrant. She told me that the evidence was thin. At that point, all we had a motive, and we could put Crimson inside the house at the time of the murder. But my captain told me that she was getting pressure almost hourly from politicians wanting updates, and that she would write the warrant application herself. (Π: OUT, statements by captain are hearsay, improper opinion; Δ: IN, relevant on police bias - wide latitude for cross examination, rule 611; not offered for truth of matter asserted but to show subsequent police investigation on how search warrant was prepared;) Amazingly, the judge signed it. (Π: IN, relevant - Rule 403; perception - Rule 701 (personal opinion okay), routine practice of police organization obtaining search warrant, Rule 406; testimony not offered for truth of matter asserted but to show subsequent conduct or investigation by detective in applying for search warrant and arresting Δ; routine

investigatory practice of organization Rule 406; vs. OUT, irrelevant; improper impeachment;

Δ: OUT, irrelevant; vs. IN, impeachment on witness' bias - wide latitude for cross

examination, rule 611; witness' state of mind when judge signs search warrant on weak case;)

¶14. We executed the search warrant on July 2, 2020. My captain joined me, along with four uniformed officers. We knocked on the front door of Crimson's residence, and announced "Police, open the door immediately!" Within seconds, Crimson opened the door. He/she asked what we were doing there, and I announced that we had a valid search warrant to search the residence. Crimson told me, "I have no idea why, but I am not going to get in your way. I will cooperate." I admit that Crimson appeared genuinely surprised by our appearance and did not resist us in any way. Granted, there were six of us and one of him/her, so what was he/she going to do? I asked Crimson to step into the yard, where a uniformed officer stayed with him/her while we conducted the search. This is protocol. (Π: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), routine practice of organization for search warrants - Rule 406; vs. OUT, statements made by Δ Crimson are hearsay; Δ: OUT, irrelevant; vs. IN, Δ Crimson's statements exception to hearsay - shows state of mind - Rule 803;)

¶15. Jackpot! The search was, needless to say, successful. Inside Crimson's residence, we found a safe behind a painting in the home office. After forcefully cracking the safe, we found the following. First, we found layouts of Grey's residence. On the layout, there is a circle around a utility closet and hand-written words noting "location of electrical panel." In the conservatory, there is large X with a note that says "secret passage to study." In the study, there is a second X with another note that says "secret passage to cons." In addition, we recovered a receipt for a Colt M1911. This was the same gun that was discreetly delivered to Prof. Chartreuse's home several weeks before the dinner party. (Π:

IN, relevant - Rule 403; first hand knowledge - rule 602; perception on handgun - Rule 701 (personal opinion okay), see also stipulations regarding exhibits; Δ: OUT, irrelevant; lack of foundation for identification of handgun; speculation;)

¶16. Third, opportunity. The medical examiner's office notified us on July 1 that the cause of death was blunt force trauma. The ME believed the murder weapon to be a thin, blunt object. Uniformed officers noted two fireplaces in Grey's house, one in the study and one in the library. (Π: IN, relevant - Rule 403; first hand knowledge - rule 602; see joint stipulations regarding medical examiner's report; expert opinion - Rule 702 based on knowledge, experience, education, etc. and facts perceived or made known to expert or, if inadmissible, facts reasonably relied upon by experts Rule 703; testimony not offered for truth of matter asserted but to show subsequent conduct or investigation by detective in finding murder weapon; Δ: OUT, irrelevant; testimony based on hearsay - rule; Rule 704 regarding "opportunity" - expert may not testify on guilt or innocence or on defendant's mental state;) Both fireplaces had identical cast iron fireplace tool sets. However, the poker from the fireplace stand in the study was missing. We had not been able to recover that poker. During the search of Crimson's home, we seized a cast iron poker near a fireplace in his/her residence. That poker seems to match the type of cast iron tools found near the fireplaces in Grey's mansion. We had the poker taken from Crimson's home and tested. Unfortunately, we did not find any evidence such as traces of blood. However, the lab did find traces of bleach found on the poker, suggesting it had been recently cleaned. That was good evidence. (Π: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay); expert opinion - Rule 702 (based on knowledge, experience, education, etc.); Δ:

OUT, irrelevant; admission of poker has prejudicial effect outweighing probative value Rule 403; lack of foundation; speculation)

¶17. Prof. Chartreuse confirmed to me during interviews that Crimson's guard was outside the door to the conservatory after power was restored to the home, and that Crimson exited from the study at the time power was restored. (Π: IN, relevant - Rule 403; foundation for expert opinion - Rule 702 with facts perceived or made known to expert or, if inadmissible, facts reasonably relied upon by experts Rule 703; not hearsay - witness Chartreuse is testifying and is subject to cross examination; testimony not offered for truth of matter asserted but to show subsequent conduct or investigation by detective in arresting Δ; Δ: OUT, irrelevant; prejudicial effect outweighs probative value Rule 403; lack of foundation; testimony based on hearsay - rule 801)

¶18. So here's how I figure this all went down. Crimson had financial motive. His/her anger at losing out on the merger deal years prior fueled his/her anger. When Grey sent the invitations for the dinner party, Crimson saw the chance for revenge. Based upon my interview with the butler, I learned that Crimson hired him/her to deliver weapons to each of the guests. Crimson somehow learned who was going to attend the party, and knew each had a motive. By providing each with a potential murder weapon, Crimson was creating more suspects. Crimson obtained the plans to the house prior to the night of the dinner party, including the location of the electrical panel in the supply closet on the first floor. After dinner, Crimsons' security guard cut the power to the house throwing the house in darkness. Crimson entered the conservatory where Grey was located, and in the cover of darkness, killed him using a fireplace poker. In order to throw off suspicion, Crimson used the secret passage from the conservatory to the study. (Π: IN, relevant - Rule 403; police detective expert opinion - Rule 702 (based on knowledge,

experience, education, etc.) and facts perceived or made known to expert or, if inadmissible, facts reasonably relied upon by experts Rule 703; hearsay exception to show defendant's state of mind Rule 803(3); Δ : OUT, irrelevant; self serving; prejudicial effect outweighs probative value Rule 403; lack of foundation; speculation; conclusory; improper opinion; improper bolstering of testimony; testimony based on hearsay - rule 801; invading scope of jury's authority; Rule 704 - expert may not testify on guilt or innocence or on defendant's mental state;)

¶19. In the end, it was Parker Crimson. In the conservatory. With the fireplace poker. Game over. (Π : IN, relevant - Rule 403; police detective expert opinion - Rule 702 (based on knowledge, experience, education, etc.) and facts perceived or made known to expert or, if inadmissible, facts reasonably relied upon by experts Rule 703; Δ : OUT, irrelevant; self serving; prejudicial effect outweighs probative value Rule 403; lack of foundation; speculation; conclusory; improper opinion; improper bolstering of testimony; testimony based on hearsay - rule 801; invading scope of jury's authority; Rule 704 - expert may not testify on guilt or innocence or on defendant's mental state;)

Signed: **Detective Jaylen Curry**

Deposition Transcript of
Professor Landry Chartreuse

¶1. My name is Landry Chartreuse. I am 59 years old. Presently, I am a professor of applied economics at the Wharton School at the University of Pennsylvania. I received my B.S. in economics from Princeton University, and my Ph.D. in applied economics from Cornell. (Π: IN, relevant - Rule 403; foundation for first hand knowledge - rule 602; foundation for expert opinion - Rule 702; Δ: OUT, irrelevant;) I wrote my thesis on the overreach of the federal government in antitrust litigation. My belief was, and remains, that the forces of a free market will ultimately regulate antitrust behavior through competition and information sharing better than any government bureaucrat. (Π: IN, relevant - Rule 403; foundation for expert opinion - Rule 702; Δ: OUT, irrelevant; self serving; improper and irrelevant graduate opinion;)

¶2. Before June 27, 2020, I had never met Charles Grey in person. Of course, as the founding partner and manager of Lannister Wealth Capital, Grey was one of the wealthiest human beings on Earth. Since starting his hedge fund in 1978, Grey was known for having the ability to predict future trends in various markets. For example, he was one of the earliest investors in a variety of social media platforms, correctly predicting their rising popularity. He and his clients made billions on those investments. (Π: IN, relevant - Rule 403; foundation for first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), foundation for expert opinion - Rule 702 based on knowledge, experience, education, etc. and facts perceived or made known to expert or, if inadmissible, facts reasonably relied upon by experts Rule 703; Δ: OUT, irrelevant; lack of foundation; speculation; improper opinion; testimony based on hearsay - rule 801)

¶3. In the early 2000s, I wrote a series of articles on the various airline mergers. Using models developed during the breakup of the Bell Operating Companies in the 1980s, I wanted to predict what the impact on consumer costs would be by the consolidation in the U.S. domestic airline industry. Ultimately, my model predicted little change in ticket fees to consumers. Sure, on the one hand there would be less competition. However, by concentrating resources, the new larger airlines could increase fuel storage and distribution, reduce labor costs, and expand their networks of routes. I published my articles in various economics journals across the country. (Π: IN, relevant - Rule 403; foundation for expertise - Rule 702 or business relationship with Grey; expert opinion - Rule 702 based on knowledge, experience, education, etc. and Rule 703 - facts perceived or made known to expert or, if inadmissible, facts reasonably relied upon by experts; Δ: OUT, irrelevant; lack of foundation; testimony based on hearsay - rule 801;)

¶4. Except one. In 2007, I was working on an article that predicted the merger of two of the US's largest airlines: Braavos Airlines and Volantis Airlines. I was nearly finished with the article and ready to start shopping it among the various publications, when I received a call from one of Charles Grey's associates. Apparently, Grey knew I was getting ready to publish the article and said Grey was interested in buying the rights to the publication. I thought this was fairly preposterous, until the associate told me Grey would pay \$200,000 for the rights. I should have said "no." That would have been the moral and ethical thing to do. But \$200,000 for the rights to a journal article is an unheard of amount of money, and I had some debts that needed paying. So I took the article, signed an NDA, and sent the unfinished drafts of my publication to Grey's associate. (Π: IN, relevant - Rule 403; foundation for first hand knowledge - rule 602 and business relationship with Grey; perception - Rule 701 (personal opinion okay), Statements made to witness not hearsay - not offered for truth of

matter asserted but to show interactions with Grey; Δ: OUT, irrelevant; lack of foundation; improper opinion; testimony based on hearsay - rule 801; vs. IN, impeachment on witness' bias - wide latitude for cross examination, rule 611; relevant - foundation to show witness' motive [state of mind] against Grey;)

¶5. Five years later, my prediction came true. The two airlines announced their proposed merger, and the stock price of both airlines soared. The SEC, the FTC and DOJ threatened to torpedo the deal, but after several rounds of negotiations—and, I suspect, shady background deals involving lobbyists and politicians—the government backed down and the merger went through. Shareholders of the two airlines were issued new shares of the joint company as well as dividends and cash payments. I had no idea until recently that Lannister Wealth Capital had purchased several hundred thousands of shares in both airlines prior to the announced merger. I cannot fathom the revenue generated to Lannister from the merger, but I have to guess [speculation?] it's in the eleven figures. My \$200,000 was looking pretty paltry in comparison. (Π: IN, relevant to establish expertise - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), expert opinion - Rule 702 based on knowledge, experience, education, etc. and Rule 703 - facts perceived or made known to expert or, if inadmissible, facts reasonably relied upon by experts; Δ: OUT, predictions 5 years later are irrelevant; self serving; lack of foundation; speculation; improper opinion; testimony based on hearsay - rule 801; vs. IN, impeachment on witness' bias - wide latitude for cross examination, rule 611; relevant to establish this witness' motive against Grey;)

¶6. I was enraged. I sent a letter to Grey threatening to take him to court if he did not pay me more. I received a letter in response from Grey threatening me. I don't really want to talk about what it says.

I'll just give it to you. I don't have anything to hide anymore. (Π: IN, relevant - Rule 403; foundation for first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay); letters' authenticities are stipulated to per joint stipulation; Δ: OUT, irrelevant; self serving; lack of foundation; testimony based on hearsay - rule 801; vs. IN, impeachment on witness' bias - wide latitude for cross examination, rule 611; relevant - establishes witness' motive against Grey; Not offered as hearsay for truth of matter asserted but to show witness' state of mind; letters' authenticities are stipulated to per joint stipulation; Character evidence of victim offered by defendant Rule 404(a)(2); hearsay exception to show state of mind for motive, intent or plan - Rule 803(3);)

* * *

¶7. Fast forward to May 2020. I was at home alone with my cats when I received the invitation in the mail. It was in a large envelope, with gold embossed lettering. The return address showed it was from Grey. I thought this odd, given our past history. The invitation was for a dinner party on June 27 at 7:00 pm at Grey's mansion in Pinewood, Missouri. The invitation mentioned that it would be a 1950s themed party, and that I should dress appropriately. (Π: IN, relevant - Rule 403; foundation for first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), Invitation made to witness not hearsay - not offered for truth of matter asserted but to show witness' subsequent conduct in attending party; Δ: OUT, irrelevant; testimony based on hearsay [letter] - rule 801; vs. IN, impeachment on witness' bias - wide latitude for cross examination, rule 611; Invitation made to witness not hearsay - not offered for truth of

matter asserted but to show witness' subsequent conduct in attending party:)

¶8. Then, two weeks later, I received a package at my front door. It was a box the size of a shoebox. It was wrapped in brown paper, with my name written on the front. However, there was no postage, and no return address. I really wish I had one of those doorbell cameras, so I knew who dropped it off. I was hesitant, but I decided to open the package. Inside was a box. I opened the box, and unwrapped a revolver. I don't know much about guns. I have never owned one, never wanted to. I also saw a handwritten note in the box that said, "Bring this to the dinner party at Grey's mansion. Trust me. You'll need it." There was no signature. No name. No indication whatsoever as to who sent it. (II: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), Statements in letter not hearsay - not offered for truth of matter asserted but to show subsequent conduct of witness attending party with gun or witness' state of mind or lack of motive; Δ: OUT, irrelevant; prejudicial effect outweighs probative value Rule 403; lack of foundation; speculation; testimony based on hearsay - rule 801:)

* * *

¶9. Against my better judgment, I went to the dinner party. I'm sure you're wondering why I would possibly show up to the dinner party hosted by someone with the history that Grey and I have, especially after receiving an anonymous package in the mail with a gun. I cannot answer that. But on the evening of June 27, I found myself pulling up to Grey's mansion. I brought the pistol with me, but left it unloaded. I wasn't going to take any chances with bringing a loaded gun with me, and I had every intention of giving it to Grey. He might not have sent the package, but I sure as heck was not going to keep the thing. (II: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay); witness' state of mind; Δ: OUT, irrelevant; self serving; prejudicial

effect outweighs probative value Rule 403; lack of foundation; vs. IN, impeachment on witness' bias - wide latitude for cross examination, rule 611; relevant for foundation for witness' motive against Grey;)

¶10. Grey's mansion in Pinewood looks like a home stuck in time. It reminded me of the mansions you'd find in the black-and-white murder mystery films. I half expected Hercule Poirot to greet me at the door. (Π: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), Δ: OUT, irrelevant; improper opinion;) Instead, a man/woman in black and white formal attire opened the front door before I could knock, and introduced himself/herself as the butler. Perhaps in poor taste, I told him/her that "if something happens tonight, you must have done it." He/she didn't even crack a smile. Instead, he/she escorted me to the library. I noticed a few other guests, none of whom I recognized, walking around. Waiters in formal dress attire mingled around carrying trays of Champagne and finger foods as appetizers. (Π: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), Δ: OUT, irrelevant; self serving; prejudicial effect outweighs probative value Rule 403; statements "you must have done it" are hearsay - rule 801;)

¶11. Before I go further, let me describe the house. It was the most bizarre house I had ever seen. The main floor of the house was one long hallway off of which several doors to rooms appeared. I noted a billiard room, with a snooker table. Of course, there was a library, and the butler told me next to the library was the study. The remaining rooms' doors were closed. (Π: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay); Δ: OUT, irrelevant; lack of foundation;)

¶12. I had just taken a glass of Champagne when the butler escorted Parker Crimson and another individual into the room. Of course I knew who he was, although we had never met. He was one of the wealthiest people in the country, an investment broker who made millions in the 90s after correctly predicting the rise of the tech companies. I have read gossip articles in business journals reporting a feud between Crimson and Grey, and that the two hated each other. I thought it odd to find him there, but given my personal history with Grey, who was I to judge? (Π: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), shows witness' state of mind; expert opinion - Rule 702 based on knowledge, experience, education, etc. and Rule 703 - facts perceived or made known to expert or, if inadmissible, facts reasonably relied upon by experts; proper rebuttable character evidence of defendant Rule 404(a)(1); hearsay exception to show defendant's state of mind for motive, intent or plan - Rule 803(3); Δ: OUT, irrelevant; self serving; prejudicial effect outweighs probative value Rule 403; lack of foundation; improper opinion; improper character evidence - Rule 404; testimony based on hearsay - rule 801;)

¶13. While Crimson was fully dressed in his best 50s attire, the person with him was altogether different. He/she wore dark pants, a dark jacket, white shirt, and had an ear piece. He/she looked just like a Secret Service agent protecting the President. I surmised that Crimson had hired private security with him. (Π: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay); Δ: OUT, irrelevant;) Given the package I received in the mail and the ominous note, I couldn't blame him. If I could afford security, I might have done the same thing. Instead, I had an unloaded gun; not that I would have the knowhow to use it had it been loaded. (Π: IN,

relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), Δ: OUT, irrelevant; lack of foundation; speculation based on a package; improper opinion;)

¶14. Crimson and his guard eschewed any appetizers from the wait staff and positioned themselves in a corner of the library, speaking privately. Pretending to be interested in a bookshelf containing books about paleontology, I was able to eavesdrop on some of the conversation. The conversation was very hushed, and at 59 years old, my hearing is not what it used to be. But I remember very clearly hearing Crimson say, “Make sure to pull the plug after the dessert course. You know where the box is?” Crimsons’ guard didn’t say anything, just nod his/her head. (Π: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), statement by party opponent Δ or agent - Rule 801(d)(2); Δ: OUT, irrelevant; self serving; prejudicial effect outweighs probative value Rule 403; lack of foundation; speculation; testimony based on hearsay - rule 801;)

¶15. At around 7:30, the butler entered the library and announced that dinner was served in the dining room. By that time, Grey had still not made an appearance. Despite that, the six guests-myself included-followed the butler across the hallway to the dining room. A long mahogany table with a silk tablecloth adorned the center of the room. Above was the most opulent chandelier I have ever seen, with at least a dozen crystals (which, no doubt, were real and cost more than a year’s worth of my salary). Each place at the table was set with gold trimmed plates and silverware. Each place had a name tag. After the waitstaff served the soup course—a lobster bisque with parmesan crumble—the doors to the dining room opened and Grey strolled in. He wore a purple smoking jacket, bow tie, and walking cane. (Π: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion

okay); Δ: OUT, irrelevant; lack of foundation;)

¶16. “Welcome everyone and thank you for joining me this evening.” Grey then took his seat at the head of the table and took his time staring at each of his guests before proceeding. “You all are here tonight for a reason. Of course, I hope you all enjoy the evening and each other’s company. But more importantly, you are all here because of our history together. You have all in some way helped me become the man I am today. So I wanted to thank you.” (Π: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay); Grey’s statements show his state of mind - Rule 803; Statements made by Grey not hearsay - not offered for truth of matter asserted; Δ: OUT, irrelevant; testimony based on hearsay - rule 801; vs. IN, relevant to show Grey’s state of mind - Rule 803; Grey’s statements not hearsay - not offered for truth of matter asserted; perception;)

¶17. This pronouncement took me by surprise. If it surprised any of the other guests, their faces did not show it. I knew my own involvement in helping Grey learn of the airline merger, but I had no idea how anyone else here had any involvement. (Π: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay); Δ: OUT, irrelevant;) I was hoping for further explanation, when Crimson blurted out, “You’re so arrogant to invite us here and lecture us on your money. You disgust me!” Grey simply smiled and said, “You and I have a lot to discuss. In private. We all have things we need to discuss. But for now, let’s enjoy this meal.” (Π: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay); Grey’s state of mind - Rule 803; Δ’s statements by party opponent -Rule 801(d)(2); Δ: OUT, irrelevant; prejudicial effect outweighs probative value Rule 403; testimony based on hearsay - rule 801;)

¶18. The rest of the dinner was eaten in silence. After the dessert course—a pumpkin cheesecake with chocolate reduction sauce and raspberry sorbet—Grey stood and said, “Please, ladies and gentlemen, enjoy my house and enjoy each other’s company. Brandy will be served in the study, and I will be sure to speak to each of you individually.” With that, he stood and left the dining room. All of the guests followed. (II: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay); Grey's statements show his state of mind - Rule 803; Statements made by Grey not hearsay - not offered for truth of matter asserted; Δ: OUT, irrelevant to show everyone would meet with Grey that would provide equal opportunity for murder; testimony based on hearsay - rule 801; vs. IN, relevant to show Grey's state of mind - Rule 803; Grey's statements not hearsay - not offered for truth of matter asserted; perception;)

¶19. I found myself in the billiard room playing a game of snooker with Dakota Forest, who introduced himself/herself as a reporter at *The Financial Times*, one of the preeminent financial publications. During the game, Forest asked me, “Did you get a package at your front door, too?” I explained about receiving the gun in the mysterious package. Forest looked both startled and excited. “Yeah, me too. Except I didn’t get a revolver. I got a knife. Did you bring yours with you?” I explained that I brought the gun with me, but that it was unloaded and that I intended on leaving it with Grey. Forest said, “I bet everyone got some sort of weapon. This isn’t good.” (II: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), shows Forest’s state of mind - Rule 803; not hearsay on statements by Forest - who is witness is subject to cross examination; picture of knife is stipulated to per joint stipulation; Δ: OUT, irrelevant; self

-serving; testimony based on hearsay - rule 801;)

¶20. I excused myself to use the restroom. It was 8:43 pm when I entered the hallway to use the restroom. I know because I remember receiving a text from a colleague just as I left the billiard room. When I was in the hall, I noticed the door to the conservatory closing. Although I was at the far end of the hallway, I am pretty sure I saw Crimson going into the conservatory. (Π: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay); Δ: OUT, irrelevant; self serving; lack of foundation; "pretty sure" is speculation; improper opinion;)

Not two minutes later, the electricity in the house went out and everything went dark. I heard a woman scream, and several doors slam. I scrambled to try and get my bearings, but instead I tripped and fell on something. A few minutes later, the lights flickered back on and the house was illuminated once again. I suppose the house had a back-up generator, or something. I must have really hit my head hard, because my head was throbbing and I immediately noticed a bump on the back of my head. As I sat there trying to get my bearings, I looked up and saw Crimson's guard standing outside the door to the conservatory. He/she wasn't there when the lights went out, but there he/she was at the door. People started entering the hallway from various other rooms. Strangely, Crimson came out of the door to the study, although I know for a fact he had been in the conservatory not five minutes before. Perhaps I had hit my head harder than I thought . . . (Π: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), screams are excited utterances - not hearsay Rule 803(2) - also not offered for the truth screamed; Δ: OUT, irrelevant; lack of foundation; speculation;)

* * *

¶21. Grey's body was found in the conservatory. He had clearly been hit in the head, because the side of his face was distorted and blood had pooled on the ground beneath his head. (Π: IN, relevant -

Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), Δ:
OUT, irrelevant; lack of foundation; speculation;)

¶22. I don't know who murdered Grey. But I know what I saw and heard. I heard Crimson talking about "pulling the plug" a couple hours before the power went out. And I know I saw Crimson go into the conservatory before the power went out. And I know what Crimson said at dinner. (Π: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay; not hearsay - statement by party opponent - defendant); Δ: OUT, irrelevant; lack of foundation; speculation;) Crimson clearly had hatred and a motive to kill. (Π: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay); Δ: OUT, irrelevant; self serving; prejudicial effect outweighs probative value Rule 403; improper opinion; improper character evidence - Rule 404; Rule 704 - expert [and layperson] may not testify on guilt or innocence or on defendant's mental state; vs. IN, impeachment on witness' bias against defendant - wide latitude for cross examination, rule 611;)

* * *

¶23. Does the conservatory have a fireplace? No, not that I can recall. It would be odd to have a fireplace in a conservatory, right? I think only the study and library had fireplaces. (Π: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), Δ: OUT, irrelevant; lack of foundation; speculation;)

Signed: Professor Landry Chartreuse

Deposition Transcript of **Arizona Waddleworth**

¶1. My name is Arizona Waddleworth. Look, I didn't choose my name. I am a butler. So my life has not gone the way I was hoping. What is it that I do? I buttle. The butler is head of the kitchen and dining room. I keep things tidy, that's all. I manage the kitchen staff and servers at Charles Grey's mansion. I guess now that he's dead I will have to find a new job. Wonderful. I'd love to say life at home was better. (Π: IN, relevant - Rule 403; foundation for first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay); Δ: OUT, irrelevant;) But I am alone. My ex-spouse does not speak to me anymore. I have a daughter—Erica Flor—a world famous scientist. But she has her own family and lives in Milwaukee, Wisconsin. My father died when I was very young, and my mother has a terminal illness. As an only child, I have to care for her and am trying to keep up with the medical bills. Her insurance dried up years ago, and I am getting collection letters and bills nearly every week. It's been pretty difficult financially recently. (Π: IN, relevant - Rule 403, establishes loyalty to Grey; foundation for first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay); Δ: OUT, irrelevant; self serving; evidence of "sympathy" is prejudicial effect outweighs probative value Rule 403;)

¶2. I was a butler for Grey since he bought the mansion back in the early 80s. I guess he read a few too many Agatha Christie novels, 'cause Grey fell in love with the eye-sore mansion. It was like a murder mystery novel come-to-life. The décor is from the 50s. Everything screamed old-world New England, from the furniture to the art to the choice of china dishes. The house has a study, library, conservatory, and billiards room. Who has that? I mean, you'd expect to have a pool table in the billiards room, right? No. Instead, it has a snooker table, with mahogany wood chess table and crystal decanters for

brandy. I half expected to see Cary Grant and Jimmy Stewart enjoying a drink in the corner of the study every time I went to work. (Π: IN, relevant - Rule 403; foundation for first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), Δ: OUT, irrelevant; lack of foundation;)

¶3. Charles Grey, as you know, is one of the richest people in the country. However, he was a lonely man. He lived in his mansion alone. Never married. No children. So I became one of his closest confidants. I worked six days a week for decades. Over the years, I got to know him really well, and Grey would often confide secrets in me that he did not share with anyone else. For example, nobody knew the full extent of how he made so much money when those two airlines merged. I remember one night in January 2020 Grey was eating in the dining room, alone, as he usually did. He was having a leek soup appetizer, with a kale pesto risotto and pan-seared shrimp entrée. Grey looked at me standing in the corner and asked me to sit down. (Π: IN, relevant - Rule 403; foundation for first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay); Δ: OUT, irrelevant; lack of foundation; testimony based on hearsay - rule 801;) “Let me tell you a story,” he said. For the next two hours he talked and talked about how he and his hedge firm made billions from the merger. He told me that he and Parker Crimson were going to pool their resources to buy as many shares of both airlines before the merger became public. Crimson and Grey worked their contacts in Washington and elsewhere to get information, and push the merger through. He told me that Dakota Forest, one of his former employees, managed the accounts for Grey and Crimson. That was, until Grey fired Forest. (Π: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay); Not offered for truth [hearsay] but to show Grey’s state of mind - Rule 803; hearsay exception dying declaration by Grey - Rule 804(b)(2) see paragraph 6 below; hearsay

exception to show state of mind for motive, intent or plan - Rule 803(3); Δ: OUT, irrelevant;
lack of foundation; testimony based on hearsay - rule 801; prejudicial effect outweighs
probative value; improper character evidence; vs. IN, allow hearsay in evidence to later
establish motives by others [within scope of direct examination]; impeachment on witness'
bias - wide latitude for cross examination, rule 611; hearsay exception dying declaration by
Grey - Rule 804(b)(2) see paragraph 6 below;)

¶4. Grey told me he first learned of the potential deal from Emory Teal, a lobbyist who got wind
of the merger while drinking with some of the executives who drunkenly boasted about the merger and was
later accused of insider trading by an anonymous source even though he ended up not profiting from the
deal. He worked out a deal with the SEC where he agreed not to lobby on behalf of his more lucrative
clients. Teal apparently always suspected Grey had been the anonymous source, but could never prove it,
and after Grey sued him for libel, Teal dropped the issue. (Π: IN, relevant - Rule 403; first hand
knowledge - rule 602; perception - Rule 701 (personal opinion okay); Not offered for truth
[hearsay] but to show Grey's state of mind - Rule 803; hearsay exception dying declaration
by Grey - Rule 804(b)(2) see paragraph 6 below; hearsay exception to show state of mind
for motive, intent or plan - Rule 803(3); Δ: OUT, irrelevant; lack of foundation; testimony
based on double hearsay - rule 801; prejudicial effect outweighs probative value; improper
character evidence; vs. IN, hearsay exception establish motives by others Rule 803(3);
impeachment on witness' bias - wide latitude for cross examination, rule 611; hearsay
exception dying declaration by Grey - Rule 804(b)(2) see paragraph 6 below;)

¶5. Grey began to research the two companies and discovered that Professor Chartreuse, an academic at the University of Pennsylvania had created an economic model that predicted the merger and was shopping his thesis to several financial magazines. Mr. Grey believed the publication of the research would have been devastating to Grey and Crimson, who wanted to keep the information to themselves, so they bought the professor's research and all of the materials, and paid him/her to be quiet. But Mr. Grey seemed almost ashamed of how little he paid Chartreuse for his non-disclosure agreement. (Π: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay); Not offered for truth [hearsay] but to show Grey's state of mind - Rule 803; hearsay exception dying declaration by Grey - Rule 804(b)(2) see paragraph 6 below; rebuttable Character evidence of victim's peacefulness offered by State Rule 404(a)(2); hearsay exception to show state of mind for motive, intent or plan - Rule 803(3); Δ: OUT, irrelevant; lack of foundation; speculative, testimony based on hearsay - rule 801; prejudicial effect outweighs probative value; improper character evidence; vs. IN, hearsay exception to establish motives by others Rule 803(3); impeachment on witness' bias - wide latitude for cross examination, rule 611; hearsay exception dying declaration by Grey - Rule 804(b)(2) see paragraph 6 below;)

¶6. Mr. Grey seemed sorry about a lot of things that night. I asked why he was telling me all of this. He told me his doctor had recently diagnosed him with cancer and he felt he had a lot to atone for. Grey looked at me and said, "When I am gone, you will be taken care of. I have arranged everything. I know you need money, and you'll be okay." Grey reminded me that I had signed a non-disclosure agreement, too. It is no longer in effect since his death. (Π: IN, relevant - Rule 403; first hand

knowledge - rule 602; perception - Rule 701 (personal opinion okay); Not offered for truth [hearsay] but to show Grey's state of mind - Rule 803; hearsay exception dying declaration by Grey - Rule 804(b)(2); rebuttable Character evidence of victim's peacefulness offered by State Rule 404(a)(2); Δ : OUT, irrelevant; lack of foundation; testimony based on hearsay - rule 801; prejudicial effect outweighs probative value;)

¶7. He also told me about a number of other people harmed by the merger. Two I remember most clearly were Bari White and Patricia Quinn. White owned a piece of land next to a manufacturing facility owned by Volantis. The additional bustle at the airfield there scared away White's main business, a duck hunting club. Then the land ended up being condemned by the EPA or something because of a fuel leak on the Volantis property. White had written a lot of very nasty letters to Mr. Grey over the years, but Mr. Grey told me he thought White was harmless. (¶: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay); Not offered for truth [hearsay] but to show Grey's state of mind - Rule 803; hearsay exception dying declaration by Grey - Rule 804(b)(2) see paragraph 6; proper rebuttable character evidence of victim Rule 404(a)(2); hearsay exception to show state of mind for motive, intent or plan - Rule 803(3); Δ : OUT, irrelevant; lack of foundation; speculative, improper character evidence; testimony based on hearsay - rule 801; prejudicial effect outweighs probative value; vs. IN, hearsay exception to establish motives by others Rule 803(3); hearsay exception to show state of mind for motive, intent or plan - Rule 803(3); impeachment on witness' bias - wide latitude for cross examination, rule 611; hearsay exception dying declaration by Grey - Rule 804(b)(2) see paragraph 6;)

¶8. Patricia Quinn was a Hollywood producer. In fact, you may have heard about Quinn's business partner, Frieda Nitchy, who got convicted of murder a couple years ago. Quinn had bought the rights to what was billed as the inside story of the merger. But Grey had pulled his blessing from the project and turned his lawyers on Quinn when he learned the movie was to have some sort of gimmicky ending where different audiences would get different endings. Mr. Grey was horrified at the idea, especially as one of those endings had him get sucked into a jet engine. (Π: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay); Not offered for truth [hearsay] but to show Grey's state of mind - Rule 803; hearsay exception dying declaration by Grey - Rule 804(b)(2) see paragraph 6; hearsay exception to show state of mind for motive, intent or plan - Rule 803(3); Δ: OUT, irrelevant; conviction for business partner totally irrelevant and not proper under Rule 609; lack of foundation; speculation - this paragraph does not show that it is based on what Grey said to witness, testimony based on hearsay - rule 801; prejudicial effect outweighs probative value; improper character evidence; vs. IN, hearsay exception to show state of mind for motive, intent or plan - Rule 803(3); impeachment on witness' bias - wide latitude for cross examination, rule 611; hearsay exception dying declaration by Grey - Rule 804(b)(2) see paragraph 6; Character evidence of victim offered by defendant Rule 404(a)(2); hearsay exception to show state of mind for motive, intent or plan - Rule 803(3))

¶9. It was not much of a surprise when Mr. Grey came to me in the Spring of 2020 and said he wanted to host a party. The guests would be Crimson, Chartreuse, Forest, Teal, White, and Quinn. He explained that his conscience had finally gotten to him, and he wanted to surprise all of them by gifting

them shares in his hedge fund as repayment for the wrongs he had caused. He wanted the gifts to be a surprise, to be revealed following dinner. And because Mr. Grey is the eccentric billionaire, he wanted the party to have a 50s theme. So Mr. Grey tasked me with creating invitations and sending them out to each of the six party guests. He also asked me to coordinate with the cooks to create an elegant meal. I admit, I might have let it slip that the reason for the party was to give away a substantial chunk of Mr. Grey's fortune to the guests, so the cook needed to come up with something special. (Π: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay); Not offered for truth [hearsay] but to show Grey's state of mind - Rule 803; hearsay exception dying declaration by Grey - Rule 804(b)(2) see paragraph 6; Grey's statements not offered for truth but to show witness' subsequent conduct in preparing a party and sending out packages; rebuttable Character evidence of victim offered by State Rule 404(a)(2) to show Grey's peacefulness; Δ: OUT, irrelevant; lack of foundation; speculative, testimony based on hearsay - rule 801; prejudicial effect outweighs probative value; improper character evidence.)

¶10. I mailed the invitations in May. To my surprise, someone called me about a week later identifying himself as Parker Crimson. I never met or talked with Crimson before, so I could not verify that it was him on the phone. Crimson asked how much I made and whether I wanted to earn some extra money. I'm always interested in more money, so I listened. Crimson offered me \$50,000 if I could give him a map of Grey's mansion. "I've heard a rumor there are secret passages. Is that right?" Crimson said. I explained that yes, there were some secret passages, and for an extra \$10,000 I could even mark them on the map. Crimson agreed. (Π: IN, relevant - Rule 403; foundation for first hand knowledge - rule 602 and circumstantial evidence for detective finding map in Δ's house;

perception - Rule 701 (personal opinion okay), statement by party opponent Δ -Rule 801(d)(2); hearsay exception to show state of mind for motive, intent or plan - Rule 803(3); Δ: OUT, irrelevant; prejudicial effect outweighs probative value Rule 403; lack of foundation to identify Δ's voice; speculation; testimony based on hearsay - rule 801; improper character evidence.)

¶11. The next morning, a wire transfer showed up in my bank account for \$60k. I did not recognize the name of the transferor, and it did not have Crimson's name on it. But it was \$60k, and I figured it had to be from Crimson. So I mailed Crimson a map of the mansion and marked the location of the secret passage between the study and conservatory, and marked (per Crimson's request), the location of the circuit breaker on the main floor. (Π: IN, relevant - Rule 403; foundation for first hand knowledge - rule 602 and circumstantial evidence for detective finding map in Δ's house; perception - Rule 701 (personal opinion okay); Not offered for truth of matter asserted but to show subsequent conduct in mailing map to defendant; Δ: OUT, irrelevant; prejudicial effect outweighs probative value Rule 403; lack of foundation to connect it to defendant; speculation; testimony based on hearsay - rule 801; improper character evidence.)

¶12. I got the second call from Crimson on May 25, 2020. This time, Crimson offered me another \$50k if I would do him a second favor. Crimson told me that he wanted "gifts" personally delivered to the front doors of the other five party guests. Since the guests were spread out around the country, all of my travel costs would be covered and I would be staying at the best places. I was told that I had to drive, not fly. That had me suspicious that whatever was in the packages was not something Crimson wanted screened by TSA. I told Grey I would be taking a few days off of work. Crimson mailed me keys to a secure lock box at a local bank, where I picked up the packages. I spent several days on the road,

delivering them to the five people who would be attending the dinner party. I already had their addresses because I mailed them the party invitations. (Π: IN, relevant - Rule 403; foundation for first hand knowledge - rule 602 and circumstantial evidence for receiving gifts; perception - Rule 701 (personal opinion okay), statement by party opponent Δ -Rule 801(d)(2); Not offered for truth of the matter asserted but to show witness' subsequent conduct in delivering packages; Δ: OUT, irrelevant; prejudicial effect outweighs probative value Rule 403; lack of foundation to identify Δ's voice; speculation; testimony based on hearsay - rule 801; improper character evidence.)

¶13. Did I know that the packages had weapons? Of course not. I wouldn't have done it if I had known. But I wanted the money. I needed the money. (Π: IN, relevant - Rule 403; first hand knowledge - rule 602 and circumstantial evidence for detective finding map in Δ's house; perception - Rule 701 (personal opinion okay), based on statement by party opponent Δ -Rule 801(d)(2); Δ: OUT, irrelevant; self serving; based on hearsay; vs. IN, allow hearsay in evidence to establish motives by others [within scope of direct examination])

* * *

¶14. The night of the party, I answered the door, welcoming the guests as they arrived. As each guest arrived, I escorted them to the library for appetizers and drinks. I noticed that each guest carried with them the packages that I had delivered to their homes. They tried to be discreet about it. For example, some had the packages in their purses, but I could still see them. I still did not know what was in the packages. When Crimson arrived, he brought a security guard with him. Crimson did not acknowledge me at all, simply handing me his jacket and pretending like he did not know me at all. I thought he would at

least try to talk to me, after what I had done. (Π: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay); Δ: OUT, irrelevant; self serving; prejudicial effect outweighs probative value Rule 403; lack of foundation; improper opinion about what defendant thought;)

¶15. At 7:30, the head chef rang a gong to announce that dinner was served. Each guest had an assigned seat at the table. None of the guests looked all that happy to be there, and they were not speaking. As the guests walked through the hallway from the library to the dining room, Grey pulled me aside. He said, "After dinner, I am going to speak to each of the guests individually. I will make this right." (Π: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), statements shows Grey's state of mind - Rule 803, which is consistent with his dying declaration; Δ: OUT, irrelevant; self serving; testimony based on hearsay - rule 801;)

¶16. I did not stay in the dining room during dinner. Instead, I supervised the wait staff and kitchen staff in the kitchen. Dinner took approximately 45 minutes. Afterwards, each guest left the dining room and scattered throughout the main floor of the residence. Some went to the billiards room to play snooker. (Π: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay); Δ: OUT, irrelevant; lack of foundation; speculation;)

¶17. The power to the mansion is controlled from an electrical panel found on the main floor. I understand most homes have their electrical panels in the cellar. Not in Grey's mansion. Instead, the power was controlled from a storage closet off the main hall on the first floor. This is what I told Crimson when he paid me all of that money. (Π: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay); Δ: OUT, irrelevant; self serving; prejudicial

effect outweighs probative value Rule 403; lack of foundation; speculation on identity of defendant or who paid the money; testimony based on hearsay - rule 801;)

¶18. As the guests mingled, I walked among the guests. I was there to serve them or get them anything they needed. Really, I wanted to hear what they had to say. And I wanted to find out what was in those packages. And I found out. In the library, I overheard Prof. Chartreuse telling Ms. White that he/she had received a pistol. Bari White said she had received a candlestick. A candlestick? What was that for? And a pistol? I was not comfortable knowing that our guests had weapons, especially guns. Then I heard Chartreuse whisper, “Look, I wouldn’t mind if Grey ended up with a bullet, but did someone think I would be stupid enough to do it?” (Π: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), not hearsay on statements by Chartreuse - witness is subject to cross examination; Chartreuse’s statement is declaration against interest - Rule 804(b)(3); also shows Chartreuse’s state of mind on night of murder - Rule 803(3); Δ: OUT, irrelevant; testimony based on hearsay - rule 801; vs. IN, impeachment on witness’ bias - wide latitude for cross examination, rule 611; not hearsay on statements by Chartreuse - witness is subject to cross examination; Chartreuse’s statement is declaration against interest - Rule 804(b)(3); also shows Chartreuse’s state of mind on night of murder - Rule 803(3);)

¶19. In the lounge, I was offering the guests glasses of brandy when I overheard a hushed conversation between Teal, Ms. Quinn and Forest. Apparently, Teal had a dagger, Quinn a lead pipe, and a vial of something marked “poison.” Forest told Teal, “This whole situation is freaking me out. We need to get this done, and get out of here.” (Π: IN, relevant - Rule 403; first hand knowledge - rule

602; perception - Rule 701 (personal opinion okay), not hearsay on statements by Forest - witness is subject to cross examination; Forest's statement is declaration against interest - Rule 804(b)(3); also shows Forest's state of mind on night of murder - Rule 803(3); Δ: OUT, irrelevant; testimony based on hearsay - rule 801; vs. IN, impeachment on witness' bias - wide latitude for cross examination, rule 611; not hearsay on statements by Forest - witness is subject to cross examination; Forest's statement is declaration against interest - Rule 804(b)(3); also shows Forest's state of mind on night of murder - Rule 803(3))

* * *

¶20. The whole thing went down at 8:45. The wait staff was all upstairs, taking a break. The head chef and his/her assistant were in the kitchen, cleaning. I had just left the empty study, where guests had left used glasses. I had cleaned it that very morning. I was in the hallway headed for the kitchen, where I saw Crimson's security guard standing outside the closed door to the conservatory. At that moment, the power went out. I froze. I was in the hallway, facing the kitchen, with my back to the study. I had the feeling that someone was behind me, and then I heard the door to the study behind me open and close. I tried to make my way to the storage closet where the electrical panel was located, but I tripped on something and dropped the tray of glasses, which shattered. What felt like several minutes passed, and then the power flickered back to life. I suppose the house's backup generator finally kicked to life. As old as that thing is, I am surprised it worked at all. (Π: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay); Δ: OUT, irrelevant; lack of foundation; speculation;)

¶21. I was still sprawled on the floor, my ankle throbbing in pain. I turned and saw

Crimson open the door from the study. He saw me and asked, "Are you okay? What happened?" Crimson helped me to my feet, and offered to try and find a broom to help me clean the mess. Moments later, I heard someone scream. I turned my head and saw Forest standing at the other end of the hall, looking through the door of the conservatory, which was wide open now. The other guests and I rushed (well, I sort of limped, I think I had a sprained ankle) to see what had happened. Inside, we all saw Charles Grey face down on the ground, blood pooling under his head. I tried to find Crimson's security guard, since I saw him/her before the power went out near the conservatory. I noticed him/her leaving the restroom.

(Π: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), Δ's statement by party opponent -Rule 801(d)(2); vs. OUT, Δ's statement is hearsay, cannot be offered by defendant; Δ: OUT, irrelevant; lack of foundation; speculation; vs. IN, impeachment on witness' bias - wide latitude for cross examination, rule 611; Δ's statement shows state of mind - Rule 803(3) or is an excited utterance Rule 803(2);)

* * *

¶22. Look, I don't know who killed Grey. I am just telling you what happened. I feel guilty that I might have played an unknowing part in the murder. I did deliver those weapons to the guests at Crimson's request, but I think that's just a red herring. I provided Crimson with a map of the mansion, marking the location of the circuit breaker. And I know I saw Crimson's security guard standing outside of the conservatory just before the power went out. Take all of that, plus Crimson knew of the secret passage from the study to the conservatory, and the murder weapon was apparently the fireplace poker from the study. I mean it all points to Crimson, right? (Π: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay); Δ: OUT, irrelevant; self

serving; prejudicial effect outweighs probative value Rule 403; conclusory [making legal conclusions]; improper opinion; improper character evidence - Rule 404; improper bolstering of testimony; testimony based on hearsay - rule 801; Rule 704 - expert [and layperson] may not testify on guilt or innocence or on defendant's mental state;)

Signed: Arizona Waddleworth

The Defense Witnesses

Deposition Transcript of Jamie Olive

¶1. By Mr. Wilke: My name is James Wilke, of Jones & Barnett, P.C., representing Mr./Ms. Olive. Mr./Ms. Olive is appearing in response to a subpoena issued by counsel for Parker Crimson. [Introductory statement by counsel. Impeachment or refreshing this witness' statement is usually formally stated as "Do you recall your statement made to Mr. Wilke during your deposition? etc."]

¶2. Mr./Ms. Olive: I don't care what you think, I didn't kill my uncle, okay? (Π: OUT, irrelevant; self serving; conclusory [making a legal conclusion]; irrelevant; improper impeachment [form] - statement doesn't show question that may have been asked; non responsive; Δ: IN, impeachment on witness' bias - wide latitude for examination, rule 611; party may impeach her/his own witness - Rule 607; statement shows witness' consciousness of guilt - state of mind - Rule 803) Fine, I'll start from the beginning. My name is Jamie Olive. I'm 34 years old. I am the executive chef of Lannister Wealth Capital. I am from Des Moines, Iowa, originally where I went to high school. But my heart was in Europe, so I left the United States immediately after graduating high school. I studied at École Lenôtre culinary school in Paris before becoming a chef de partie in Le Jardin restaurant on the Champs-Élysées. The executive chef there realized my talent, and I became a sous chef in just 3 weeks. After a year, I became the head chef at Le Chef Nu on the Île Saint-Louis. (Π: OUT, irrelevant; Δ: IN, relevant - Rule 403; foundation for firsthand knowledge - rule 602;)

¶3. I first met Uncle Charlie when he came to my restaurant in 2005. I had no idea who he was. He was sitting alone, eating a dinner of coq au vin served over a bed of coconut rice. He asked the

waitress to have the chef come talk to him. When I came to his table, he asked me to sit down. This was unusual, but I did as he asked. After looking at me for a few seconds he said, “My name is Charlie Grey. I know my sister has probably never mentioned me, but I am your uncle.” For the next few minutes, he explained how he and my mother had a falling out many years ago, and that is why we had never met. She was a huge environmentalist and anti-globalist and had disagreed strongly with the family business which involved buying and selling other businesses. (Π: OUT, irrelevant; self serving; hearsay; Δ: IN, relevant - Rule 403; foundation for first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), Statements made to witness not hearsay - not offered for truth of matter asserted; hearsay exception - statement of family history - Rule 804(b)(4)) My mother had accused Charlie (that’s what he asked me to call him) of exploiting the working class. (Π: OUT, irrelevant; self serving; testimony based on hearsay - rule 801 and not involving family history; double hearsay; improper character impeachment regarding Grey; Δ: IN, relevant - Rule 403; Statements made to witness not hearsay - not offered for truth of matter asserted; within scope of hearsay exception - statement of family history - Rule 804(b)(4)) I honestly don’t care that much. Once I left for Europe, my mother basically disowned me for going to learn to “serve beef bourguignon to the bourgeoisie” rather than work to help those in need in middle America. (Π: OUT, irrelevant; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay),)

¶4. My uncle offered me a job as his company’s executive chef. I thought he was joking. I was working in one of the best restaurants in Paris, why would I want to work for some company? But Uncle Charlie explained that I would travel the world to corporate events, and when not travelling, I would be the

executive chef at his various mansions. (II: OUT, irrelevant; testimony based on hearsay - rule 801; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), Statements made to witness not hearsay - not offered for truth of matter asserted but to show how witness obtained job;)

¶5. Then Uncle Charlie told me the starting salary. I won't tell you what it was, but let's just say it was enough for me to quit my job right then and there. The only condition was that Uncle Charlie told me we had to keep our family relationship a secret from everyone else. "People can get jealous in my line of work," he told me, "and I don't want people thinking I am playing favorites...but of course I am." (II: OUT, irrelevant; testimony based on hearsay - rule 801; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), Statements made to witness not hearsay - not offered for truth of matter asserted; within scope of hearsay exception - statement of family history -Rule 804(b)(4))

¶6. Uncle Charlie and I grew very close over the next few years, and I came to love him very much. In 2007, I was in Paris at one of Uncle Charlie's mansions preparing a meal for a private dinner he was having with Parker Crimson and Dakota Forest. That mansion has a very open concept, with the kitchen and dining room next to each other, so I was able to hear almost the entire conversation. (II: OUT, irrelevant; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay))

¶7. "When the merger happens, Chartreuse is not going to keep silent, you know," said Crimson. My uncle chuckled, saying "I've got the goods on Chartreuse. He/she will take the 200 grand I am offering and not say another word, trust me." Crimson said, "What makes you so sure?" Uncle

Charlie just smiled and said, “My investigators found some things about Chartreuses’ past. Turns out he/she is not quite the academic he/she claims. Chartreuse’s career would be finished if what I have were ever to come out.” (Π: OUT, irrelevant; testimony based on hearsay - rule 801; Δ: IN, relevant - Rule 403 and consistent with letters [documents] that are authentic per joint stipulation; perception - Rule 701 (personal opinion okay), shows Grey's state of mind - Rule 803; testimony not offered for truth of matter asserted but for foundation for Grey and Chartreuse letters that are authentic per joint stipulation;)

¶8. Later that night, after Crimson and Forest left, I was cleaning up the kitchen when Uncle Charlie came up to me. I could tell he was pretty drunk, having polished off at least 5 glasses of wine himself. He said, “Between you and me, I’m getting rid of Crimson and Forest.” I was startled. “What do you mean, you’re not going to hurt them are you, Uncle Charlie?” He laughed and stumbled a bit. “No, I don’t physically hurt people, Jamie. No, Forest I will fire. Crimson, I’ll buy him out.” I put down the dish I was washing. “Won’t they be upset?” I said. “Oh yeah. Especially after they see the money we’re going to make. Might have to hire myself some extra security, especially with Crimson. That one has a temper, and I don’t trust him. But with the money we’re going to make, I can afford the extra security.” (Π: OUT, irrelevant; prejudicial effect outweighs probative value Rule 403; testimony based on hearsay - rule 801; vs. IN, shows Grey's state of mind of being in fear of defendant; hearsay exception to show Grey's state of mind for motive, intent or plan - Rule 803(3); Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay); Shows Grey's state of mind - Rule 803; hearsay exception to show state of mind for motive, intent or plan - Rule 803(3); vs. OUT,; improper character evidence of

defendant - Rule 404; hearsay;)

¶9. I stayed on with Uncle Charlie until his death in 2020. He and I grew very close. In fact, I was at his mansion in Missouri at Christmas in 2019. He was sitting in his favorite chair in the study, spiked eggnog in hand, wearing a purple velvet smoking jacket while a roaring fireplace was going. I was sitting in the sofa across from him, when he smiled and said, "I have something for you." He handed me a large envelope. "Open it," he said. Inside was a large stack of papers. Across the top of the front page in large bold fancy lettering read, "The last will and testament of Charlie Grey." I looked up. "It's my will. Just had it changed. You're getting everything. All of my real estate. My accounts. The private plane. Most importantly, my share of Lannister Wealth Capital. You're going to be very rich someday." I told him it was too much. I could never manage it all. "Nonsense," he said, "My associates can manage the business. You just enjoy it." I smiled and said, "So long as you promise not to go anywhere soon." (Π:

OUT, irrelevant; self serving; prejudicial effect outweighs probative value Rule 403;

testimony based on hearsay - rule 801; vs. Π: IN, impeachment on witness' bias - wide

latitude for cross examination, rule 611 (impeach defense witness); relevant to show witness'

potential motive to kill victim; Not offered as hearsay for the truth of the matter asserted

but to show witness' and victim's state of mind and witness' interest, motive or bias; Δ: IN,

relevant - Rule 403; Statements made to witness not hearsay - not offered for truth of

matter asserted but to show witness' and victim's state of mind and witness' interest,

motive or bias [party may impeach own witness Rule 607]; vs. OUT, irrelevant; improper

impeachment; highly prejudicial -Rule 403;)

¶10. Secretly, I was excited. I would be one of the richest people in the world. I could do whatever

I wanted. Skiing in the French Alps one week, on the beaches of Majorca the next. No longer would I be preparing meals for other wealthy and powerful people, people would be doing that for me. I couldn't wait.

(Π: OUT, irrelevant; improper opinion; vs. IN, impeachment on witness' bias - wide latitude for cross examination, rule 611; Δ: IN, relevant - Rule 403; perception - Rule 701 (personal opinion okay), witness' state of mind - Rule 803 to show motive, opportunity, intent, etc; vs. OUT, irrelevant; party may impeach own witness Rule 607; improper impeachment; highly prejudicial -Rule 403;)

¶11. But that does not mean I killed my uncle! Yeah, I wanted his money, but you think I would kill him? I loved him. (Π: IN, impeachment on witness' bias - wide latitude for cross examination, rule 611; relevant; first hand knowledge; Δ: OUT, irrelevant; improper opinion; conclusory; self serving.)

[A break was had]

¶12. Yes, I am calm. Let's get this finished. Where was I? Oh, I first heard about the dinner party in April 2020. I was at my Uncle's villa in Ibiza. He was feeling particularly chipper. I asked him what had gotten him so happy, and he said "I am going to host a dinner party at my mansion in Missouri. I have done some bad things in my life, and there are people who want to hurt me because of it. I am going to make things right. Can you help prepare the meal?" "Of course, I said." (Π: OUT, irrelevant; based on hearsay; vs. IN, impeachment on witness' bias - wide latitude for cross examination, rule 611; rebuttable Character evidence of victim offered by State Rule 404(a)(2) to show victim's peacefulness; Victim's state of mind hearsay exception - Rule 803(3); Δ: IN, relevant; show's Grey's state of mind and potential motives by others to murder him/her; vs.

OUT, irrelevant; highly prejudicial -Rule 403; hearsay)

¶13. I planned a really nice meal for the party. We served aperitif drinks along with a paprika and crab filled deviled egg in the library. At dinner, we served a tartare de filet de boueuf, and olive tapenade over herb-butter crostini. The main entrée was a chicken cordon bleu with pan fried cauliflower. While the guests were having their first course, I was near the Salamander broiler preparing the main course, when I saw Waddleworth, the butler, enter the kitchen. He/she was followed by Landry Chartreuse. I had half-a-mind to tell Chartreuse to get out of my kitchen, but I did not want any of the food to burn. Waddleworth and Chartreuse were on the other side of the kitchen, and with all the noise, I could not hear what they were saying. The conversation only lasted about 30 seconds, but seemed to be pretty intense and there was a lot of pointing. Chartreuse pointed to his/her watch, and then went back to the dining room. (Π: OUT, irrelevant; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay))

¶14. When Chartreuse left, Waddleworth walked to me and said “Is the main course about ready? The guests are nearly finished with the appetizer.” “It will be ready when it’s ready,” I replied. “What did Chartreuse want?” I asked. Waddleworth snapped, “That’s none of your business. And if you want to keep your job, you should keep your mouth shut.” (Π: OUT, irrelevant; testimony based on hearsay - rule 801; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), shows Waddleworth's state of mind - Rule 803 to show motive, opportunity, intent, plan, knowledge, etc ;Statements made to witness not hearsay - not offered for truth of matter asserted but to show state of mind; not hearsay on statements by Waddleworth - witness is subject to cross examination;)

¶15. Ha! Keep my job. Waddleworth, the fool, had no idea that I was about to inherit

everything. I will take pleasure firing him/her. . (Π: IN, impeachment on witness' bias - wide latitude for cross examination, rule 611; relevant; first hand knowledge; Δ: OUT, irrelevant; improper opinion; conclusory; self serving.)

¶16. The remainder of dinner went off without much fanfare. After dinner, the guests spread out throughout the mansion. Uncle Charlie came to the kitchen, smiled, and said "Perfection, as usual, Jamie. Thank you for that great meal. It's almost time for me to make the big announcement!" (Π: OUT, irrelevant; testimony based on hearsay - rule 801; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), Statements made to witness not hearsay - not offered for truth of matter asserted;)

¶17. Those were the final words my uncle spoke to me. (Π: OUT, irrelevant; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602;)

¶18. The murder happened about 20 minutes later. When Uncle Charlie left the kitchen, he left the door to the kitchen open, and I never closed it. So as I was cleaning, I could see most of the hallway. Out of the corner of my eye, I could see someone heading towards the utility closet on the main floor. I could see the private security guard Parker Crimson had shown up with down the hallway, standing outside the door to the conservatory, like he/she was standing guard or something. I turned my head, and I am pretty sure that I saw Landry Chartreuse going into the study. I am 75% sure it was him/her. Moments later, the power went out in the whole mansion. (Π: OUT, irrelevant; lack of foundation; speculation; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay),)

¶19. Nobody was in the kitchen with me when the power went out, except my sous chef, Rebecca

Nickels. (She's got talent, but my goodness is she sarcastic). She screamed and I banged my head on some cast-iron skillets that hung from above. Several minutes later, the power went back on. Someone screamed from the hallway, and we all came running to see what happened. The guests were outside the door to the conservatory, looking inside. There was my uncle. Lifeless. I don't know how to describe how I felt. Shock. Horror. Fear. All of it. (Π: OUT, irrelevant; lack of foundation; speculation; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay),)

* * *

¶20. Do I know about the secret passages in the mansion? Well, of course I do. There is one from the study to the conservatory. There is another from the library to the kitchen. (Π: OUT, irrelevant; lack of foundation; speculation; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay),) Only a few people know about those passages. (Π: OUT, speculation on what others know; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay),)

¶21. Now that my uncle is gone, I am rich. My lawyers tell me that the will has to go through the courts, but that soon it will all be mine. I can almost taste the mai tais and feel the gentle breeze off the Mediterranean as I enjoy one of the many villas and homes that are about to be mine. (Π: OUT, irrelevant; improper opinion; vs. IN, impeachment on witness' bias - wide latitude for cross examination, rule 611; Δ: IN, relevant - Rule 403; perception - Rule 701 (personal opinion okay), witness' state of mind - Rule 803 to show motive, opportunity, intent, etc; party may impeach own witness Rule 607;) But even so, I want the person that killed my uncle brought to justice. I don't know if it was Crimson. Or Chartreuse. Or Waddleworth. I just know it wasn't me. (Π: OUT,

irrelevant; self serving; prejudicial effect outweighs probative value Rule 403; lack of foundation; conclusory [making a legal conclusion]; improper opinion; invading scope of jury's authority; Δ: IN, relevant - Rule 403; perception - Rule 701 (personal opinion okay),)

¶22. Are we finished yet? (Π: IN, impeachment on witness' bias - wide latitude for cross examination, rule 611; Shows witness' impatience and lack of sympathy for a case involving his uncle's death; Δ: OUT, irrelevant;)

Signed: *Jamie Olive*

Deposition Transcript of
Reece Warren

¶1. My name is Reece Warren. I am 37 years old. I graduated high school in 2002, and then attended the University of Missouri-Columbia (go Tigers!) for a degree in criminal justice. I graduated law school in 2006 from the University of Illinois, and landed a job with the Federal Bureau of Investigation through the Attorney General Honors Program. I worked as an attorney advisor at the FBI for two years before applying for a position with the United States Secret Service. After extensive interviews and background checks, I was admitted to the trainee program. Seven months later, I became a special agent assigned to the protective detail out of Washington, D.C. (¶: OUT, irrelevant; self serving; Δ: IN, relevant - Rule 403; foundation for first hand knowledge - rule 602; foundation for expertise - Rule 702 based on knowledge, experience, education, etc.)

¶2. In 2015, I was assigned to the protection detail of a foreign dignitary visiting the United States. The dignitary decided that she and her family wanted to tour the museums in Washington. On a walk down the Mall, a man approached the dignitary's husband in an attempted mugging. I was able to subdue the suspect while other agents rushed the dignitary to safety. Unfortunately, the suspect had a knife and I was stabbed once in the left shoulder. Thankfully, the injury was not major and I made a full recovery. However, the incident convinced me that if I was going to risk my life, I did not want to do it on a government salary. (¶: OUT, irrelevant; self serving; Δ: IN, relevant - Rule 403 to show move to Missouri; foundation for first hand knowledge - rule 602; foundation for expertise- Rule 702 based on knowledge, experience, education, etc.) So I moved home to Missouri, and started my own PI and private security firm, Watergate Security. At first, I mostly worked alone, providing private security for celebrities and other rich VIPs. I have protected pop stars who are in town for various events that want to go shopping, celebrity authors doing book readings, stuff like that. I admit

it's not as glamorous as protecting the VP or foreign dignitaries, but it paid a lot better. (Π: OUT, irrelevant; self serving; Δ: IN, relevant - Rule 403; foundation for first hand knowledge - rule 602; foundation for expertise- Rule 702 based on knowledge, experience, education, etc.) However, after Mr. Grey's death, my firm went on retainer with Parker Crimson's company, providing corporate security for their main campus at a rate of \$200,000 a month. I don't think that is any kind of conflict of interest. Crimson wasn't the one who hired us as the decision had to be approved by the board of the company. (Π:IN, impeachment on witness' bias and interest - wide latitude for cross examination, rule 611 being paid by defendant's company; vs. OUT, irrelevant; improper impeachment;)

¶3. Before June 2020, I had never heard of or met Parker Crimson. However, on June 2, 2020, he walked into my office and told me he needed private security for a dinner party. This was a bit unusual, as I mostly provide security for people in public. You wouldn't expect someone to need security at a private dinner party. But Crimson explained that he had been invited to dinner at the home of a man he hated. Crimson told me, "Look, I don't want to discuss the reasons I might need you there. I'll pay the bill, you protect me. Deal or no deal?" I was still skeptical, until Crimson offered me \$50,000 for just that night's worth of protection. I make a good living, but \$50k for one night's worth of work is a big deal. And all I had to do was make sure this guy survived at a dinner party? Yeah, I took that job. (Π: OUT, irrelevant; self serving; testimony based on [defendant's] hearsay - rule 801; vs. IN, relevant to show defendant's hatred for Grey - statement by party opponent defendant Rule 801(d)(2); Δ: IN, relevant - Rule 403; foundation for first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), Statements made to witness not hearsay - not

offered for truth of matter asserted but to show how witness obtained job;)

¶4. Look, I understand what you're thinking. You think Crimson hired me to help him kill Charles Grey. You think I helped Crimson cut the power, and make sure he was alone with Grey in the conservatory that night. I won't tell you what I think of you for accusing me of that. Instead, I will remind you that I took an oath to protect and defend the United States. I put my life on the line for my country. I took a knife to my shoulder for my country. You think just because I left government service that I would sell my honor for \$50k? Apparently I have more of a sense of honor than you do. (Π: OUT, irrelevant; self serving; prejudicial effect outweighs probative value Rule 403; improper opinions; improper bolstering of testimony [I took an oath, etc]; conclusory [making legal conclusions]; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay),)

¶5. The night of the party, I met Crimson at his home. I insisted on driving him myself. When we arrived at the mansion, I immediately started to do recon. After years of training, I instinctively know what I am looking for. Here, I was looking for points of exit in case of an emergency. Besides the main entrance, I also noticed an exit out of the side of the mansion through the kitchen. (I was able to spot it out of the corner of my eye when one of the cooks opened the kitchen door to use the restroom). When Crimson entered the library for pre-dinner drinks with the other guests, I stayed in the corner observing the various players. I was observing their clothing, looking for bulges or other inconsistencies that might suggest someone was carrying a weapon. I overheard Bari White and Patricia Quinn having a hushed conversation. (Π: OUT, irrelevant; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), expertise - Rule 702 based on knowledge, experience, education,) Apparently both were sent mysterious packages containing lethal weapons.

That, of course, piqued my interest. What was even more concerning was that both of them brought the weapons with them. (Π: OUT, irrelevant; lack of foundation; speculation; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), expert opinion - Rule 702 based on knowledge, experience, education, etc. and Rule 703 - facts perceived or made known to expert or, if inadmissible, facts reasonably relied upon by experts;)

¶6. This dinner party was turning out to be something more sinister than a bunch of rich folks pretending like it was 1952. (Π: OUT, irrelevant; improper opinion; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay),)

¶7. Dinner itself was largely uneventful. The real events of the evening started after dinner. At 8:40, I was standing in the hallway. I know some of the “witnesses” claim to have seen me standing outside the doors to the conservatory. That’s not true, and the fact that some of them are telling you those lies suggests to me that they have motivation to lie. (Π: OUT, irrelevant; improper opinion; invading scope of jury’s authority; improper commenting on credibility of other witnesses; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay),) No, I was standing in the open doorway of the billiards room where Crimson was playing a game of snooker. (Yes, I know what snooker is. I protected DC elites for several years of my life, so I know snooker and squash and all those fancy East Coast games). The door to the conservatory was closed. The only other person in the hallway was the butler, who was near the entrance to the study, and Chartreuse, who was walking down the hallway towards the utility closet. I turned my head to look into the billiards room—I heard some laughing from inside—when the power to the entire home went out. I mean, the entire mansion

went completely dark. With all of the shades drawn, not even moonlight through windows could offer reprieve. (Π: OUT, irrelevant; self serving; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay),)

¶8. My first instinct was to find Crimson. I stumbled through the billiards room and found him. I asked Crimson if he was alright, and he said “Yeah, what the heck is going on?” I told Crimson to get behind me and I drew my firearm in anticipation of trouble. About three minutes later, the power went back on. I suppose the house had a backup generator. For that entire time, Crimson was in the corner of the billiards room where I had taken up a defensive position. (Π: OUT, irrelevant; self serving; testimony based on hearsay [what Defendant said]- rule 801; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay); Statements made to witness not hearsay - not offered for truth of matter asserted; defendant’s statements are excited utterances - not hearsay Rule 803(2);)

¶9. So you see, Crimson could not have been the murderer. But I think I can help you there. (Π: OUT, irrelevant; self serving; conclusory [making a legal conclusion]; improper opinion; invading scope of jury’s authority; Rule 704 - expert may not testify on guilt or innocence; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay),)

¶10. After the power went back on, the guests filed out of their respective rooms into the hallway. I noted that both the butler and Chartreuse exited the study into the hallway. Together. The door to the conservatory, which was closed before the power went out, was now open. Someone, I don’t know who, started screaming. Everyone ran to see the body of Charles Grey lying in the middle of the conservatory,

blood pooling underneath his head. By this time, my law enforcement training kicked in. I told everyone to get back, and I immediately approached Grey to check for vital signs. I found none. What's the saying, even a psychiatrist knows when a patient is alive or dead? Well, I knew Grey was dead. I turned towards the guests and some of the servers, who had joined the crowd, and said, "He's dead. Everyone, stay exactly where you are." (Π: OUT, irrelevant; self serving; lack of foundation; speculation; conclusory; improper opinion regarding death [not a medical doctor]; invading scope of jury's authority; Rule 704 - expert may not testify on guilt or innocence or on defendant's mental state; hearsay on what witness told crowd; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), expert opinion - Rule 702 based on knowledge, experience, education, statement to crowd is excited utterance - not hearsay Rule 803(2);)

¶11. Patricia Quinn asked, "Who the hell are you to tell me what to do?" I said I was a former agent with the United States secret service; that someone in the house was a murderer; and until the police arrived everyone was going to do exactly as I said. That shut her up. I took out my cell phone, dialed 9-1-1, and reported the crime. (Π: OUT, irrelevant; testimony based on hearsay - rule 801; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), Quinn's statements not hearsay - not offered for truth of matter asserted but to show witness' conduct in securing premises and calling police;)

¶12. Unfortunately, it took the police almost 15 minutes to arrive. Ridiculous. But I was able to use those 15 minutes to gain valuable information about the killer. Let me take you through what I found out. (Π: OUT, irrelevant; self serving; lack of foundation; speculation; Rule 704 - expert may

not testify on guilt or innocence; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), foundation for expert opinion - Rule 702 based on knowledge, experience, education, etc. and Rule 703 - facts perceived or made known to expert or, if inadmissible, facts reasonably relied upon by experts;)

¶13. First, I figured that the power going out at the time of the murder was no coincidence. So I turned to the butler to ask him/her where the circuit breaker box was located. He/she looked nervous and was hesitant to answer. However, I can be “persuasive” when I need to be. He/she told me it was in the utility closet on the main floor. The same closet I saw Chartreuse walking towards just before the power went out. I told the guests and staff to stay where they were (they were all huddled in the hallway outside the conservatory) and I walked to the utility closet. There, I found that several wires had been cut. I admit that I do not know much about electrical circuits, so I cannot say for sure that those particular wires would have caused the power in the house to go out. But it was too coincidental not to be related. I took a picture of that with my cell phone. So someone had cut the wires, likely with a knife or other blade. How that person avoided electrical shock, I cannot explain. (Π: OUT, irrelevant; self serving; prejudicial effect outweighs probative value Rule 403; lack of foundation; speculation; conclusory; improper opinion; testimony partly based on hearsay - rule 801; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), expert opinion - Rule 702 based on knowledge, experience, education, etc.; Statements made to witness not hearsay - not offered for truth of matter asserted but to show why witness looked in utility closet;)

¶14. I headed back towards the people standing in the hallway. I ordered them to turn out their

pockets and purses. I was looking for anyone carrying some sort of blade. The chefs, of course, were in the kitchen and therefore had access to all kinds of blades. Chartreuse was trying to make his/her way to the back of the group—farthest away from me. I ordered him/her to empty his/her pockets. Low and behold, he/she produced a dagger. (Π: OUT, irrelevant; self serving; prejudicial effect outweighs

probative value Rule 403; lack of foundation; speculation; conclusory; improper opinion; Δ:

IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), expert opinion - Rule 702 based on knowledge, experience, education, etc.:)

Chartreuse tried to explain it away saying that someone had left a package with the dagger at his/her front door, and that he/she brought it to return it. A likely story. (Π: OUT, irrelevant; self serving;

prejudicial effect outweighs probative value Rule 403; improper opinion; testimony based on hearsay - rule 801; ["a likely story"] improper commenting on witness' credibility invading

scope of jury's authority; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602;

perception - Rule 701 (personal opinion okay), not hearsay on statements by Chartreuse - witness is subject to cross examination;)

¶15. I took a picture of the dagger with my cell. (Π:IN, and Δ: IN,) All exhibits deemed authentic per joint stipulation but must have foundation that picture of dagger fairly and accurately depicts how dagger appeared without changes, etc.)

¶16. Next, I wanted to figure out how the murderer got into the conservatory. As I said, nobody was near the conservatory at the time the power went out, and the doors were closed. Obviously Charles Grey was in the conservatory at the time of the murder, but I did not know who else was in there. So I asked the group, "Who was in the conservatory when the power went out?" Nobody volunteered an

answer. I followed up, “Did anyone see someone else go into the conservatory?” Again, nobody said anything. But one of the servers said, “There is a secret passage from the study to the conservatory.” (Π: OUT, irrelevant; self serving; prejudicial effect outweighs probative value Rule 403; improper opinion; testimony based on hearsay - rule 801 (Warren's statements are also hearsay); Rule 704 - expert may not testify on guilt or innocence Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), foundation for expert opinion - Rule 702; Statements made to witness not hearsay - not offered for truth of matter asserted but to show subsequent investigation;)

¶17. Let me pause there. A secret passage? Who has a secret passage in their house? This mansion was more like a board game than a real house. (Π: OUT, irrelevant; self serving; improper opinion; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay),)

¶18. So the killer did not need to be in the conservatory when the power went out. Instead, the killer could have used the secret passage from the study to the conservatory, killed Grey, and then returned. Why? To create confusion. (Π: OUT, irrelevant; lack of foundation; speculation; conclusory; improper opinion; Rule 704 - expert may not testify on guilt or innocence; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay); security expert opinion - Rule 702 based on knowledge, experience, education, etc. and Rule 703 - facts perceived or made known to expert) It worked. Armed with that information, I went to the conservatory. After a few minutes of searching, I found it. The fireplace poker had a streak of what looked like blood on it. Clearly someone had tried to wipe it, but had done a poor job. Of course I did not

touch the poker, as it would need to be collected by forensics and I did not want to tamper with evidence. So naturally, I could not confirm whether the substance was blood or whose blood it was. But again, too coincidental. I do not know what happened to the poker. (Π: OUT, irrelevant; self serving; prejudicial effect outweighs probative value Rule 403; speculation on someone trying to wipe; lack of foundation; improper opinion; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay); security expert opinion - Rule 702 based on knowledge, experience, education, etc.) I tried to point it out to the police when they arrived, but it was missing. I honestly cannot recall if I mentioned it to the Detective or not. In my defense, I wasn't interviewed until the next day, and I tried to answer their questions rather than tell them what was important. I am not sure they would have cared anyway, as the detective seemed real young and inexperienced. I did not want anyone to think I was trying to influence the investigation. (Π: OUT, irrelevant; self serving; prejudicial effect outweighs probative value Rule 403; speculation; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay),)

¶19. At this point, a picture was forming in my head. Remember when I said that Chartreuse was walking towards the utility closet moments before the power went out? Chartreuse was carrying the dagger. Remember when I said the butler was heading towards the study? The butler, I presumed, would have had knowledge of the secret passages. I couldn't prove anything yet, but Chartreuse and the butler seemed like Suspects 1 and 2 to me. But the nail in the coffin was what I found when I approached the butler. (Π: OUT, irrelevant; self serving; prejudicial effect outweighs probative value Rule 403; lack of foundation; speculation; conclusory [making legal

conclusions]; improper opinions; improper character evidence - Rule 404; Rule 704 - expert may not testify on guilt or innocence; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay); security expert opinion - Rule 702 based on knowledge, experience, education, etc. and Rule 703 - facts perceived or made known to expert)

¶20. There, on the corner of his/her jacket, was a speck of red. I took a picture of it. Granted, it was not bright red like you would expect to see from a recent blood splatter. Rather, this was darker. I confronted the butler. (Π:IN, and Δ: IN,) All exhibits deemed authentic per joint stipulation but must have foundation that picture of jacket fairly and accurately depicts how jacket appeared without changes, etc.)

¶21. “What is that on your jacket?” I asked. (Π: OUT, irrelevant; Δ: IN, relevant - Rule 403; perception - Rule 701 (personal opinion okay),; foundation for expert opinion - Rule 702;)

¶22. “What, this?” he/she said. (Π: OUT, irrelevant; hearsay - rule 801; Δ: IN, relevant - Rule 403; foundation for expert opinion - Rule 702; Statements made to witness not hearsay - not offered for truth of matter asserted but to show investigation;)

¶23. “Yes, that spot on your jacket that looks like blood,” I said. (Π: OUT, irrelevant, hearsay; Δ: IN, relevant - Rule 403; perception - Rule 701 (personal opinion okay),; foundation for expert opinion - Rule 702;)

¶24. “This is nothing. It’s a red wine stain that has been there for weeks. What exactly are you

accusing me of? I had nothing to do with this!” (Π:IN, impeachment on witness' bias - wide latitude for cross examination, rule 611; within scope of witness' investigation and pertains to evidence [picture of jacket] collected by witness; excited utterance by butler; Δ: OUT, irrelevant; hearsay)

¶25. I told the butler to stay exactly where he/she was. I told him/her and Chartreuse that neither was going to leave my eye sight until police arrived. When the police finally showed up, I tried to lay out for the first officer to arrive at everything I had seen and observed, and I turned over the contents of the pictures from my phone. The officer took the photos but told me to wait to speak with the detective, but they didn't get to me until the next day. (Π: OUT, irrelevant; self serving; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay),)

¶26. To suggest that Crimson is the killer is simply sloppy police work. I swear Crimson was behind me in the billiards room the entire time the power was out. He is not the killer. (Π: OUT, irrelevant; self serving; prejudicial effect outweighs probative value Rule 403; conclusory; improper opinion; invading scope of jury's authority; Rule 704 - expert may not testify on guilt or innocence; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), expert opinion - Rule 702 based on knowledge, experience, education, etc. and Rule 703 - facts perceived or made known to expert or, if inadmissible, facts reasonably relied upon by experts;)

Signed: **Reece Warren**

Deposition Transcript of
Dakota Forest

¶1. It is mighty fine to meet you. My name is Dakota Forest. Born and raised in New Orleans, Louisiana. I attended LSU undergrad for my degree in Journalism in 1996. (Π: OUT, irrelevant; Δ: IN, relevant - Rule 403; foundation for first hand knowledge - rule 602;) I know you folks here in Missouri like your Mizzou tigers and all. Nothin' against 'em or anything. Like my mama always said, the real Tigers of the SEC is LSU. (Π: OUT, irrelevant; hearsay; Δ: IN, relevant - Rule 403; foundation for first hand knowledge - rule 602;)

¶2. Out of college, I was lucky enough to get job with Lannister Wealth Capital, the hedge fund managed by Charles Grey. At the time, the fund was looking to broaden its acquisitions in commercial fishing, and my old man was a commercial fisherman so I knew the industry back and forth. I caught the attention of a headhunter and managed to get an interview. By 2001, I had worked my way up in the company to become VP of Strategic Planning for the southeast region. Life was great. I was makin' so much money that I was able to buy an historic three-story in the middle of the French Quarter. Imagine owning a million plus house in your early 20s just feet from Bourbon Street. Yeah, life was pretty good, I guarantee. (Π: OUT, irrelevant; testimony based on hearsay - rule 801; Δ: IN, relevant - Rule 403; foundation for first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay),) Like my mama always said, don't ever count your chickens before they're in the gumbo. (Π: OUT, irrelevant; hearsay; Δ: IN, relevant - Rule 403; foundation for first hand knowledge - rule 602; perhaps this shows this witness' southern character;)

¶3. In 2006, I was attending the annual company retreat in Cancun when Grey pulled me aside. Grey told me about a new project that he was working on with Parker Crimson. I didn't know the name,

but Grey told me Crimson was a former Wall Street investor who made several million as part of the tech boom and was getting anxious for something new. Monsieur Cocdrie showed his teeth. “Look, Crimson is there for convenience. We can pass some of the loss onto Crimson if this goes sideways.” Grey goes on to tell me about how he and Crimson have gotten word that the CEOs of two of the country’s largest airlines had some preliminary talks about a possible merger. The resulting airline would be worth billions. More importantly, the stock price of both airlines would skyrocket if and when the merger was announced. Grey told me to start putting together models to predict the potential impacts if the merger actually happened. (Π: OUT, irrelevant; self serving; lack of foundation; improper character evidence - Rule 404; testimony based on hearsay - rule 801; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), Shows Grey's state of mind - Rule 803; hearsay exception to show victim's state of mind for motive, intent or plan - Rule 803(3); Statements made to witness not hearsay - not offered for truth of matter asserted but to show subsequent conduct in preparing models;)

¶4. So I did. I spent the next few months doing research, spending 60 hours a week making models. In March of 2007, I flew to Grey’s private mansion in Paris, France for a meeting with Grey and Crimson. During that meeting, Grey told me that he had bought all the research from some professor I had never heard of. Turns out the professor was an expert in applied economics or somethin’ like that. The professor predicted the airline merger and was going to publish a paper about it. “We could not let that happen,” Crimson said. “Think about it. If word of the merger got out to the public, our opportunity is gone.” Grey added, “Indeed, so we bought him/her out for a couple hundred thousand. The price of silence. I also have some private investigators collecting some real dirt on this guy/gal, in case he/she tries to renege on our deal.” The rest of the meeting, Grey Crimson and I went over the models I had come up with. “This is fantastic,” Grey told me, “You have a bright future ahead of you.” (Π: OUT, irrelevant;

self serving; prejudicial effect outweighs probative value Rule 403; lack of foundation; testimony based on hearsay - rule 801; statements made by defendant hearsay; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), shows Grey's state of mind - Rule 803; hearsay exception to show state of mind for motive, intent or plan - Rule 803(3); Character evidence of victim offered by defendant Rule 404(a)(2); Statements by defendant offered under Rule of Completeness for proper context of discussion; Apparently discussion is about Chartreuse and goes to Chartreuse's motive to kill Grey and this is consistent with exhibits which are authenticated per joint stipulation;)

¶5. I suppose my southern upbringing should have warned me this was no good. But back then all I saw were dollar signs. A few days after the meeting, I flew home to New Orleans. When I got back into the office, I had an email from Grey. He fired me. The email thanked me for my service, but said “You are no longer needed in this company.” Nothing else. That was it. (Π: OUT, irrelevant; testimony based on hearsay - rule 801; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), email and statements made to witness not hearsay - not offered for truth of matter asserted but to show why witness stopped working for Grey;)

¶6. Long story short, I lost almost everything. The bank foreclosed on my house when I could not make the payments. I lost my car. But like my mama always said, “Lache pas la patate! (Don't let go of the potato!) Thankfully, the *Financial Times* took me on as a financial reporter. But I had to move to Manhattan and now I live in a 350-square foot apartment which I can barely afford, I guarantee. (Π:

OUT, irrelevant; improper opinion; testimony based on hearsay - rule 801; Δ: IN, relevant -

Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay),)

Meanwhile, Grey, that Monsieur Cocodrie, made billions when the airlines announced the merger. He made billions using the research I gave him. I read reports that before the merger, Crimson had been “bought out.” I decided to call Crimson to find out his/her perspective for a column I was writing about the merger.

Really, I wanted to find out. (Π: OUT, irrelevant; testimony based on hearsay - rule 801; Δ: IN, relevant - Rule 403; foundation for first hand knowledge - rule 602; perception - Rule 701

(personal opinion okay), information made to witness not hearsay - not offered for truth of matter asserted but to show why he subsequently contacted defendant and writing about

the merger;) Crimson declined to be interviewed and simply told me, “Grey ruined me. I cannot wait for

the chance I have to ruin him.” (Π:IN, statement made by defendant is hearsay exception -

party opponent Rule 801(2); Shows defendant's state of mind - Rule 803(3); Δ: OUT,

irrelevant;; highly prejudicial -Rule 403; irrelevant; hearsay) He did tell me that he felt bad for

me and ended up sending me a portion of his/her buyout. That \$20,000 helped me cover some of my bills

for a time. It was a gesture for which I will always be grateful. Like my mama always said, a Forest

always pays their debts. (Π: IN, impeachment on witness' bias - wide latitude for cross

examination, rule 611; statement by party opponent -Rule 801(d)(2); state of mind - Rule

803; vs OUT, momma is still hearsay; Δ: OUT, irrelevant; improper impeachment; highly

prejudicial -Rule 403;)

* * *

¶7. Fast forward to May 2020. I received this fancy invitation in the mail. Imagine my surprise

when I see that it is from Grey. The invitation is an invitation to a dinner party at his mansion in Pinewood, Missouri. There had always been talk around the company about the Pinewood mansion, but nobody I knew had ever been inside of it. I was half tempted to throw away the invitation. The last thing I wanted was to see Grey again after what he did to me. But curiosity prevented me from doing it, I guarantee. (Π: OUT, irrelevant; self serving; testimony based on hearsay - rule 801; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), letter to witness not hearsay - not offered for truth of matter asserted but to show attendance at party;) The next day, Grey called me, “Dakota. I know what you must think of me. I have a lot of amends I need to make, you more than anyone. Please, come to the party. I will make it worth it. Don’t worry about the airfare, I already bought your ticket and I will have a driver meet you at the airport. Oh, and it’s a 50s themed party. So dress up.” (Π: OUT, irrelevant; self serving; testimony based on hearsay - rule 801; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), Grey’s state of mind - Rule 803; statements made to witness not hearsay - not offered for truth of matter asserted but to show why witness attended party;)

¶8. I reluctantly agreed that I would be there, though for the life of me, I felt like one of the trois petits cochons going to meet Monsieur Cocardie. I also had no idea what a 50s themed dinner party would look like. (Π: OUT, irrelevant; self serving; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), witness’ state of mind on attending party.)

¶9. A week or two later, I am home by myself. As usual. I hear a knock at the door. I open it to

an empty hallway. I look down and I see a package at my door. It's a box in black wrapping paper with a purple bow. A note on the card says, "You will need this for the party. Bring it with you." Inside the package was a candlestick. Needless to say, this was confusing and disturbing. I should have never gone. I should have decided to stay home. But the prospect of Grey "making amends" was too tempting. I wanted the money. (Π: OUT, irrelevant; self serving; testimony based on hearsay - rule 801; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), letter to witness not hearsay - not offered for truth of matter asserted but to show witness' subsequent conduct in appearing at party with candlestick;)

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¶10. I was the second guest to arrive. The butler was escorting most people to the library for pre-dinner drinks and appetizers. However, I decided to go wandering, as I had some curiosity about this mansion. I noticed the door to the lounge was ajar, so I decided to walk over and see the room. Just outside the room, however, I heard the butler talking to someone else. They were speaking very quietly, almost whispering. Call it the snoopy reporter in me, but I decided to eavesdrop. I got most, but not all of what they said. (Π: OUT, irrelevant; self serving; speculation; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay),)

¶11. "When is this happening?" said the butler. The other person said something I could not hear. Then the butler said, "Don't forget, it's in the corner of the study. It will be dark. Do you have a flashlight?" The other person said, "Yes, I have it. Now just make sure Grey is alone. I need him alone." "You got it," said the butler. A moment later, the door swung fully open and I was staring face-to-face with the butler and Professor Landry Chartreuse. We were all stunned for a second, then Chartreuse asked me, "What are you doing here?" "Exploring," I said, "What are you doing?" Chartreuse and the butler just ignored me as

they walked past. I caught a frisson. Beaucoup! (Π: OUT, irrelevant; self serving; speculation; testimony based on hearsay - rule 801; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay), Shows butler's and Chartreuse's states of mind [motive, intent] - Rule 803; hearsay exception to show state of mind for motive, intent or plan - Rule 803(3); Statements made by Chartreuse not hearsay - witness Chartreuse is subject to cross examination [impeachment: Note - Chartreuse must be asked about this statement first so that it can be used at least for impeachment];)

¶12. I suspect you know what happened the rest of the night. After dinner, as the guests were doing their own thing, the power suddenly went out. It must have been out what, 5 or 10 minutes? I admit that I was in the kitchen when the power went out, trying to sneak a second helping of dessert. Creme Brulee, just like my mama used to make. I have no idea where anyone else in the house was at the time the power went out, except the two cooks who were both in the kitchen. I managed to make my way in the dark to the hallway— although I did sustain a bump on my head when I accidentally walked into a wall. When the power went back on, I was near the conservatory door. It was open. There, in the middle of the floor, was the body of Grey. Blood was pouring from his head and his eyes. I will never forget that look. His eyes were expressionless. I've never seen a dead body before, but I knew he was gone. Like my mama always said, even Monsieur Cocodrie can make mighty fine boots. (Π: OUT, irrelevant; self serving; speculation; momma is still hearsay; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay),)

¶13. And then I yelled at the top of my lungs. Everyone came running and we all saw the body. Crimson's bodyguard started commanding us to stay in one place. To be honest, I wasn't going to argue. I was too in shock. Fifteen minutes later, the police came and we all had to give statements. I told them

everything that happened. (Π: OUT, irrelevant; self serving; speculation; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay),)

¶14. Look, I know why you think Crimson did this. He/she certainly had a motive. We all did. And with everyone carrying a lethal weapon with us, we're all suspects. I guess this was well planned out, create reasonable doubt by making everyone else a suspect whether they knew it or not. But Chartreuse had just as much motive as Crimson, if not more. I don't know what Grey's private investigators found, but it must have been bad. And I cannot shake the conversation I heard between Chartreuse and the butler. They were up to something. I'm telling you, you need to look into those two. (Π: OUT, irrelevant; self serving; prejudicial effect outweighs probative value Rule 403; lack of foundation; speculation; conclusory [making legal conclusions]; improper opinion; testimony based on hearsay - rule 801; invading scope of jury's authority; Rule 704 - expert [and laypersons] may not testify on guilt or innocence; Δ: IN, relevant - Rule 403; first hand knowledge - rule 602; perception - Rule 701 (personal opinion okay),)

Signed: Dakota Forest

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