

1 ABOUT ENTRAPMENT RIGHT NOW. I'M NOT GOING TO DO IT TWICE.  
2 I'M NOT GOING TO WASTE YOUR TIME OR ANYBODY'S TIME TALKING  
3 ABOUT ENTRAPMENT TWICE. I WILL RESPOND TO HIS ARGUMENT  
4 WHERE HE ATTEMPTS TO PROVE TO YOU THAT IT'S MORE LIKELY THAN  
5 NOT THAT THE CONDUCT BY LAW ENFORCEMENT IN THIS CASE LEADS  
6 TO THE DEFENSE OF ENTRAPMENT. A COMPLETE DEFENSE. WALK OUT  
7 THE DOOR, GO HOME, MR. WALLACE.

8 AS YOU'RE LISTENING TO MR. BARNETT'S ARGUMENTS,  
9 PLEASE BE MINDFUL OF THE STANDARD THAT YOU HAVE TO PROVE --  
10 THAT HE HAS TO PROVE ENTRAPMENT BY. AND THE STANDARD IS  
11 WHAT A NORMAL, LAW ABIDING CITIZEN WOULD DO UNDER THE  
12 CIRCUMSTANCES. THAT IS THE STANDARD THAT HE WILL HAVE TO  
13 EMPLOY AND IMPRESS UPON YOU FOLKS, HE WILL HAVE TO PROVE  
14 THAT HIS CLIENT WAS ENTRAPPED BY THE ACTIONS OF LAW  
15 ENFORCEMENT. HE WILL FAIL. BUT I WILL COMMENT ON IT.  
16 WE'LL CHAT AGAIN IN A FEW HOURS. THANK YOU.

17 THE COURT: THANK YOU.

18 MR. BARNETT?

19 MR. BARNETT: I HAVE AN ARGUMENT. I'M GOING TO GIVE IT  
20 IN JUST A SECOND, BUT I WANTED TO RESPOND TO THE LAST THING  
21 THAT MR. GELLER SAID. HE IS A REALLY GOOD LAWYER AND HE  
22 PUTS THINGS REALLY, YOU KNOW, SORT OF HIS CASE IN LIKE 10  
23 MINUTES. I'M GOING TO TALK LONGER THAN THAT BECAUSE HE GETS  
24 TO TALK AGAIN.

25 BUT I JUST WANT TO TALK ABOUT THIS ONE THING THAT  
26 HE SAID, WHICH WE KNOW ISN'T SO, RIGHT? IT IS HIS CASE ON

1 THE ATTEMPTED MURDER, IT IS HIS CASE IF BILL BEEMAN HADN'T  
2 BEEN A COP WHEN THEY LEFT, THUMBS UP, SHE WOULD BE DEAD.  
3 WELL, THAT ISN'T TRUE, AND WE ALL KNOW THAT, RIGHT? BECAUSE  
4 HE WASN'T PAID, OKAY?

5 WE KNOW THAT. AND THEY ARE GOING TO GLOSS OVER  
6 THAT AND THEY ARE GOING TO SAY WELL, THUMBS UP, BUT THE  
7 TRUTH IS, AND I'M GOING TO TALK ABOUT IT IN MORE DETAIL BUT  
8 I WANTED TO GET IT OUT RIGHT NOW. WHEN HE GOT OUT OF THE  
9 CAR IF HE IS A PROFESSIONAL HITMAN HE STILL IS CONTROLLING  
10 THIS, RIGHT? AND WE'RE GOING TO TALK ABOUT THAT.

11 BUT WHAT MR. GELLER SAID HAS INITIAL APPEAL, BUT  
12 IT'S NOT -- IT'S ACTUAL, BUT IT'S NOT THE TRUTH, OKAY?

13 SO I'M GOING -- I GOT TO SPEND -- I GOT TO EXPLAIN  
14 WHAT HE IS GOING TO ARGUE NEXT, SO I WILL SPEND A LITTLE  
15 MORE TIME ON THIS. AND WHAT I'M GOING TO START OFF WITH IS  
16 WE HAVE TWO PHASES OF THIS CASE, RIGHT? THE FIRST CASE IS  
17 WHETHER OR NOT THE PEOPLE PROVED BEYOND A REASONABLE DOUBT  
18 THAT WHAT HE DID AND WHAT HE SAID FITS INTO THE CRIMES THAT  
19 THEY HAVE ALLEGED, OKAY? THAT'S THE FIRST PHASE OF THIS  
20 CASE.

21 AND THEN THE SECOND PHASE IS DID I PROVE, BY  
22 PREPONDERANCE OF THE EVIDENCE, THAT THE POLICE CONDUCT HERE,  
23 SEAN HYEPOCK, WOULD PUSH A REGULAR PERSON -- NOT BILLY, BUT  
24 A REGULAR PERSON OVER THE EDGE. IT'S THE NLAP, YOU KNOW.  
25 THE NORMALLY LAW ABIDING PERSON. THAT'S THE STANDARD.

26 AND SECOND PHASE WE'RE NOT GOING TO BE TALKING

1 ABOUT HIM, WE'RE GOING TO BE TALKING ABOUT END LAP, YOU  
2 KNOW. THE REGULAR GUY. AND WHAT YOU'RE GOING TO DO IS SEE  
3 WHETHER OR NOT, YOU KNOW, MR. HYEPOCK WENT TOO FAR. NOT IN  
4 RELATION TO HIM, BUT IN RELATION TO JUST REGULAR NORMALLY  
5 LAW ABIDING FOLKS, END LAPSE. IS THIS SOMETHING WHICH --  
6 AND YOU'RE LOOKING AT IT. WILL THAT MAKE THIS PERSON, THE  
7 NORMALLY LAW ABIDING PERSON, NOT LAW ABIDING. OKAY. THAT'S  
8 THE SECOND PART.

9 ALL RIGHT. SO THE FACTS AREN'T MUCH IN DISPUTE.  
10 THE FACTS ARE SOME OF THE WITNESSES LIED -- AND WE'RE GOING  
11 TO TALK ABOUT THAT. AND THEY ARE THE PROSECUTION WITNESSES.  
12 AND THEY LIED BEFORE THE TRIAL AND LIED AFTER IT, BUT THAT'S  
13 NOT REALLY GOING TO BE IN DOUBT.

14 THEN THE FACTS ALSO HE SAID SOME HORRIBLE THINGS,  
15 SOME BAD THINGS, SOME SHOCKING THINGS. ALL RIGHT. THAT'S  
16 NOT GOING TO BE IN DISPUTE EITHER.

17 THE FACTS ARE THAT INVESTIGATOR BEEMAN, WHO IS  
18 HERE FOR THIS, HE DID AS GOOD A JOB AS HE COULD DO. ALL  
19 RIGHT. THAT'S GOING TO BE A FACT. AND YOU LIKE HIM. I  
20 KNOW YOU DO. I DO. BUT WHEN HE GOT INTO THE KITCHEN, THE  
21 CAKE WAS BAKED, OKAY. HYEPOCK HAD ALREADY DONE HIS WORK.  
22 HE HAD ALREADY POISONED THIS CASE. AND THERE'S NOTHING --  
23 ALL THE KING'S HORSES AND ALL THE KING'S MEN, EVEN  
24 INVESTIGATOR BEEMAN, COULD DO ABOUT THAT. OKAY.

25 AND THAT'S IN THE SECOND PHASE, AND WE'RE GOING TO  
26 TALK ABOUT IT. BUT THE QUESTION THAT -- YOUR JOB IS TO

1 ANSWER THIS QUESTION:

2 ONE, HOW DO THE FACTS, WHICH AREN'T GOING TO BE IN  
3 MUCH DISPUTE, HOW DO THEY FIT THE LAW?

4 NOW, HE AND I, MR. GELLER AND I, WE'RE GOING TO  
5 ARGUE ABOUT HOW THE FACTS FIT IN, BUT I THINK THERE'S ONE  
6 THING WE'RE NOT GOING TO ARGUE ABOUT, OKAY. WE'RE NOT GOING  
7 TO ARGUE ABOUT THIS. YOU HAVE TO FOLLOW THE LAW, OKAY. YOU  
8 GOT TO FOLLOW THE LAW. YOU MAY NOT LIKE IT, AND YOU'RE NOT.  
9 YOU MAY THINK IT'S STUPID OR NOT. YOU MAY THINK THIS LEADS  
10 ME TO A RESULT I DIDN'T THINK ABOUT. NOBODY TOLD ME THIS.

11 BUT YOU GOT TO FOLLOW THE LAW. AND I DON'T THINK  
12 MR. GELLER AND I ARE GOING TO ARGUE ABOUT THAT. YOU GOT TO  
13 FOLLOW WHEREVER IT LEADS YOU. AND YOU GOT TO FOLLOW IT,  
14 LIKE IT OR NOT.

15 AND YOUR OATH IS GOING TO BE TESTED HERE. YOU  
16 SWORE TO FOLLOW THE RULES AND STUFF LIKE THAT. AND WE  
17 TALKED TO YOU IN JURY SELECTION ABOUT IT. YOU GOT TO FOLLOW  
18 THE LAW. YOU GOT TO FOLLOW THE LAW. EVERYBODY SAYS YEAH,  
19 WE'RE GOING TO FOLLOW THE LAW. WELL, ARE YOU GOING TO GET  
20 IT? NO. AND YOU HAVE TO FOLLOW IT. AND YOU HAVE TO FOLLOW  
21 IT WHEREVER IT LEADS.

22 ONE OF THE THINGS THAT YOU'RE GOING TO BE TOLD  
23 OVER AND OVER AGAIN, MOSTLY THE PROSECUTOR IS ASKING IN JURY  
24 SELECTION, AND RIGHTLY SO, YOU CAN'T CONSIDER PENALTY OR  
25 PUNISHMENT, OKAY. AND THE JUDGE SAID THAT. AND THAT'S VERY  
26 TRUE. THAT'S IN THE FIRST PHASE. YOU CAN'T CONSIDER

1 PENALTY OR PUNISHMENT TO HIM IN DECIDING DID THESE FACTS FIT  
2 THIS, YOU KNOW, THIS LAW. YOU CAN'T CONSIDER IT.

3 BUT YOU ALSO CAN'T CONSIDER IT IN THE SECOND PHASE  
4 EITHER. WHEN YOU'RE DECIDING WHETHER OR NOT WHAT  
5 MR. HYEPOCK DID WAS OKAY, YOU DON'T CONSIDER WHETHER HE GETS  
6 PUNISHED. IN OTHER WORDS, IT WORKS BOTH WAYS, RIGHT? YOU  
7 DON'T CONSIDER PUNISHMENT. YOU DON'T SAY "WELL, I'M GOING  
8 TO FORGET ABOUT THIS OTHER PHASE BECAUSE I WANT HIM  
9 PUNISHED." OR YOU DON'T SAY IN THE FIRST PHASE THAT "I'M  
10 GOING TO VOTE NOT GUILTY BECAUSE THAT DOESN'T FIGURE IN."  
11 BUT IT'S GOING TO BE HARD. AND IT IS HARD. IT'S HARD WORK.  
12 BUT WE TRUST YOU TO DO THAT, ALL RIGHT?

13 SO THAT'S REALLY IMPORTANT. AND REALLY, THE ONLY  
14 QUESTION IS, AT THE END OF THIS DAY, IS WILL YOU DO IT.  
15 WILL YOU FOLLOW THE LAW, OKAY.

16 SO THERE'S ANOTHER THING, TOO. AND I'M GOING TO  
17 TALK JUST A LITTLE BIT ABOUT THE GENERAL LAW. AND THAT'S A  
18 STIPULATION -- THAT'S A STIPULATION. THIS IS ON PAGE 7 OF  
19 YOUR INSTRUCTIONS. IT SAYS DURING THE TRIAL THE DEFENSE AND  
20 THE PEOPLE AGREED TO SOMETHING. IF THEY AGREE TO SOMETHING,  
21 TO THESE CERTAIN FACTS, YOU DON'T HAVE TO FIGURE IT OUT.  
22 THAT'S A FACT. IT'S PROVEN. AND THERE'S THREE OF THEM.  
23 AND IT'S UNUSUAL BECAUSE USUALLY WE TELL YOU YOU DECIDE WHAT  
24 THE FACTS ARE. JUDGE DOESN'T GET INTO IT. BUT IN THREE  
25 PLACES IN THIS CASE, THREE PLACES, YOU DON'T FIGURE OUT WHAT  
26 THE FACTS ARE, OKAY. YOU DON'T DECIDE THOSE AT ALL. THEY

1 ARE ALREADY DECIDED, OKAY. THEY ARE ALREADY DECIDED.

2 AND, SO, WHAT ARE THEY? WELL, ONE OF THEM IS THAT  
3 WHAT BILLY SAID TO INVESTIGATOR BEEMAN ABOUT DOING THIS  
4 BEFORE, AND "I'VE DONE THIS ALL THE TIME," THAT'S FALSE.  
5 YOU DON'T THINK WELL, IS THAT TRUE OR NOT TRUE? SHOULD I  
6 SHORT OF FIGURE OUT IN THE CONTEXT OF THAT? THAT'S FALSE,  
7 OKAY?

8 SO WHAT DOES THAT MEAN? WELL, IT MEANS THAT WHEN  
9 HE IS SAYING THIS BIG SHOT SELF, "I'VE DONE IT THREE TIMES  
10 BEFORE," WHEN HE IS SAYING THAT -- AND YOU LISTEN TO IT ON  
11 THE TAPE, AND IT'S THE SAME AS EVERYTHING ELSE, SOUNDS  
12 BELIEVABLE. HE IS TELLING THIS STORY. THAT'S WHAT YOU  
13 BELIEVE WHEN YOU HEAR IT. YOU DO. AND YOU HEARD IT.

14 BUT WHAT YOU DIDN'T KNOW IS THAT THIS SEGMENT  
15 WHICH SOUNDS LIKE EVERYTHING ELSE, THAT'S ALL FALSE. SO  
16 WHAT DOES THAT TELL YOU? OKAY.

17 AND THERE'S ANOTHER THING, TOO. YOU'RE GOING YOU  
18 HEAR A STATEMENT ABOUT WHAT MR. HYEPOCK SAID, WHICH IS  
19 FALSE. I'M GOING TO TALK IN A LOT OF DETAIL ABOUT THAT.  
20 BUT YOU GOT TO JUST ASSUME THAT YOU'RE NOT SORT OF FIGURING  
21 THAT OUT, I WONDER IF HE IS LYING ABOUT THIS OR THAT. YOU  
22 KNOW, YOU LOOK AT THIS, AND WE'RE GOING TO TELL YOU -- WE'VE  
23 TOLD YOU, AND YOU'LL SEE THAT, OKAY.

24 AND THEN THERE'S A THIRD ONE ABOUT, YOU KNOW, THIS  
25 INFORMANT FILE. AND YOU'RE GOING TO BE DECIDING WHETHER  
26 LAUNI IS TELLING THE TRUTH, OR IF HE IS HIDING SOMETHING.

1 BUT YOU'RE GOING TO KNOW WHERE THAT THING CAME FROM. AND  
2 YOU DON'T SORT OF REEXAMINE THAT. YOU CAN'T REEXAMINE THAT,  
3 OKAY.

4 SO WHAT DO YOU DO WITH THIS, WITH THE FACTS THAT  
5 YOU FIND, AND IN PARTICULAR WHAT DO YOU DO WITH, AS AN  
6 EXAMPLE, WHAT HE SAID? WHAT YOU KNOW NOW IS A LIE.

7 WELL, THAT -- YOU CAN INTERPRET THAT TWO WAYS,  
8 RIGHT? ONE WAY IS HE IS A BLOW HARD, MAKING HIMSELF PUMPED  
9 UP, BUT HE IS LYING ABOUT THAT. AND SO THERE'S ANOTHER  
10 INSTRUCTION THAT SAYS IF THIS IS AN IMPORTANT THING AND HE  
11 IS LYING ABOUT IT, THEN YOU SHOULD DISTRUST EVERYTHING THAT  
12 HE SAID. SO WE'RE GOING INTO HIS HEAD. THIS IS THE PHASE  
13 ONE. AND IF HE IS LYING -- WHICH HE IS, AND IT SOUNDS LIKE  
14 EVERYTHING ELSE -- THEN YOU CAN TOTALLY DISREGARD ALL OF IT.  
15 OKAY.

16 NOW, THAT'S ONE INTERPRETATION.

17 ANOTHER INTERPRETATION WHICH THE PROSECUTOR WILL  
18 PROMOTE IS WELL, HE REALLY HAD THIS INTENT THAT HE SAID HE  
19 HAD, AND HE WAS JUST LYING IN ORDER TO GET BELIEVED BY THE  
20 CAPTAIN.

21 SO THERE'S TWO WAYS TO LOOK AT IT. AND IT'S, YOU  
22 KNOW, YOU CAN SEE THAT BOTH ARE REASONABLE, YOU KNOW. ONE  
23 IS THAT HE IS A LIAR ABOUT THIS. HE IS PUMPING HIMSELF UP.  
24 AND, THEREFORE, DON'T BELIEVE HIM. THE OTHER IS WELL, HE IS  
25 PUMPING HIMSELF UP SO HE CAN CONVINCING THE CAPTAIN TO GO  
26 THROUGH WITH THIS. OF COURSE YOU WANT TO THINK ABOUT WELL,

1 THE CAPTAIN DOESN'T REALLY NEED ANY CONVINCING. BUT BE THAT  
2 AS IT MAY, HOW DO YOU HANDLE THIS TYPE OF EVIDENCE?

3 WELL, IT'S CIRCUMSTANTIAL EVIDENCE, BECAUSE YOU'RE  
4 LOOKING IN -- THIS IS PHASE ONE. YOU'RE LOOKING INTO HIS  
5 HEAD. WHEN HE SAYS IT, DOES HE MEAN IT, OKAY.

6 AND THE PEOPLE SAY WELL, HE SAID IT SO HE MEANT IT  
7 SO THAT'S THE END OF IT. WELL, THAT'S NOT REALLY SO MUCH  
8 THE END OF IT BECAUSE WHEN HE SAID IT, THEY DIDN'T BELIEVE  
9 IT. AND THEY DIDN'T BELIEVE IT ALL THE WAY ALONG, ALL THE  
10 WAY ALONG HERE. THEY DIDN'T BELIEVE IT. OR, THEY WEREN'T  
11 SURE. AND WE'LL TALK ABOUT THAT.

12 BUT, YOU KNOW, THIS GOES ON FOR A NUMBER OF WEEKS  
13 AND NOTHING REALLY CHANGES. THEY ARE TRYING TO GET  
14 EVIDENCE -- IT'S NOT REALLY PROTECTION, IT'S TRYING TO GET  
15 EVIDENCE. BUT IT'S NOT HE SAID IT, IT'S TRUE.

16 SO WHAT DOES THE CIRCUMSTANTIAL EVIDENCE SAY YOU  
17 DO ABOUT THIS? IT SAYS, WELL -- AND YOU'LL GET IT. I  
18 PRINTED IT OUT, BUT I'M NOT GOING TO READ THE WHOLE THING.  
19 IT JUST SAYS IF THERE'S TWO WAYS TO LOOK AT IT, AND ONE  
20 POINTS TO INNOCENCE AND THE OTHER POINTS TO GUILT, YOU GOT  
21 TO ADOPT THAT WHICH POINTS TO INNOCENCE, OKAY. THAT'S  
22 CIRCUMSTANTIAL EVIDENCE. THAT'S SORT OF A FILTER THROUGH  
23 WHICH ALL THIS EVIDENCE GOES, YOU KNOW.

24 YOU'RE LOOKING INTO HIS HEAD. THIS IS ALL, YOU  
25 KNOW, THE FIRST PHASE, BECAUSE YOU'RE NOT GOING TO BE  
26 LOOKING IN HIS HEAD IN THE SECOND PHASE.



1           BUT THAT'S THE LAW AND THAT'S SORT OF A GENERAL  
2 WAY OR FILTER. THE WAY THAT THE COURT IS TELLING YOU LOOK  
3 AT THE EVIDENCE, BUT YOU GOT TO LOOK AT IT THROUGH THIS  
4 FILTER, OKAY. ALL RIGHT.

5           SO WHAT ELSE? WE'RE TALKING ABOUT BURDEN OF  
6 PROOF, SOMETHING LIKE THAT, OKAY. THE PROSECUTOR IS RIGHT,  
7 THERE'S A SORT OF ASCENDING LEVELS OF PROOF. AND WE HEARD  
8 ABOUT FOUR OF THEM. FOUR LEVELS OF PROOF, RIGHT? OR  
9 BURDENS OF PROOF, I SHOULD SAY.

10           AND THE FIRST ONE IS DOWN HERE, OKAY. THAT'S  
11 PROBABLE CAUSE. AND LAUNI TALKED ABOUT IT AND YOU HEAR  
12 ABOUT IT, BUT PROBABLE CAUSE IS AS WE'RE GOING ALONG HERE  
13 WITH THE POLICE -- NOW, THIS IS THE POLICE. THEY DON'T  
14 DECIDE STUFF, RIGHT, WHETHER THE GUY IS GUILTY OR NOT. THEY  
15 ONLY DECIDE IS THERE PROBABLE CAUSE, YOU KNOW, SOME EVIDENCE  
16 TO ARREST HIM.

17           SO WE START IN SEPTEMBER AND WE GO ALL THE WAY  
18 THROUGH HERE. AND WHAT HE IS DECIDING, WHAT THEY ARE  
19 DECIDING IS THERE'S PROBABLE CAUSE, OKAY. SO THAT'S THE  
20 LEVEL. THE LOWEST LEVEL WE GOT. AND DO WE HAVE -- DOES HE  
21 HAVE PROBABLE CAUSE. SO WHEN HE POPS HIM, THEN THAT'S  
22 THE -- THAT'S SORT OF HIS BURDEN OF PROOF, OKAY.

23           PREPONDERANCE. MORE THAN HALF. 51 PERCENT. IT'S  
24 A BURDEN MORE LIKELY THAN NOT. 51 PERCENT.

25           SO THAT'S WHAT I HAVE TO PROVE IN THE SECOND  
26 PHASE, BY PREPONDERANCE -- AND THAT'S THE LEVEL OF MY BURDEN

1 IS 51 PERCENT.

2 AND YOU'RE GONNA -- AND I'M GOING TO TALK ABOUT  
3 WHETHER OR NOT THERE'S ANY EVIDENCE -- ANY EVIDENCE, YOU  
4 KNOW, THAT SAYS THERE WAS REALLY BAD GOVERNMENT CONDUCT  
5 HERE, YOU KNOW. IS THERE ANY EVIDENCE OF THAT? IS THERE A  
6 PREPONDERANCE OF EVIDENCE OF THAT? AND THAT IT WOULD AFFECT  
7 END LAP, YOU KNOW. REGULAR GUY. WOULD AFFECT HIM. WOULD  
8 MOVE HIM FROM THAT. SO THAT'S MY BURDEN, OKAY.

9 AND IN THE FIRST PHASE IT'S BEYOND A REASONABLE  
10 DOUBT. THAT'S THE PEOPLE'S BURDEN. THEY SORT OF, YOU KNOW,  
11 THEY HAVE TO FIT THESE FACTS, WHICH WE PRETTY MUCH AGREED ON  
12 WHAT WAS SAID, INTO THE LAW. AND THEY HAVE TO PROVE IT  
13 BEYOND A REASONABLE DOUBT, AND THAT'S REALLY WHERE THE  
14 ARGUMENT IS GOING TO BE.

15 THERE'S ONE OTHER THING. YOU'VE GOT, YOU KNOW,  
16 PROBABLE CAUSE, PREPONDERANCE -- WE'RE GOING UP. REASONABLE  
17 DOUBT. AND THEN YOU'VE GOT STIPULATION. AND THAT'S WELL,  
18 WAY OFF THE CHARTS, BECAUSE YOU DON'T EVEN DECIDE THAT,  
19 RIGHT? YOU'RE NOT EVEN MAKING THAT JUDGMENT DID THEY -- IF  
20 THE DEFENSE HAS THE BURDEN, DID THEY GET TO HERE. DID  
21 THEY -- DID THE PEOPLE GET TO THIS. YOU DON'T DO THAT  
22 BECAUSE YOU'RE OFF THE CHART. YOU DON'T CONSIDER THAT.  
23 FACTS ARE DONE.

24 SO WHEN YOU'RE THINKING ABOUT BURDENS OF PROOF AND  
25 YOU'RE THINKING ABOUT CATEGORIES OF EVIDENCE, YOU THINK TO  
26 YOURSELF WELL, IF WE HAVE A STIPULATION, YOU KNOW, IT'S A

1 LOT MORE THAN THIS. AND THIS AND THIS. IT'S SOMETHING YOU  
2 DON'T EVEN CONSIDER.

3 SO THAT'S -- THAT'S SORT OF THE CATEGORIES,  
4 STANDARDS OF PROOF, WHAT YOU HAVE TO EMPLOY NOW. AND YOU'RE  
5 GETTING A LOT OF INFORMATION THAT'S NOT REALLY, YOU KNOW,  
6 SORT OF NATURAL TO YOU. IT'S NOT SOMETHING THAT YOU -- IT'S  
7 NEW STUFF AND IT'S THE WAY THAT THE LAW IS. AND YOU  
8 PROMISED TO FOLLOW THAT EVEN THOUGH WE EXTRACTED THAT  
9 PROMISE, DON'T CONSIDER PUNISHMENT, FOLLOW THE LAW, WHATEVER  
10 IT IS, WE EXTRACTED THAT IN THE BLIND. WE DIDN'T TELL YOU  
11 WHAT IT WAS, OKAY.

12 SO THAT'S BECAUSE WE CAN'T AND THAT'S BECAUSE WE  
13 TRUST WHEN YOU GUYS DO THIS AND SAY "I'LL FOLLOW THE LAW,"  
14 THAT WE TRUSTED YOU'RE GOING TO DO IT.

15 OKAY. SO MR. GELLER IS CORRECT THAT THE CHARGES  
16 ARE SOLICITATION, DID HE REQUEST ANOTHER TO COMMIT MURDER.

17 DID HE INTEND THAT THE MURDER WAS TO BE COMMITTED.  
18 WAS THE COMMUNICATION RECEIVED.

19 ATTEMPTED MURDER. TOOK A DIRECT BUT INEFFECTIVE  
20 STEP TOWARDS THE KILLING OF ATTEMPTED MURDER.

21 SO WE'RE GOING TO AGREE SORT OF ON THE ANALYTICAL  
22 OF THIS, RIGHT? WE'RE GOING TO AGREE THAT IN THE FIRST ONE  
23 DID HE INTEND TO COMMIT MURDER WHEN HE SPOKE THOSE WORDS.  
24 THAT'S THE QUESTION, RIGHT? AND YOU HAVE TO GO THROUGH THIS  
25 PROCESS, WHAT DID HE SAY? YEAH, HE SAID IT. WHAT DOES THAT  
26 MEAN AND WHAT DOES THAT BALANCE WITH THE REST OF THEM? SO

1 YOU HAVE TO DO THAT.

2 BUT THE PEOPLE HAVE CORRECTLY SET UP THIS  
3 ANALYTIC, THIS WAY WE LOOK AT THE PROBLEM. THE QUESTION IS,  
4 HOW DO THESE FACTS FIT, OKAY?

5 SO IF YOU THEN LOOK AT ATTEMPTED MURDER, YOU'VE  
6 GOT THE SAME THINGS, BASICALLY. AND ACCEPT THE ONE THING:  
7 THE PROSECUTION HAS TO PROVE AND THEY HAVE GOT TO PROVE IT  
8 UP HERE, RIGHT? BEYOND A REASONABLE DOUBT. THEY HAVE TO  
9 PROVE IT UP HERE. AND THEY HAVE TO PROVE THAT NOT ONLY WAS  
10 THERE LIKE A SPECIFIC INTENT TO KILL, NOT ONLY DID HE  
11 ACTUALLY WANT HER DEAD, NOT ONLY THAT, BUT HE TOOK A DIRECT  
12 STEP.

13 A DIRECT STEP IS -- IT REQUIRES MORE THAN MERE  
14 PLANNING -- AND THIS IS SORT OF IMPORTANT, YOU KNOW. A  
15 DIRECT STEP ISN'T WHAT YOU THINK IT IS. IT IS A LEGAL TERM  
16 WHICH DEFINES CERTAIN CONDUCT WHICH WE ELEVATE TO CRIMINAL.  
17 WHICH WE MAKE ABOUT -- JUST ABOUT AS SERIOUS AS YOU CAN GET.

18 SO IN ORDER TO SUPPLY THIS LAST PIECE, THIS UPPER  
19 LEVEL, IN ORDER TO CRIMINALIZE BY ATTEMPTED -- THE  
20 CONVICTION, THERE'S SORT OF STRICT RULES, OKAY. THEY ARE  
21 VERY STRICT. AND THEY DEFINE FOR YOU WHAT DIRECT STEP IS.  
22 AND IT'S NOT THIS, YOU KNOW. IT'S NOT ARRANGING FOR  
23 SOMETHING NEEDED, LIKE ARRANGING FOR A HITMAN. OR  
24 OBTAINING, YOU KNOW, THE SERVICES, TALKING TO SOMEBODY ABOUT  
25 IT. THAT'S NOT ENOUGH.

26 A DIRECT STEP GOES BEYOND PLANNING OR PREPARATION.

1 AND THAT'S WHAT WE WERE TALKING ABOUT. IT'S MORE THAN JUST  
2 GETTING THE THING SET UP. AND IT FUNDAMENTALLY IS -- AND  
3 THIS IS THE PROSECUTOR ANNOUNCED, YOU KNOW, HE PULLS THE  
4 TRIGGER WHEN HE DOES THIS. WHEN HE LOSES CONTROL OVER IT,  
5 OKAY.

6 THE PLAN WOULD HAVE BEEN COMPLETED IF THERE'S SOME  
7 CIRCUMSTANCE OUTSIDE THE PLAN HAD NOT INTERRUPTED. LIKE HE  
8 IS A COP. THAT'S NOT WHAT INTERRUPTED THIS PLAN, OKAY. THE  
9 PLAN DIDN'T GET STARTED BECAUSE HE DIDN'T PAY.

10 IT'S LIKE THIS. LET'S TAKE IT -- LET'S SAY THAT  
11 I'M DEPRESSED AND I WANT TO COMMIT SUICIDE, OKAY. I WANT TO  
12 COMMIT SUICIDE. AND SO AN ATTEMPT MEANS I DO SOMETHING MORE  
13 THAN SAY -- OR DO SOME THINGS TO PREPARE FOR THAT, RIGHT?  
14 I'M DEPRESSED SO I GO TO THE TOP FLOOR AND I WALK OUT TO THE  
15 EDGE AND I LOOK AT THE EDGE AND I JUMP. I STEP OVER. I  
16 JUMP. AND YOU KNOW WHAT, I DON'T GET KILLED. I DON'T DIE.  
17 I GET HURT, BUT I DON'T DIE. THAT'S AN ATTEMPTED SUICIDE,  
18 RIGHT? THAT'S ATTEMPTED. YOU TRIED. ALL RIGHT.

19 LET'S SAY THAT I JUMPED OFF THERE AND PARTWAY DOWN  
20 I SAID OH, GEEZ, I DON'T WANT TO DO THIS, AND I GRAB  
21 SOMETHING AND I DON'T DIE. I'VE STILL COMMITTED AN  
22 ATTEMPTED SUICIDE, OKAY. THAT'S WHAT IT MEANS. YOU TAKE  
23 THAT STEP, WHICH GOES BEYOND PREPARATION. BEYOND, YOU KNOW,  
24 PLANNING, BEYOND SAYING IT, AND YOU COMMIT -- YOU START THIS  
25 PLAN. AND THE PLAN IS, THE ATTEMPT PART IS YOU STEP OVER.  
26 THE REST OF THIS STUFF IS PREPARATORY.

1           LET'S SAY BEFORE I GET TO THE ROOF I TELL MY -- I  
2 WRITE A WILL. THIS IS HOW I WANT MY STUFF TO BE DELIVERED,  
3 YOU KNOW. I WANT TO DO THAT. AND I REALLY WANT TO COMMIT  
4 SUICIDE AND I'M GONNA COMMIT SUICIDE, AND SO I WRITE THIS  
5 WILL. WELL, THAT'S PREPARATORY, RIGHT?

6           AND I GET IN MY CAR AND I DRIVE TO THE COURTHOUSE.  
7 THAT'S PREPARATION. I'M SAYING IT. I WANT TO DO IT. BUT  
8 THAT'S NOT AN ATTEMPT. GETTING IN MY CAR IS NOT AN ATTEMPT,  
9 RIGHT? I STILL HAVE CONTROL OF THAT TILL -- LET'S SAY I GET  
10 IN THE ELEVATOR AND I MEET MY FRIEND, SEAN HYEPOCK. AND I  
11 SAY "HEY, SEAN, WE'VE BEEN TALKING FOR AWHILE AND I AM  
12 DEPRESSED, I WANT TO KILL MYSELF." AND HE SAYS "ARE YOU  
13 SURE? ARE YOU REALLY SURE?" AND I GO "YEAH, I'M REALLY  
14 SURE." AND HE SAYS "WELL, ONCES YOU GET OUT OF THIS  
15 ELEVATOR, THERE'S NO GOING BACK." AND I SAY "SEAN, OKAY, I  
16 AGREE WITH THAT."

17           AND THEN WE GET TO LIKE THE 10TH FLOOR AND IN  
18 COMES THE CAPTAIN AND THE CAPTAIN SAYS "YOU REALLY WANT TO  
19 COMMIT SUICIDE?" AND, BY THE WAY, SEAN IS TELLING ME  
20 "THAT'S NOT SUCH A BAD IDEA," YOU KNOW. BUT THIS IS  
21 PREPARATION, RIGHT? THIS IS PREPARATION. THIS IS PUTTING  
22 STUFF IN PLACE.

23           SO I GET TO THE LAST FLOOR AND THE CAPTAIN, MY  
24 SECOND NEW BEST FRIEND SAYS, "ONCE YOU WALK OUT THOSE --  
25 THAT ELEVATOR DOOR, THERE'S NO GOING BACK, KID." AND I SAY  
26 "YEAH, I KNOW." HAVE I ATTEMPTED SUICIDE? NO. I ATTEMPT

1 SUICIDE -- I GET THE PLAN STARTED NOT TALKING ABOUT IT, NOT  
2 NEGOTIATING ABOUT IT, NOT PROMISING ABOUT IT. AND THAT'S  
3 JUST TO GET TO THIS -- AND YOU KNOW WHAT, THAT'S WHAT THE  
4 RULE IS BECAUSE YOU'VE GOT TO BE -- YOU GOT TO TAKE THAT  
5 STEP.

6 AND THAT STEP IS IT WOULD HAVE GONE -- AND THIS IS  
7 THE LAST LINE -- IT'S GOING TO BE ACCOMPLISHED, EXCEPT FOR  
8 SOMETHING OUTSIDE THE PLAN. DID HE ATTEMPT IT, DID HE STEP  
9 OFF THE BUILDING, OKAY. THAT'S THE QUESTION. ALL RIGHT.

10 OKAY. SO IF YOU LOOK AT OUR CASE THERE'S A LOT OF  
11 TALK ABOUT IT. A LOT OF ARRANGING. BUT THE LAST THING  
12 NECESSARY TO MAKE THIS A GO, TO MAKE THIS A GO, TO MAKE IT  
13 SUCCEED, IS THERE SOMETHING OUTSIDE THE PLAN. HE IS  
14 STILL -- HAS CONTROL OF THAT, OKAY. AND WE KNOW THAT.

15 AND WE KNOW WHAT THAT PLAN WAS. WE KNOW WHAT THE  
16 CONDITIONS ARE AND WHAT HAS TO HAPPEN BEFORE THIS IS AN  
17 ATTEMPT. AND IT'S UNMISTAKABLY CLEAR, AND IT'S IN THE  
18 TAPES, AND YOU KNOW WHAT, IT'S THERE. YOU'LL SEE IT.

19 THIS IS ON 12/16. THIS IS THE CONDITION, BEFORE  
20 THIS PLAN ACTUALLY STARTS AND THERE'S NO RETURN, WALLACE  
21 SAYS TO INVESTIGATOR BEEMAN "I TOLD SEAN HE WILL GET THE  
22 MONEY, AND THEN HE WILL GIVE IT TO YOU."

23 SO THE FIRST THING IS THE PREDICATE, THE STEPPING  
24 OFF THE LEDGE, IS THE MONEY.

25 HE'S NOT HIRED. LATER ON IN THAT MEETING OR MAYBE  
26 THE NEXT, YOU KNOW -- THE SAME DAY THEY HAVE A FIGHT OVER

1 THIS, BECAUSE HE KNOWS IT. THIS IS A SMART GUY.  
2 INVESTIGATOR BEEMAN, HE KNOWS. HE KNOWS ON DECEMBER 16TH,  
3 2013, THAT IN A YEAR OR TWO OR THREE, IT'S NOW THREE, WE'RE  
4 GOING TO BE IN THIS COURTROOM. AND HE KNOWS WHAT THE RULE  
5 IS, YOU KNOW, HE HAS DONE THIS. HE KNOWS.

6 AND SO WHAT IS HE TRYING TO GET? HE IS TRYING TO  
7 GET THAT MONEY. BECAUSE HE KNOWS. HE KNOWS THAT THAT IS  
8 THE SINE QUA NON. THAT IS WITHOUT WHICH THEY DON'T MAKE  
9 THIS CASE.

10 AND SO AS WE'RE GOING ALONG ALL THE WAY THROUGH  
11 THIS YOU'LL SEE THIS THEME SORT OF SNIP UP. SNEAK OUT.  
12 LOOK UP. AND WALLACE SAYS -- BILLY WALLACE SAYS "SEAN WILL  
13 HAVE THE MONEY BEFORE YOU DO IT. AND THEN YOU GET THE MONEY  
14 LATER." THAT'S THE MISSING PIECE, RIGHT?

15 AND INVESTIGATOR BEEMAN KNOWS THAT. HE KNOWS  
16 WHERE HE IS GOING TO BE SITTING. RIGHT THERE. COUPLE YEARS  
17 OUT. BUT HE KNOWS. I DON'T THINK THAT'S GONNA WORK. HE  
18 KNOWS IT ISN'T GONNA WORK. THAT'S WHY HE SAYS IT. VERY  
19 GENTLY, SO GENTLY. BUT, YOU KNOW -- AND THEN BILLY SAYS  
20 WELL, I'D RATHER NOT DO IT. HE IS GOING TO HOLD ON TO THAT  
21 PIECE, OKAY.

22 AND THERE ISN'T ANY QUESTION ABOUT THAT. AND  
23 YOU -- YOU CAN SEE HOW THIS EVOLVED. I GOT THE OTHER SHEET  
24 HERE, BUT THIS IS IN THE FIRST PHASE WHICH TALKS ABOUT THAT.  
25 AND YOU'RE SEEING THIS PART OF IT. THEY DON'T NEED, YOU  
26 KNOW, IN TERMS OF PROTECTION OR ANYTHING LIKE THAT, THEY



1 DON'T NEED -- THIS IS NOT PROTECTING -- THIS IS CAN WE GET  
2 HIM TO SAY IT. CAN WE GET THE MONEY, OKAY. CAN WE GET THE  
3 MONEY. WE KNOW WE GOT TO HAVE THE MONEY.

4 AND SO HE TAKES -- HE TAKES THIS SORT OF -- HE  
5 TELLS SEAN WELL, WE CAN'T -- WE'RE NOT GETTING -- IT'S  
6 CONDITIONAL. SO JUST GET 25 BUCKS -- 2500 BUCKS. JUST GET  
7 THAT.

8 AND SO HYEPOCK SAYS COULD YOU JUST GIVE HIM THAT,  
9 BE COMFORTABLE WITH THAT? AND HE GOES NO, I'LL GIVE YOU THE  
10 WHOLE THING, BUT IF I DECIDE. WELL, WHAT DOES THAT MEAN?  
11 IF I DECIDE, AND IT'S A GO, THEN YOU GET THE MONEY. ONCE  
12 THE MONEY, AND IT'S IN THE ESCROW ACCOUNT, THEN IT'S GOOD TO  
13 GO.

14 AND HERE IS LIKE ON THE LAST DAY. HERE IS LIKE ON  
15 THE LAST DAY, IT'S IN THE CAR. AND BEEMAN SAYS "THE ONLY  
16 THING, I'M CONCERNED ABOUT THE MONEY." HE SAYS "I'M GOOD  
17 FOR THAT." "I'LL GIVE IT TO HIM BEFORE YOU DO ANYTHING."  
18 AND BEEMAN SAYS "SO THAT'S THE WHOLE THING." AS SOON AS HE  
19 GETS THE MONEY, IT'S GOOD TO GO. HE NEVER GOT THE MONEY.  
20 IT WAS NEVER GOOD TO GO.

21 NOW, WE HAVE ALL OF THIS HIGH FIVE AND, YOU KNOW,  
22 ONCE YOU GET OUT THIS CAR THAT'S THE END OF IT. THAT'S THE  
23 END OF IT. OH, SURE, SURE -- IT'S NOT THE END OF IT. HE  
24 KNOWS IT. HE KNOWS IT.

25 AND THIS, YOU KNOW, GONE AND FOREVER, AND IF YOU  
26 LOOK AT IT, INVESTIGATOR BEEMAN IS SMART TRYING TO GET THOSE

1 WORDS OUT, TRYING TO GET TO THIS PLACE WHERE WE'RE ARGUING  
2 NOW, HE SAYS ON THE 16TH OVER HERE, AND IN THE RUN UP TO  
3 THIS -- AND YOU'LL SEE IT. I DIDN'T PUT THIS UP, BUT YOU  
4 WILL SEE IT. HE IS SAYING -- HE IS SAYING, YOU KNOW, "ONCE  
5 WE AGREE TO THIS, I'M GONE." EVEN ON THE 16TH. TO PUT  
6 FINALITY ON IT. TO TRY TO FIT IT INTO MR. GELLER'S THEORY.  
7 HE'S TRYING TO DO THAT.

8 THIS IS THE END. BUT IT'S NOT THE END. HE KNOWS  
9 IT'S NOT THE END. AND HE IS TRYING TO GET THE MONEY, BUT HE  
10 CAN'T.

11 AND EVEN HERE, OKAY, EVEN ON THE LAST DAY, WHAT  
12 BEEMAN SAYS, AND CORRECTLY SO, "WELL, WHEN HE GETS THE  
13 MONEY -- WHEN SEAN GETS THE MONEY, IT'S GOOD TO GO."

14 SO THAT'S SORT OF LIKE THE END OF THIS ATTEMPTED  
15 MURDER STUFF, RIGHT? THAT'S THE END OF IT.

16 YOU KNOW, IF -- I'M NOT GOING TO GO INTO THE  
17 ESCROW. IF YOU WANT TO BUY -- YOU HAVE TO PUT MONEY IN,  
18 RIGHT? I WANT TO LIVE THERE, I WANT -- HE DIDN'T DO THAT.  
19 AND IT'S CLEAR WHAT THEIR UNDERSTANDING IS.

20 AND WHAT'S REALLY CLEAR IS NOT JUST WHAT THESE  
21 WORDS SAY, BUT YOU CAN SORT OF -- AND YOU DON'T HAVE TO --  
22 AND YOU SHOULDN'T JUST SAY WELL, I'M GOING TO LOOK AT IT AS  
23 INVESTIGATOR BEEMAN DID, BUT THAT'S A WINDOW INTO THIS  
24 PROBLEM THAT EXISTS IN THE CASE THAT HE IS SEEING AND THAT  
25 HE RECOGNIZES, OKAY. HE WANTS TO GET -- HE KNOWS HE HAS GOT  
26 TO GET IT. SO THAT'S SORT OF A WINDOW INTO YOUR LOOKING AT

1 IT. BECAUSE YOU KNOW BACK THEN, HE KNOWS RIGHT NOW, I GOT  
2 TO GET THESE MAGIC WORDS AND I GOT TO GET THE MONEY.

3 AND THERE WASN'T ANY URGENCY, REALLY. OKAY.  
4 BECAUSE IT TAKES 16 WEEKS AND IT STARTS OVER, THIS WHOLE  
5 THING. AND THEY HAD FROM THE BEGINNING, IF YOU BELIEVE IT,  
6 HE IS SAYING WELL, I WANT TO KILL MY WIFE. THE REST OF THIS  
7 TIME, FROM SEPTEMBER 1ST TO DECEMBER 21ST, THIS IS NOT  
8 PROTECTING -- AND I'M NOT SAYING THAT THEY DIDN'T HAVE  
9 SURVEILLANCE AND THEY WEREN'T LOOKING AT IT AND ALL THAT.  
10 BUT ALL THIS WHOLE THING, AND YOU LOOK AT IT INDIVIDUALLY  
11 AND YOU LOOK AT IT COLLECTIVELY AND YOU SEE THE EVOLUTION OF  
12 IT AND YOU HAVE THE TIMELINE, IT'S CALCULATED TO SEE IF WE  
13 CAN GET THE MAGIC WORDS AND SEE IF WE CAN GET THEM RIGHT.  
14 OKAY.

15 SO I THINK THAT IT'S CLEAR THAT THEY DID NOT PROVE  
16 THIS, AND PROVE IT BEYOND A REASONABLE DOUBT.

17 OKAY. WHAT'S THE SECOND PHASE? WHAT'S THE SECOND  
18 PART OF THIS? WELL, OKAY. I THINK THAT THE EVIDENCE IS --  
19 SHOWS THAT THE PEOPLE HAVEN'T MET THEIR BURDEN FOR WHAT I'VE  
20 ARGUED. AND THAT'S IN THIS PHASE ONE. JUST LOOKING AT IT  
21 LIKE THIS, OKAY.

22 ACTS PROVED BEYOND A REASONABLE DOUBT AND THE LAW.  
23 IT'S A BINARY DECISION, RIGHT? GUILTY OR NOT GUILTY. AND I  
24 THINK THAT THE EVIDENCE IS THAT HE IS NOT GUILTY.

25 BUT NOW THERE'S SOMETHING ELSE GONNA HAPPEN, OKAY?  
26 AND THAT IS WHETHER THERE'S POLICE MISCONDUCT AND

1 ENTRAPMENT, OKAY. BUT YOU DON'T GET A DIFFERENT VERDICT  
2 FORM, OKAY. YOU GET GUILTY -- YOU DON'T GET A BOX THAT  
3 CHECKS -- THAT YOU CHECK AND SAY GUILTY, BUT WHAT THE C.I.  
4 DID WAS ALL WRONG. THERE'S NOT A BOX THAT YOU CHECK THAT  
5 SAYS I'M GOING TO SANTA ANA P.D. AND SAYING THIS IS A BUNCH  
6 OF MALARKEY. YOU CAN'T BE DOING THIS STUFF. FORGET BILLY,  
7 I DON'T THINK YOU SHOULD BE DOING THIS. THERE'S NOT A BOX  
8 FOR THAT. THERE'S JUST GUILTY OR NOT GUILTY. THAT'S ALL  
9 THERE IS.

10 OKAY. SO WHAT IS THIS ENTRAPMENT THING? WE  
11 DIDN'T EVEN SAY IT ON, I DON'T THINK, IN JURY SELECTION.  
12 AND I'M GOING TO GO THROUGH EXACTLY, EXACTLY WHAT THE WORDS  
13 ARE, BUT -- IN JUST A SECOND. BUT WHAT YOU'RE GOING TO SEE  
14 IN THIS PHASE IS THE EXACT OPPOSITE FROM THE FIRST PHASE.  
15 IN THE FIRST PHASE YOU'RE LOOKING AT WHAT'S IN HIS HEAD.  
16 WHAT DID HE DO. HOW DOES THAT FIT INTO THE LAW. AND SO  
17 YOU'RE LOOKING AT WHAT WERE THESE WORDS. AND, YOU KNOW, BUT  
18 DID -- HOW DOES IT FIT IN. THAT'S WHAT YOU'RE LOOKING AT,  
19 OKAY.

20 DID HE MAKE A DEAL? DID HE SEAL THE DEAL? DID HE  
21 PAY IT? THOSE ARE ALL FACTUAL DETERMINATIONS YOU MAKE AT  
22 PHASE ONE. I THINK YOU END UP AT NOT GUILTY AND WE DON'T  
23 GET TO THIS. BUT SOME OF YOU MAY THINK OH, YOU KNOW. SO  
24 THERE IS THE SECOND PART OF IT, OKAY.

25 BUT THIS PART DOESN'T HAVE ANY -- DOES NOT HAVE TO  
26 DO WITH HIS INTENT AT ALL. IT DOESN'T HAVE TO DO WITH ANY

1 DEAL AT ALL. IT DOESN'T HAVE TO DO WITH WHAT YOU THINK  
2 ABOUT HIM OR WHAT YOU THINK HIS MOTIVES -- ANYTHING LIKE  
3 THAT. IT DOESN'T HAVE TO DO WITH HIM. THAT'S WHY IT'S  
4 TURNED ON ITS HEAD, RIGHT? IT HAS TO DO WITH POLICE  
5 CONDUCT, OKAY. AND THE NLAP. THIS MYTHICAL NON -- THIS  
6 NORMALLY LAW ABIDING PERSON, NOT BILLY WALLACE, BUT THE  
7 AVERAGE JOE. AND SO THAT'S WHAT YOU'RE DOING. SO YOU HAVE  
8 TO DO THIS ANALYSIS, BUT YOU GOT TO LOOK AT IT DIFFERENTLY,  
9 ALL RIGHT.

10 SO WHAT DOES IT SAY? YOU'RE GOING TO GET THIS.  
11 IT'S NOT MARKED UP LIKE THIS, BUT YOU'RE GOING TO GET IT.  
12 AND IT'S THE INSTRUCTION. AND YOU SEE AT THE BOTTOM IT SAYS  
13 IF THE DEFENDANT HAS PROVED THAT IT'S MORE LIKELY THAN NOT  
14 THAT HE SOLICITED MURDER AND ATTEMPTED MURDER BECAUSE HE WAS  
15 ENTRAPPED, YOU HAVE TO FIND HIM NOT GUILTY, OKAY. THAT'S AT  
16 THE END.

17 AND SO THEN YOU THINK WELL, OKAY, WHAT DOES THAT  
18 MEAN? AND WE HAVE THAT BURDEN, OKAY. BUT WHAT DOES IT MEAN  
19 IS DIFFERENT THAT YOU THINK. BECAUSE A PERSON IS ENTRAPPED  
20 IF A LAW ENFORCEMENT OFFICER ENGAGED IN CONDUCT WHICH WOULD  
21 CAUSE A NORMALLY LAW ABIDING PERSON TO COMMIT THE CRIME.

22 SO HE IS ENTRAPPED. YOU HIT NOT GUILTY IF -- NOT  
23 HIM, NOT HIM, THE NLAP, OKAY?

24 AND IT SAYS HERE ANOTHER -- AND THEY TALK ABOUT  
25 WHAT SORTS OF THINGS MIGHT MOVE -- NOT HIM, NOT DID IT MOVE  
26 HIM, BUT MOVE THIS REGULAR GUY, SUCH THAT EVEN THOUGH HE DID

1 THE CRIME, THAT THE GOVERNMENT, YOU KNOW, THE POLICE AGENT,  
2 MR. HYEPOCK, DID SOMETHING.

3 AND WHAT ARE THE SORTS OF THINGS? WELL,  
4 BADGERING, PERSUASION BY FLATTERY, COAXING, REPEATED, APPEAL  
5 TO FRIENDSHIP OR SYMPATHY. YOU KNOW, THAT'S WHAT THEY ARE  
6 SAYING. IF YOU OFFER A GUY LIKE \$100,000, YOU KNOW, AND  
7 YOU'RE SORT OF PERSISTENT, THAT'S THE SORT OF THING THAT  
8 THIS IS TALKING ABOUT. IT'S NOT EXCLUSIVE, BUT THAT'S WHAT  
9 YOU'RE TALKING ABOUT.

10 AND THEN IT GOES ON TO SAY WELL, IF YOU DON'T --  
11 IF YOU GIVE THEM AN OPPORTUNITY BUT YOU'RE NOT SORT OF  
12 MAKING IT TOO ATTRACTIVE, YOU KNOW, PUTTING THE NEEDLE IN  
13 THE NERVE ROOT, THEN THAT'S OKAY. IT'S THE NEEDLE IN THE  
14 NERVE ROOT THING THAT WE'RE KIND OF TALKING ABOUT, OKAY?  
15 NOT IN HIS NERVE ROOT, BUT IN THIS COLLECTIVE NERVE ROOT OF  
16 THE REGULAR JOE, OKAY. SO THAT'S WHAT YOU'RE LOOKING AT.

17 HOW MUCH IS THE INCENTIVE, YOU KNOW. AND, HOW BIG  
18 A LIE. HOW MUCH WILL WE TOLERATE, OKAY.

19 SO IT'S THE NORMALLY LAW ABIDING PERSON. AND THE  
20 OTHER THING THAT'S SORT OF INTERESTING, AND I SAID IT, I  
21 DON'T KNOW IF YOU BELIEVE ME, BUT IT'S RIGHT HERE. DO NOT  
22 CONSIDER THE PARTICULAR -- DEFENDANT'S PARTICULAR  
23 INTENTIONS, OR CHARACTER. OR WHETHER HE HAS GOT A  
24 PREDISPOSITION TO COMMIT THE CRIME. WOW. THAT'S THE  
25 OPPOSITE, RIGHT? THAT'S THE OPPOSITE OF WHAT YOU DID IN THE  
26 FIRST PHASE, OKAY.

1           OKAY. SO WHY DO YOU EVEN ASK THIS QUESTION,  
2 RIGHT? YOU'RE ASKING YOURSELF THIS, YOU PROBABLY WILL THINK  
3 ABOUT IT, WHY -- WHY DO YOU EVEN ASK THE QUESTION WHAT WOULD  
4 THE NLAP DO? WHY WOULD YOU EVEN ASK THAT QUESTION?

5           AND WHY DO YOU CUT THE DEFENDANT OUT OF THIS? HE  
6 IS THE ONE ON TRIAL. WHY DO YOU SORT OF CUT THE DEFENDANT  
7 OUT OF THIS AND SAY -- HE IS CUT OUT OF THIS, AND WHY DO YOU  
8 ASK THAT THIS CONDUCT IS MEASURED AGAINST WHAT A NORMAL LAW  
9 ABIDING CITIZEN WOULD DO? WHY CAN'T YOU CONSIDER THIS STUFF  
10 DOWN HERE? WHY CAN'T YOU LOOK AT THE DEFENDANT'S INTENTION,  
11 WHICH IS WHAT THE PROSECUTOR IS TALKING. WHY CAN'T YOU LOOK  
12 AT THAT?

13           YOU'RE ASKING THOSE QUESTIONS. YOU GOT TO BE.  
14 YOU ALSO GOT TO SAY I WISH I HADN'T TOOK AN OATH TO FOLLOW  
15 THE LAW, BUT HERE IT IS. BUT YOU ASK YOURSELF THAT  
16 QUESTION.

17           WELL, THE ANSWER IS THERE'S -- IN THE RAREST CASE,  
18 THE RAREST CASE THERE'S CERTAIN THINGS WE DON'T WANT THE  
19 POLICE AGENTS TO DO. THERE'S CERTAIN THINGS. AND IT'S  
20 RARE. YOU KNOW WHAT, YOU CAN WALK UP AND DOWN THIS  
21 COURTHOUSE OR THIS COURT BUILDING AND STICK YOUR HEAD IN  
22 INTO CASES FOR THE NEXT 10 YEARS OR 20 YEARS, LIKE  
23 MR. GELLER AND I HAVE DONE, UP AND DOWN, LOOKING IN COURT,  
24 LOOKING AT CASES, TRYING CASES, LOOKING AT OTHER PEOPLE'S  
25 CASES, AND YOU'LL SEE ONE OF THESE. TWO OF THESE CASES.  
26 WHERE YOU'RE DOING THIS ANALYSIS. IT'S ALMOST NEVER COMES

1 UP.

2 IT'S RARE. IT'S RARE THAT THIS COMES UP AT ALL.  
3 AND IT SHOULD BE RARE. AND IT'S RESERVED FOR THAT NARROW  
4 CASE WHERE, WHERE -- AND IN THIS PHASE, HE DID IT. HE DID  
5 SOMETHING. AT LEAST HE DIDN'T DO THE ATTEMPTED MURDER, BUT  
6 AT LEAST HE DID THE SOLICITATION.

7 AND IN THIS RAREST OF CASES YOU EVALUATE DID THE  
8 POLICE, DID MR. HYEPOCK GO BEYOND PROACTIVE. AND YOU  
9 REMEMBER BACK IN JURY SELECTION THE PROSECUTOR USED THIS  
10 THING A PROACTIVE -- WE'RE GOING TO ARREST A DRUNK DRIVER  
11 AND PROACTIVE THIS. WE'RE NOT TALKING ABOUT PROACTIVE HERE,  
12 FOLKS. WE'RE TALKING ABOUT NOW THE QUESTION TO ASK IS WOULD  
13 A REGULAR GUY -- NOT BILLY -- WOULD A REGULAR GUY, DOES HE  
14 GET MOVED, REGULAR GUY BE MOVED TO THE EDGE?

15 AND YOU DON'T DECIDE -- YOU'RE NOT DECIDING, THIS  
16 DOESN'T SAY WHAT'S THE BEST COURSE OF ACTION, OKAY. WHAT'S  
17 THE BEST -- WHAT'S THE SMARTEST SORT OF THING TO DO? WELL,  
18 THE DEFAULT ANSWER IS DON'T COMMIT A CRIME. DO SOMETHING  
19 ELSE. BUT THIS ISN'T THAT. THIS PART OF THE CASE AND THIS  
20 INSTRUCTION SAYS WE'RE SAYING, OKAY, SOMETHING IS WRONG.  
21 WHAT WE'RE LOOKING AT NOW IS WHAT ABOUT THE POLICE?

22 SO YOU'RE GOING TO ASK YOURSELVES THIS QUESTION,  
23 SOON ENOUGH: IS IT TOO MUCH? OKAY. DID IT GO BEYOND  
24 PROVIDING AN OPPORTUNITY? IS IT A SERIOUS CRIME? IT IS.  
25 YOU GOT TO FACTOR THAT IN. YOU DO. IT'S A SERIOUS CRIME.  
26 AND YOU GOT TO FACTOR THAT IN TWO WAYS, RIGHT? IT'S A



1 SERIOUS CRIME, AND HARD TO DETECT. AND IT'S A SERIOUS --  
2 AND THAT FAVORS ONE SIDE, BUT IT ALSO SAYS IS IT A SERIOUS  
3 CRIME BECAUSE WE DON'T WANT OUR POLICEMEN STARTING THAT, OR  
4 ADVANCING THAT, OR MAKING THAT.

5 SO THIS -- IS IT A SERIOUS CRIME, YEAH. THAT'S A  
6 FACTOR. BUT PART OF THE ANALYSIS IS DID SOMEBODY, NOT  
7 STARTED THINKING ABOUT IT, BUT DID THEY PUT THE NEEDLE IN?

8 AND THAT'S WHAT YOU'RE DECIDING AND NOT, YOU KNOW,  
9 NOT WHAT HE -- NOT HIM. NLAP. NORMALLY LAW ABIDING PERSON.

10 OKAY, SO WHO DECIDES THIS? WHO DECIDES THIS  
11 ISSUE? WELL, WHO DECIDES WAS THIS POLICE CONDUCT OKAY? WAS  
12 THIS POLICE CONDUCT SORT OF AUTHORIZED BY US, YOU KNOW, THE  
13 LARGE PEOPLE? WAS THIS POLICE CONDUCT SANCTIONED?

14 AND SO WE'RE ALREADY TO THE POINT NOW, IF WE GET  
15 THERE, OKAY, THIS GUY DID SOMETHING WRONG. SO NOW WHAT  
16 WE'RE GOING TO DO, WE'RE GOING TO SAY OKAY, IS THIS THAT  
17 CASE. WHO DECIDES?

18 WELL, I CAN TELL YOU WHO DOESN'T DECIDE. SEAN  
19 HYEPOCK DOESN'T DECIDE WHETHER THAT'S OKAY. AND HIS  
20 HANDLER, DETECTIVE LAUNI, HE DOESN'T DECIDE. AND THE  
21 CAPTAIN DOESN'T DECIDE. AND MR. GELLER DOESN'T DECIDE  
22 WHETHER THIS IS OKAY. WHETHER IT'S TOLERABLE. WHETHER IT'S  
23 SWALLOWABLE. WHETHER YOU CAN DO IT. THEY DON'T DECIDE IT.  
24 EVEN THE JUDGE DOESN'T DECIDE THAT. ONLY YOU DO, AND EACH  
25 OF YOU. ONLY YOU GUYS DECIDE THAT.

26 AND YOU GUYS DECIDE THAT AND YOU GUYS DECIDE THAT

1 NOT -- THERE'S NO BOX FOR THIS, LIKE I SAID. YOU EXPRESS  
2 YOUR JUDGMENT ON THIS BY CHECKING ONE BOX OR THE OTHER, ALL  
3 RIGHT. ONE BOX OR THE OTHER.

4 AND YOU CANNOT CONSIDER IN THIS BOX CHECKING DEAL,  
5 YOU CAN'T CONSIDER PENALTY OR PUNISHMENT. IN OTHER WORDS,  
6 WHAT CAN'T YOU DO? YOU CAN'T SAY "THAT DIRTY SON OF A GUN  
7 HE SAID THAT STUFF AGAINST THAT," YOU KNOW -- HE IS OUT OF  
8 IT. YOU DON'T SIDE THAT, AND YOU WANT TO. AND YOU DON'T  
9 WANT TO FOLLOW -- I KNOW THAT. BUT YOU HAVE TO.

10 AND YOU'RE NOT, BY CHECKING THAT ONLY BOX THAT YOU  
11 HAVE, YOU'RE NOT SANCTIONING HIS CONDUCT. WHATEVER THAT  
12 CONDUCT IS THAT YOU FIND, YOU'RE NOT SANCTIONING IT. YOU'RE  
13 NOT SAYING IT'S OKAY TO VIOLATE THE LAW. YOU'RE NOT DOING  
14 THAT. YOU'RE NOT EVEN LOOKING AT THOSE THINGS. YOU  
15 CAN'T -- YOU HAVE TO DIVORCE YOURSELF. IT'S HARD, BUT YOU  
16 HAVE TO DIVORCE YOURSELF.

17 IF YOU GET TO HERE, THEN YOU'VE DECIDED HE HAS  
18 DONE SOMETHING WRONG. NOW, LET'S -- NOW WE HAVE TO DECIDE  
19 WHAT IS THIS CONDUCT -- HIS CONDUCT. AND IT'S PRIMARILY  
20 MR. HYEPOCK. WHAT DOES THAT CONDUCT DO. WHAT IS IT, AND  
21 HOW DOES IT AFFECT, NOT BILLY, BUT SOMEBODY ELSE.

22 OKAY. SO WE HAVE -- I HAVE THE BURDEN OF PROOF,  
23 PREPONDERANCE. IT'S THIS ONE DOWN HERE. I HAVE THE BURDEN  
24 BY A PREPONDERANCE. AND SO IT'S A LITTLE DIFFERENT. WE  
25 USUALLY DON'T HAVE TO PROVE ANYTHING, BUT WE DID HERE. THE  
26 DEFENSE USUALLY DOESN'T HAVE TO PROVE ANYTHING. YOU KNOW,

1 YOU ALWAYS HEAR -- WELL, WHEN WE GET TO THIS WE HAVE TO  
2 PROVE SOMETHING, RIGHT?

3 AND WE DID PROVE SOMETHING. AND WE PROVED A LOT.  
4 AND WE PROVED -- WE PROVED THAT MR. HYEPOCK WAS A POLICE  
5 AGENT, OKAY. HE WAS A POLICE AGENT WHEN THIS CONDUCT  
6 OCCURRED.

7 AND THERE ISN'T ANY QUESTION ABOUT THIS AND YOU  
8 REMEMBER THREE OR FOUR HOURS WE'RE FIGHTING OVER WHEN DID  
9 THIS HAPPEN? WELL, THIS IS WHY, OKAY? AND THIS IS WHY  
10 THERE WAS SOME FUDGING ON THE PART OF LAUNI AND FUDGING ON  
11 THE PART OF HYEPOCK ON THIS, BECAUSE THEY DON'T WANT HYEPOCK  
12 TO BE A POLICE AGENT. BUT HE IS. SO WE PROVED THAT HE IS A  
13 POLICE AGENT. SO THEY ARE STUCK. HE IS STUCK. THEY ARE  
14 ALL STUCK WITH HIM.

15 AND WE PROVED THAT HE LIED. AND WE PROVED THAT  
16 HIS HANDLER LIED. AND THEY LIED BEFORE THEY GOT TO COURT  
17 AND THEY LIED IN COURT TO YOU. WE PROVED THIS BEYOND A  
18 PREPONDERANCE. WE PROVED IT LIKE WITH STIPULATIONS AND WITH  
19 YOUR LOOKING AT HIM. WE PROVED THOSE THINGS. AND WE PROVED  
20 THROUGH THE STIPULATIONS, WHICH ARE BEYOND THINKING NOW,  
21 BEYOND SORT OF DETERMINATION, WE PROVED THAT WHAT HE DID WAS  
22 HORRIBLE. IT DOESN'T JUST, YOU KNOW, PROVIDING THE  
23 OPPORTUNITY. IT WASN'T JUST, YOU KNOW, FLATTERY. IT WAS  
24 OFFERING TO HIM WITH A BIG OLD LIE, NOT \$100,000, BUT HIS  
25 CHILD.

26 ALL RIGHT. WE KNOW -- YOU KNOW, IT'S USEFUL -- I

1 KNOW IT'S SORT OF CUMBERSOME AND YOU DON'T KNOW THE WHOLE  
2 STORY, AND SO WHEN YOU GET THESE PIECES AND YOU GET LOTS OF  
3 BOARDS. BUT I THINK IT'S HELPFUL JUST TO LOOK AT THE COURSE  
4 OF THE CASE TO SEE WHERE THIS STUFF HAPPENED, AND WHAT THE  
5 PEOPLE WERE THINKING AT THE TIME.

6 AND SO WHAT WE KNOW IS -- WHAT WE DO KNOW IS THAT  
7 IN SEPTEMBER, LAUNI MEETS HYEPOCK ON THIS ISSUE, OKAY. WE  
8 KNOW THAT. AND THEY ARE TRYING TO MOVE -- AND YOU SAW THIS  
9 BUT THEY FINALLY ENDED UP HERE. THEY ARE TRYING TO MOVE  
10 THIS DATE OVER. THIS SEPTEMBER 1ST DATE OVER, FOR OBVIOUS  
11 REASONS. BUT IT'S THERE AND THAT'S WHAT HE TESTIFIED TO.

12 SO WE SHOWED THAT THIS IS WHEN IT STARTS. AND  
13 THEN SIX WEEKS, SEVEN WEEKS LATER IS THE FIRST TAPE. AND WE  
14 KNOW THAT LAUNI AND HYEPOCK CREATED THIS STORY. AND WE KNOW  
15 THAT LAUNI LOST, MISPLACED, FORGOT, DIDN'T FOLLOW THE  
16 EVIDENCE. AND THAT HE WASN'T TRUTHFUL WITH YOU ON HIS  
17 KNOWLEDGE AND HIS ASSISTANCE OF HYEPOCK IN THE PAST. AND WE  
18 KNOW WHAT HE DID. AND HE MISLED YOU, AND I SUGGEST LIED TO  
19 YOU, ON WHETHER OR NOT HYEPOCK WAS HIS INFORMANT. HE IS NOT  
20 AN INFORMANT. HE DOESN'T GET ANYTHING. HE IS NOT AN  
21 INFORMANT, OKAY. THAT'S JUST SIMPLY NOT TRUE. HE IS ACTING  
22 HERE, AT LAUNI'S DIRECTION. BUT LAUNI NOW KNOWS, AS YOU DO,  
23 WHAT HAPPENED HERE.

24 ON SEPTEMBER 19TH WHAT HAPPENED HERE. AND SO HE  
25 IS SAYING HE IS NOT AN INFORMANT. HE IS NOT AN INFORMANT.  
26 WHY? BECAUSE THEY KNOW WHAT HAPPENS IF HE IS THE INFORMANT.

1 SO LAUNI, HE KNOWS THE HISTORY OF MR. HYEPOCK, OKAY. HE  
2 KNOWS THAT. BUT HE IS PRETTY CAGEY ABOUT THAT. HE KNOWS  
3 THAT HYEPOCK OWES HIM. AND THEY ALL -- HE OWES HIM BECAUSE  
4 THEY SAVED HIS LIVELIHOOD. THEY WENT TO BAT FOR HIM IN  
5 SECRET. AND THEN SAID WELL, HE DOESN'T GET ANYTHING. WELL,  
6 THEY KNOW THAT. HE KNOWS THAT, AND HE KNOWS ALSO WHEN HE  
7 SENDS MR. HYEPOCK OUT TO GET EVIDENCE, HE KNOWS WHO  
8 MR. HYEPOCK IS.

9 WE HAD THIS LONG DISCUSSION OVER A WEEKEND, YOU  
10 KNOW, WHEN WAS THE DATE? WHEN WAS THE TAPE? AND HE SAID  
11 OVER AND OVER AGAIN IT'S THE 15TH. IT'S SEPTEMBER 15TH.  
12 YOU CAN GO TO, YOU KNOW, I TESTIFIED, ALL OF THAT STUFF.  
13 WELL, THAT TURNS OUT TO BE WRONG. IT'S JUST WRONG. AND HE  
14 STUCK TO THAT, HE STUCK TO THAT UNTIL HE DIDN'T STICK TO IT  
15 ANYMORE.

16 BUT WHAT IT DOES GIVE US, I DON'T THINK  
17 INTENTIONALLY BY HIM, BUT WHAT IT DOES GIVE US, OKAY, IS A  
18 DATE. AND YOU CAN LOOK AT EXHIBIT G, 9/15/13. AT LEAST  
19 AFTER ALL IS SAID AND DONE, AFTER ALL THE DOGS ARE HUNG,  
20 AFTER EVERYTHING IS DONE, WE GOT A DATE, OKAY. AT LEAST --  
21 AND IT'S NOT IN AUGUST. AT LEAST -- AT LEAST HE IS PUSHING  
22 HIM OUT THE DOOR, HE IS MY GUY, ON THE 15TH. AT LEAST THAT.  
23 OKAY.

24 AND HERE IS LAUNI, AND YOU KNOW WHAT, THIS IS  
25 UNFORTUNATE BECAUSE WHAT LAUNI SAYS IS -- AND THIS IS SOLELY  
26 TO GET OUT OF THE INFORMANT THING, YOU KNOW. THAT'S THE

1 ONLY THING. HE WASN'T AN INFORMANT OF MINE. HE WASN'T AN  
2 INFORMANT. HE IS A CITIZEN SAINT.

3 WELL, WHAT ABOUT THIS? AND I ASKED HIM DIDN'T YOU  
4 WRITE THIS? IT'S LIKE IN YOUR -- IT'S LIKE THAT HAS YOUR  
5 NAME AND STUFF. AND IT SAYS, "ORDERED BY THE COURT TO  
6 MAINTAIN MY C.I. FILE. THE DOCUMENTS CONTAINED IN THE FILE  
7 WERE RESEARCHED, RELOCATED. THEY WERE NOT IN THE ORIGINAL  
8 C.I. FILE."

9 NOW, THAT'S KIND OF UNMISTAKABLE, RIGHT? HE IS MY  
10 C.I. THAT'S A FAIR -- ONLY INFERENCE FROM THAT, RIGHT? HE  
11 SAYS NO, AND HE THOUGHT ABOUT THIS. I DON'T REMEMBER. NO.  
12 I DIDN'T DO IT. HE IS NOT MY INFORMANT. ALL THAT STUFF.  
13 AND THE REASON IT IS, THE REASON HE IS DOING IT IS BECAUSE I  
14 GOT TO SHOW HE IS WORKING FOR THE POLICE. AND I DO THAT.  
15 BUT THEN HE KNOWS THE CONSEQUENCES.

16 SO HE IS SAYING -- HOLDING ON, "I DIDN'T WRITE  
17 THIS." "I DON'T REMEMBER WRITING THIS."

18 WELL, WE HAVE A STIPULATION THAT WHEN THE DISTRICT  
19 ATTORNEY'S OFFICE SAYS GIVE US WHAT YOU GOT, WHAT HE GOT  
20 WAS -- WHAT THEY GOT WAS THIS. WHICH SHOWS YEAH -- AND WE  
21 GOT IT FROM SANTA ANA P.D. AND DO YOU THINK FOR A SECOND  
22 SOMEBODY ELSE SORT OF TYPED HIS NAME IN THERE AND HIS  
23 NUMBERS AND PUT IT IN THE FILE, AND THEN GAVE IT TO THE  
24 D.A.? THEY DIDN'T.

25 BUT YOU CAN SEE HOW IMPORTANT LAUNI BELIEVES THIS  
26 ISSUE IS. AND HE IS RIGHT. HE IS WRONG -- HE IS WRONG TO

1 SAY I DIDN'T WRITE IT, AND HE WASN'T MY INFORMANT. BUT HE  
2 RECOGNIZES, AS YOU DO -- AND IN PARTICULARLY -- HE WILL  
3 RESIST THIS. AND WHEN CONFRONTED WITH IT AND ALL THAT STUFF  
4 HE SITS TOUGH AND STRONG, BECAUSE HE KNOWS WHAT IT SHOWS.  
5 AND THAT IS -- THAT'S THE WHY OF THE LIE, RIGHT? IT'S NOT  
6 JUST THAT IT'S NOT SO, BUT YOU WANT TO STEP BACK AND SAY  
7 WELL, WHY DID HE SAY THIS? AND WE KNOW WHY HE SAID IT. WE  
8 KNOW.

9 AND I WANT TO CONTRAST THAT WITH INVESTIGATOR  
10 BEEMAN HERE. I DIDN'T KNOW HE WAS GOING TO BE HERE, BUT I'M  
11 GOING TO SAY SOMETHING NICE ABOUT HIM. EVEN IF HE WAS -- IN  
12 HIS ABSENCE, YOU KNOW. COMPARED TO -- CONTRAST HIM WITH  
13 LAUNI, RIGHT? HE IS A PROFESSIONAL. HE KNOWS WHAT YOU CAN  
14 AND YOU CANNOT DO, RIGHT? HE DOES. AND I'M NOT EMBARRASSED  
15 TO SAY HE DOES.

16 AND WHAT DOES HE TELL YOU? YOU HAVE TO WATCH YOUR  
17 INFORMANT LIKE A HAWK. YOU GOT TO HAVE HIM TAPE EVERYTHING.  
18 EVERYTHING. EVERYTHING. YOU'VE GOT TO HAVE HIM TAPE. AND  
19 YOU HAVE TO SURVEIL HIM WHEN HE DOESN'T KNOW IT. WHY?  
20 BECAUSE YOU DON'T WANT HIM TO SCREW UP THE CASE, OKAY.  
21 THAT'S WHY.

22 HE DOESN'T WANT, RIGHTFULLY SO, HE DOESN'T WANT  
23 THIS CASE TO GO BOOM, BECAUSE OF AN INFORMANT AND BECAUSE OF  
24 THIS. HE DOESN'T WANT IT SO HE SAYS TAPE EVERYTHING.  
25 FOLLOW HIM. BE SURE. BECAUSE THIS COULD GO WRONG IF -- IF  
26 THE POLICE AGENT GOES ROGUE. WE DON'T WANT THAT BECAUSE

1 THAT -- THAT'S FATAL TO THE CASE.

2 SO INVESTIGATOR BEEMAN DID WHAT HE COULD DO, BUT  
3 WHEN HE GOT IN THE KITCHEN, THE CAKE WAS BAKED. THE CAKE  
4 WAS BAKED, RIGHT?

5 HERE, ON SEPTEMBER 19TH, HE COULDN'T CHANGE THAT.  
6 IF HE KNEW ABOUT IT. HE WOULDN'T TOLERATE WHAT HYEPOCK DID.  
7 NOT IN A SECOND. AND YOU CAN'T EITHER. NOT IN A SECOND.

8 A GUY WHO SAYS DON'T YOU CALL OR DON'T YOU BRING  
9 UP THE MURDER, HE IS THINKING ABOUT THIS, RIGHT? SMART.  
10 SMART. HE IS THINKING ABOUT THIS. THE PROBLEM IS THAT HE  
11 COMES IN OFF THIS CHART ON TO THAT CHART, AND IT'S ALL DONE,  
12 FOLKS. IT'S ALL DONE.

13 SO LET'S RECAP WHAT WE KNOW ABOUT MR. HYEPOCK AND  
14 SORT OF THE EVOLUTION OF THIS. AND WE KNOW THAT HE COMES IN  
15 SEPTEMBER, HE IS SAYING LIKE IT'S OCTOBER, BUT YOU CAN'T  
16 BELIEVE WHAT HE SAYS. YOU HAVE TO BELIEVE WHAT HAD TO BE  
17 DRAGGED OUT OF LAUNI.

18 HE GOES TO LAUNI ON THIS DATE, SEPTEMBER 1ST. AND  
19 WHAT DOES HE SAY? I GOT THIS GUY, YOU KNOW, WHO WANTS TO  
20 KILL HIS WIFE. AND WHO GOES THERE? WHO IS HE? HE IS THE  
21 GUY THAT'S SANTA ANA P.D. HAS DONE A LOT OF HELP FOR. A LOT  
22 OF HELP. AND SO HE GOES IN THERE, I GOT THIS CASE. IT'S A  
23 BIG ONE, BOSS. BUDDY. HERE IT IS. AND WHAT DOES LAUNI  
24 SAY? WELL, LAUNI SAYS, AND I HATE TO SAY IT, BUT I GOT --  
25 THERE'S NO MORE GRAPHIC OR, I GUESS, HIS TERM, LAUNI SAYS "I  
26 DIDN'T KNOW IF I HAD CRAP OR NOT. SO I SAID GO OUT, YOU



1 KNOW, GET ME SOME TAPES. GET ME SOME REAL EVIDENCE. I  
2 DON'T KNOW IF I GOT CRAP OR NOT."

3 WELL, THAT TELLS YOU SOMETHING, RIGHT? AND I'M  
4 NOT, YOU KNOW, BLAMING HIM FOR USING THAT WORD IN THIS  
5 COURTROOM. THAT'S NOT IT. HE HAS BEEN A COP FOR 30 YEARS.  
6 HE DOES TALK THAT WAY. BUT IN THAT TALK IS A MESSAGE. IN  
7 THAT TALK IS HIS VIEW OF -- NOT HIS STATED VIEW ONLY OF  
8 MR. HYEPOCK, THE HERO, BUT "I DON'T KNOW IF THIS IS CRAP. I  
9 DON'T KNOW."

10 IT AIN'T ENOUGH JUST ON ACCOUNT OF SEAN SAYS. AND  
11 HE TELLS HIM, GO OUT AND GET SOMETHING. GO OUT AND GET  
12 SOMETHING. GET EVIDENCE.

13 NOW, THAT'S NOT WHAT LAUNI SAID, YOU KNOW -- I  
14 MEAN, WHAT BEEMAN SAYS. BEEMAN SAYS YOU GOT TO WALK BEHIND  
15 HIM, YOU KNOW. FOLLOW HIM. TAPE EVERYTHING. OKAY.

16 SO WHAT HAPPENS IS HE COMES BACK, HE IS TOLD TO  
17 GET SOMETHING, ALL RIGHT. AND REMEMBER WHO GETS -- WHO IS  
18 GETTING SENT OUT HERE AS THE SANTA ANA P.D. REPRESENTATIVE?  
19 IT'S A GUY THAT LAUNI KNOWS USED HIS PROFESSIONAL POSITION  
20 AS A SECURITY -- KNOWS THAT HE USED THAT POSITION IN ORDER  
21 TO DO CRIME. OKAY. HE KNOWS THAT. THEY STOOD UP FOR HIM,  
22 BUT HE KNOWS THAT.

23 AND YOU'LL HAVE EXHIBIT D IN THERE, AND THAT'S  
24 WHAT HE WAS CHARGED WITH AND PLED TO. I MEAN, HE IS TRYING  
25 TO GET AROUND IT, BUT YOU CAN LOOK AT IT, IF YOU WANT. THEY  
26 LOOKED AT IT. I MEAN, LAUNI, WHEN HE SENT HIM OUT, HERE IS

1 A GUY WHO -- WHO IS FALSELY ACCUSING PEOPLE OF CRIMES IN HIS  
2 POSITION IN ORDER FOR GAIN, OKAY.

3 SO HE KNOWS WHEN HE GETS PUSHED OUT THE DOOR, HE  
4 KNOWS THAT, OKAY. HE KNOWS THAT.

5 WHEN HE COMES BACK WITH THIS TAPE, WHAT'S HAPPENED  
6 IN THE BEGINNING? WHAT'S HAPPENING IN HERE? WE KNOW THE  
7 DATE. ON SEPTEMBER 19TH --

8 THE COURT: EXCUSE ME FOR A MOMENT.

9 JUROR 182, ARE YOU JUST RESTING YOUR EYES? THAT'S  
10 YOU, SIR. YOUR HEAD WAS DOWN.

11 JUROR 182: OH, SORRY.

12 THE COURT: I HAVE TO BE SURE ALL JURORS ARE ALERT.

13 JUROR 182: YES.

14 THE COURT: SORRY TO INTERRUPT.

15 MR. BARNETT: I'M ALMOST DONE. BUT I GOT TO GET TO  
16 THIS.

17 AND SO WHEN WE GET TO HERE, WHAT IS HAPPENING IS  
18 ON THIS DAY, THIS TAPE IS AFTER MR. HYEPOCK HAS FALSELY TOLD  
19 HIM, THE GUY WHO IS UPSET WITH HIS WIFE ALREADY, BUT WE  
20 DON'T KNOW IF IT'S A BALL OF CRAP, WHAT HAS HAPPENED. WE  
21 KNOW, AND IT'S UNMISTAKABLE, HYEPOCK HAS PUT THE NEEDLE INTO  
22 THE NERVE ROOT, OKAY. INTO THE NERVE ROOT. THAT'S WHY  
23 LAUNI IS SAYING THIS STUFF. YOU KNOW, I DON'T KNOW, HE IS  
24 NOT MY INFORMANT. THE REFERENCE TO THE CONTRARY.

25 ALL RIGHT. SO HE TELLS -- HYEPOCK TELLS THIS  
26 TERRIBLE, TERRIBLE LIE. AND HE COMES -- IT COMES FROM

1 NOWHERE, RIGHT? IT COMES FROM NOWHERE. IT COMES FROM A  
2 DESIRE TO MAKE -- TO TURN THIS CRAP INTO A CASE. BECAUSE  
3 HIS HANDLER SAYS GET ME SOMETHING I CAN USE, AND BOY DID  
4 THEY GET IT NOW.

5 THIS IS THE CHILD STIPULATION. AND IT'S A  
6 STIPULATION AND IT BREAKS YOUR HEART, AND IT BREAKS THEIR  
7 CASE. AND IT'S WHY WE GOT THIS DANCING AROUND THE  
8 INFORMANT, OKAY. BECAUSE THIS IS IT. AND I HAVE A BURDEN  
9 OF PROVING SOMETHING. I'VE GOT TO PROVE SOMETHING BY A  
10 PREPONDERANCE, AND THAT IS WELL, THEY LIKE DID SOMETHING  
11 WRONG, REAL WRONG, AND THAT MIGHT MOVE A REGULAR GUY, NOT  
12 HIM, TO GO OUTSIDE THE LAW.

13 WELL, THAT'S IT. "THE PARTIES AGREE AND THEY  
14 STIPULATE THAT THE INFORMATION PROVIDED TO DEFENDANT BY  
15 MR. HYEPOCK, TO WIT: THAT THE DEFENDANT'S FOUR-YEAR OLD  
16 DAUGHTER WAS BEING SEXUALLY ABUSED WHILE IN THE CARE OF HER  
17 MOTHER" -- OF JODIE, "WAS FALSE."

18 FORGET ALL THIS STUFF ABOUT HIS WIFE, YOU KNOW.  
19 THEY KEEP CALLING AND THEY ARE BRINGING IT UP AND ALL THIS  
20 STUFF. FORGET -- CREATING AN OPPORTUNITY AND ALL THAT STUFF  
21 THROUGH ALL HERE. AND YOU WILL SEE IT ALL. WHAT HAPPENED?

22 WHAT CHANGES THIS FROM AN ANGRY, UPSET DAD, WHAT  
23 CHANGES IT? WELL, IT'S THAT, OKAY. IT'S THAT.

24 AND, ALL RIGHT. IT'S NOT ON TAPE. HOW ABOUT  
25 THAT? HE SAID IT, YOU KNOW HE SAID IT, BUT IT'S NOT ON  
26 TAPE. IMAGINE THAT. JUST IMAGINE THAT. AND YOU LOOK

1 THROUGH THE TAPES AND HE DOESN'T SAY THAT. BECAUSE AS  
2 DETECTIVE LAUNI SAID, HYEPOCK IS STREET SAVVY. IT'S NOT ON  
3 TAPE.

4 AND HERE IS ANOTHER THING WHICH IS SORT OF  
5 INTERESTING. HE, HYEPOCK, SAYS "I TAPED EVERY  
6 CONVERSATION," OKAY. INVESTIGATOR BEEMAN SAYS "YOU GOT TO  
7 TAPE EVERY CONVERSATION." WHY? BECAUSE WE DON'T WANT OUR  
8 INFORMANT SCREWING THINGS UP. GETTING US HERE. SO YOU HAVE  
9 TO TAPE EVERYTHING.

10 AND THAT SEEMS LIKE A REASONABLE PROCEDURE.  
11 ESPECIALLY IF YOU'VE GOT A WING-NUT OUT THERE DOING POLICE  
12 WORK. BUT HE DIDN'T KNOW. BUT -- OKAY, BUT, I TRACKED --  
13 AND YOU HAVE THE PHONE RECORDS. AND THERE'S NO MISTAKE  
14 ABOUT THIS. THOSE PHONE RECORDS, AND YOU CAN SEE THE PHONE  
15 RECORDS AND THE TIMES WHEN HE CALLS HIM, OKAY. THEY'RE  
16 SELF-AUTHENTICATING. THERE'S NO REAL DOUBT ABOUT THAT,  
17 OKAY. THERE'S TWO OR THREE PHONE CALLS. AND YOU KNOW THE  
18 TIMES. AND YOU'LL SEE THE TIMES, IT'S RIGHT ON THERE.  
19 WHAT'S NOT IN THE TAPES? WHAT'S NOT HERE? WELL, EVERYTHING  
20 UNDERNEATH THIS LINE, OKAY, ARE CALLS. AND THEY START HERE  
21 IN SEPTEMBER, AND THEY GO ALL THE WAY THROUGH. AND THERE'S  
22 20 OF THEM.

23 AND TALKING ABOUT -- AND YOU KNOW WHAT, JUST LIKE  
24 LAUNI IS SAYING HE IS NOT AN INFORMANT, WHEN HE IS GOT AN  
25 INFORMANT FILE. WHICH IS THE DEAD OBVIOUS THING AND THEY  
26 HOLD TO IT. WHAT DOES HYEPOCK SAY? WHAT DOES HE SAY?

1 WELL, ALL THESE CALLS MUST HAVE BEEN THEY DIDN'T CONNECT.  
2 WHY? WHY LIE ABOUT THAT? BECAUSE HE KNOWS.

3 AND SO SAYS WELL, THIS CALL FOR 18 SECONDS, THAT'S  
4 WRONG. YOU CAN SEE WHAT THE PHONE BILL LOOKED LIKE. YOU  
5 CAN SEE THAT THIS IS NOT 312 SECONDS OF HOLDING. YOU DON'T  
6 GET THE MINUTES. YOU DON'T GET THIS STUFF. YOU DON'T GET  
7 THE SECONDS. YOU DON'T GET THIS STUFF UNLESS YOU'RE TALKING  
8 TO SOMEBODY, RIGHT? YET HE CLINGS TO THAT AND WE GO THROUGH  
9 IT ON HERE. YOU CAN MATCH THE RECORDS -- I GET IT, BUT YOU  
10 CAN MATCH THE RECORDS TO THE CHARTS WHICH ARE IN EVIDENCE,  
11 AND YOU CAN SEE ALL THE WAY UP THERE HE IS HAVING THESE  
12 CALLS THAT ARE SUPPOSED TO BE RECORDED AND NOT, WHO HE SAID  
13 WHICH WERE RECORDED AND NOT. AND YOU CAN EVEN SEE HERE,  
14 WHICH IS SORT OF INTERESTING. WHEN THEY GO TO SEE BEEMAN AT  
15 11:55, IT'S TAPED. AN HOUR BEFORE THAT, SETTING UP THIS  
16 CALL, IS ANOTHER CALL, WHICH IS NOT RECORDED.

17 HE IS STREET SAVVY, MR. HYEPOCK. HE IS THAT.

18 THEY ARE NOT ON TAPE, BUT HYEPOCK SAID IT. WE  
19 HAVE A STIPULATION. AND THEY ARE NOT ON TAPE BECAUSE  
20 HYEPOCK SAID IT.

21 THE REASON THEY ARE NOT ON TAPE, THIS ISN'T ON  
22 TAPE, THIS CONVERSATION IS ON TAPE, IS BECAUSE THEY KNOW.  
23 AND THEY KNOW WE'RE GOING TO BE IN A COURTROOM IN 2017.  
24 IT'S NOT ON TAPE BECAUSE THEY DON'T -- "THEY,"  
25 MR. HYEPOCK -- AND IT'S NOT ON TAPE BECAUSE IT PROVES  
26 ENTRAPMENT. AND IT DOES.

1           A PERSON IS ENTRAPPED IF THE LEO, LAW ENFORCEMENT  
2 OFFICER OR AGENT, ENGAGED IN CONDUCT THAT WOULD CAUSE A  
3 NORMALLY LAW ABIDING PERSON TO COMMIT THE CRIME.

4           WHEN DECIDING WHETHER THE DEFENDANT WAS ENTRAPPED  
5 CONSIDER WHAT A NORMALLY LAW ABIDING CITIZEN WOULD HAVE DONE  
6 IN THIS CASE. DO NOT CONSIDER HIS PARTICULAR INTENTIONS OR  
7 CHARACTER, OR WHETHER HE HAS A PREDISPOSITION FOR THIS  
8 CRIME.

9           SO THIS IS IT, RIGHT? IS THIS THE RAREST CASE  
10 WHERE YOU SAY I CAN'T -- THIS IS ONE THING I CAN'T SANCTION.  
11 I CAN'T SANCTION GOING TO A DAD AND TELLING HIM A LIE.  
12 TELLING HIM A LIE ABOUT HIS FOUR-YEAR-OLD DAUGHTER BEING  
13 SEXUALLY MOLESTED. CAN YOU SANCTION -- CAN YOU SAY THAT  
14 THIS IS OKAY? CAN YOU SAY THAT THIS ISN'T GOING TO HAVE AN  
15 EFFECT?

16           IF YOU COULD THINK OF ONE THING IN YOUR UNIVERSE  
17 OF THOUGHT, IN YOUR DARKEST NIGHT, THE ONE THING, THE ONE  
18 THING THAT -- NOT BILLY, NOT BILLY, BUT JUST A NORMAL  
19 PERSON, THE NLAP, THE NORMAL LAW ABIDING PERSON, COULD YOU  
20 THINK OF JUST ONE THING THAT COULD PUT YOU OVER THE EDGE?  
21 COULD YOU THINK OF JUST ONE THING THAT WOULD MAKE YOU, WOULD  
22 MAKE A REGULAR PERSON, STEP OVER THE LINE, SOME ONE THING?

23           AND ONE THING THAT WE CANNOT, WHEN WE'RE LOOKING  
24 AT NORMAL LAW ABIDING PEOPLE, AND WE'RE LOOKING AT POLICE  
25 CONDUCT, AND WE'RE ASKING YOU TO BE THAT VOICE, THIS IS THAT  
26 ONE THING, RIGHT? THIS IS THE ONE THING THAT WE CANNOT

1 TOLERATE. WE CANNOT HAVE THIS BEING PUT INTO THE NORMALLY  
2 LAW ABIDING PERSON, TAKING THIS AND PUTTING INTO THE NERVE  
3 ROOT AND SAYING YOUR LITTLE FOUR-YEAR OLD, WHO YOU HAVE TO  
4 TURN OVER TO YOUR WIFE, IS BEING SEXUALLY ABUSED -- AND HAVE  
5 THAT BE A LIE AND HAVE THAT -- YOU CAN'T DO IT.

6 AND THE ONLY WAY THAT YOU SAY THAT IS TO VOTE NOT  
7 GUILTY. AND THAT'S WHAT THESE FACTS COMPEL. NOT GUILTY.  
8 THANK YOU.

9 THE COURT: THANK YOU.

10 MY IS A GOOD TIME TO TAKE A BREAK. LADIES AND  
11 GENTLEMEN. IT'S QUARTER OF 11:00. PLEASE BE BACK AT 11:00.

12 (RECESS TAKEN.)

13 (THE FOLLOWING PROCEEDINGS WERE HELD IN  
14 OPEN COURT, OUT OF THE PRESENCE OF THE JURY:)

15 THE COURT: BACK ON THE RECORD. THE DEFENDANT IS  
16 PRESENT. COUNSEL ARE PRESENT.

17 MR. BARNETT.

18 MR. BARNETT: YES, YOUR HONOR. THE COURT, IN  
19 INSTRUCTING THE JURY, ARE EXPLAINING WHY THE PROSECUTOR GETS  
20 THE LAST WORD IS BECAUSE THEY HAVE THE BURDEN OF PROOF, AND  
21 I'M ASKING JUST TO BE ALLOWED TO REBUT THE PEOPLE'S ARGUMENT  
22 NOW BECAUSE I HAVE THE BURDEN OF PROOF ON ENTRAPMENT. AND,  
23 I MEAN, FAIR IS FAIR, RIGHT? IF THE REASON IS THEY GET,  
24 WHEN THEY HAVE THE BURDEN, THEY GET THE LAST SHOT, BUT I  
25 HAVE THE BURDEN HERE, SO DID -- AND THE PEOPLE DIDN'T SAY A  
26 WORD ABOUT IT IN THEIR OPENING, SO SINCE I HAVE THE BURDEN,

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| CALLING_NBR    | CALLED_NBR     | DIALED_DIGITS  | M_R_#    | START_DATE        | END_DATE          | DURATION(SEC) | NEID | REPOLL_# |
|----------------|----------------|----------------|----------|-------------------|-------------------|---------------|------|----------|
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 12/18/13 16:33:56 | 12/18/13 16:33:56 | 0             | 198  | 522      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/18/13 16:38:59 | 12/18/13 16:38:59 | 0             | 227  | 514      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 12/18/13 16:39:58 | 12/18/13 16:39:58 | 0             | 198  | 531      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/18/13 16:40:45 | 12/18/13 16:40:45 | 0             | 229  | 525      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/18/13 22:41:45 | 12/18/13 22:41:45 | 0             | 226  | 533      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 12/19/13 7:21:23  | 12/19/13 7:21:23  | 0             | 198  | 297      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/19/13 7:32:02  | 12/19/13 7:32:02  | 0             | 229  | 533      |
| (714) 904-6649 | (949) 607-6710 | (949) 607-6710 | Outbound | 12/20/13 11:24:24 | 12/20/13 11:24:58 | 34            | 41   | 642      |
| (714) 904-6649 | (949) 607-6710 | (949) 607-6710 | Outbound | 12/20/13 11:44:16 | 12/20/13 11:44:37 | 21            | 41   | 642      |
| (949) 607-6710 | (714) 904-6649 | (714) 904-6649 | Inbound  | 12/20/13 11:47:09 | 12/20/13 11:48:37 | 88            | 41   | 642      |
| (714) 904-6649 | (949) 607-6710 | (949) 607-6710 | Outbound | 12/20/13 12:01:44 | 12/20/13 12:02:53 | 69            | 41   | 642      |
| (714) 904-6649 | (949) 607-6710 | (949) 607-6710 | Outbound | 12/20/13 12:08:13 | 12/20/13 12:08:19 | 6             | 41   | 642      |
| (714) 904-6649 | (949) 607-6710 | (949) 607-6710 | Outbound | 12/20/13 12:08:24 | 12/20/13 12:09:35 | 71            | 41   | 642      |
| (949) 607-6710 | (714) 904-6649 | (714) 904-6649 | Inbound  | 12/20/13 12:12:40 | 12/20/13 12:15:52 | 192           | 41   | 642      |
| (714) 904-6649 | (949) 607-6710 | (949) 607-6710 | Outbound | 12/20/13 2:59:36  | 12/20/13 13:00:24 | 46            | 41   | 642      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/20/13 13:33:13 | 12/20/13 13:33:13 | 0             | 226  | 523      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/20/13 13:33:13 | 12/20/13 13:33:13 | 0             | 227  | 518      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 12/20/13 13:57:56 | 12/20/13 13:57:56 | 0             | 198  | 516      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/20/13 14:24:31 | 12/20/13 14:24:31 | 0             | 227  | 631      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 12/20/13 14:25:00 | 12/20/13 14:25:00 | 0             | 198  | 530      |
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| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/20/13 14:32:07 | 12/20/13 14:32:07 | 0             | 198  | 533      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 12/20/13 14:45:45 | 12/20/13 14:45:45 | 0             | 227  | 297      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/20/13 14:48:27 | 12/20/13 14:48:27 | 0             | 198  | 296      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/20/13 15:06:19 | 12/20/13 15:06:19 | 0             | 227  | 298      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/20/13 15:06:20 | 12/20/13 15:06:20 | 0             | 229  | 514      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 12/20/13 15:10:09 | 12/20/13 15:10:09 | 0             | 198  | 525      |
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| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/20/13 15:11:37 | 12/20/13 15:11:37 | 0             | 228  | 522      |
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| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/20/13 17:41:11 | 12/20/13 17:41:11 | 0             | 228  | 296      |

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| CALLING_NBR    | CALLED_NBR     | DIALED_DIGITS  | M_R_#    | START_DATE        | END_DATE          | DURATION(SEC) | NEED | REPOLL_# |
|----------------|----------------|----------------|----------|-------------------|-------------------|---------------|------|----------|
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 12/13/13 19:53:54 | 12/13/13 19:53:54 | 0             | 198  | 517      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/13/13 19:57:11 | 12/13/13 19:57:11 | 0             | 228  | 525      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 12/13/13 19:57:39 | 12/13/13 19:57:39 | 0             | 198  | 522      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/13/13 20:01:30 | 12/13/13 20:01:30 | 0             | 227  | 296      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/13/13 20:01:57 | 12/13/13 20:01:57 | 0             | 229  | 517      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 12/13/13 20:02:24 | 12/13/13 20:02:24 | 0             | 198  | 530      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/14/13 16:47:37 | 12/14/13 16:47:37 | 0             | 227  | 520      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 12/14/13 16:49:53 | 12/14/13 16:49:53 | 0             | 198  | 297      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/14/13 16:53:00 | 12/14/13 16:53:00 | 0             | 227  | 524      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 12/15/13 8:42:53  | 12/15/13 8:42:53  | 0             | 198  | 517      |
| (714) 904-6649 | (949) 607-6710 | (949) 607-6710 | Outbound | 12/16/13 8:21:04  | 12/16/13 8:21:43  | 39            | 65   | 639      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/16/13 10:25:18 | 12/16/13 10:25:18 | 0             | 229  | 529      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/16/13 10:25:18 | 12/16/13 10:25:18 | 0             | 227  | 526      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 12/16/13 10:28:32 | 12/16/13 10:28:32 | 0             | 198  | 525      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 12/16/13 10:28:37 | 12/16/13 10:28:37 | 0             | 198  | 515      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/16/13 10:30:42 | 12/16/13 10:30:42 | 0             | 227  | 531      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 12/16/13 10:30:56 | 12/16/13 10:30:56 | 0             | 198  | 530      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/16/13 10:31:30 | 12/16/13 10:31:30 | 0             | 226  | 529      |
| (714) 904-6649 | (714) 904-6649 | (714) 904-6649 | Outbound | 12/16/13 10:35:27 | 12/16/13 10:36:14 | 47            | 65   | 639      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/17/13 12:44:57 | 12/17/13 12:45:32 | 35            | 42   | 644      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/17/13 13:57:33 | 12/17/13 13:58:04 | 31            | 41   | 642      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/17/13 14:21:15 | 12/17/13 14:21:15 | 0             | 228  | 526      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/17/13 14:37:00 | 12/17/13 14:37:35 | 35            | 41   | 642      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/17/13 15:23:01 | 12/17/13 15:23:19 | 18            | 41   | 642      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/17/13 15:23:56 | 12/17/13 15:24:17 | 21            | 41   | 642      |
| (714) 904-6649 | (949) 607-6710 | (949) 607-6710 | Outbound | 12/18/13 13:38:19 | 12/18/13 13:38:45 | 26            | 41   | 642      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/18/13 15:43:04 | 12/18/13 15:43:04 | 0             | 226  | 517      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/18/13 16:15:29 | 12/18/13 16:15:29 | 0             | 226  | 533      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 12/18/13 16:21:28 | 12/18/13 16:21:28 | 0             | 198  | 514      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 12/18/13 16:21:36 | 12/18/13 16:21:36 | 0             | 198  | 519      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/18/13 16:27:05 | 12/18/13 16:27:05 | 0             | 229  | 295      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 12/18/13 16:29:49 | 12/18/13 16:29:49 | 0             | 198  | 516      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/18/13 16:32:48 | 12/18/13 16:32:48 | 0             | 226  | 530      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/18/13 16:33:27 | 12/18/13 16:33:27 | 0             | 228  | 530      |

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Call Records for PTN 7149046649

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| CALLING_NBR    | CALLED_NBR     | DIALED_DIGITS  | M_R_#    | START_DATE        | END_DATE          | DURATION(SEC) | NEED | REPOLL_# |
|----------------|----------------|----------------|----------|-------------------|-------------------|---------------|------|----------|
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 11/28/13 11:31:46 | 11/28/13 11:31:46 | 0             | 229  | 519      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/1/13 12:57:41  | 12/1/13 12:57:41  | 0             | 226  | 515      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 12/1/13 16:03:12  | 12/1/13 16:03:12  | 0             | 198  | 531      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/1/13 16:04:34  | 12/1/13 16:04:34  | 0             | 229  | 532      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/1/13 16:07:15  | 12/1/13 16:07:15  | 0             | 227  | 514      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/4/13 13:12:04  | 12/4/13 13:12:04  | 0             | 229  | 526      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 12/4/13 13:23:11  | 12/4/13 13:23:11  | 0             | 198  | 533      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/4/13 13:24:19  | 12/4/13 13:24:19  | 0             | 227  | 531      |
| (714) 904-6649 | (949) 607-6710 | (949) 607-6710 | Outbound | 12/6/13 8:42:29   | 12/6/13 8:44:37   | 122           | 41   | 642      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 12/6/13 10:05:55  | 12/6/13 10:05:55  | 0             | 198  | 297      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/6/13 10:08:45  | 12/6/13 10:08:45  | 0             | 227  | 295      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 12/6/13 10:09:04  | 12/6/13 10:09:04  | 0             | 198  | 533      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/6/13 10:12:45  | 12/6/13 10:12:45  | 0             | 228  | 530      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 12/6/13 10:24:35  | 12/6/13 10:24:35  | 0             | 198  | 521      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/6/13 10:25:39  | 12/6/13 10:25:39  | 0             | 229  | 297      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 12/6/13 10:27:22  | 12/6/13 10:27:22  | 0             | 198  | 522      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 12/6/13 10:27:32  | 12/6/13 10:27:32  | 0             | 198  | 522      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/6/13 10:32:32  | 12/6/13 10:32:32  | 0             | 229  | 519      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 12/6/13 10:35:36  | 12/6/13 10:35:36  | 0             | 198  | 295      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/6/13 10:37:11  | 12/6/13 10:37:11  | 0             | 228  | 519      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/1/13 0:17:57   | 12/1/13 0:17:57   | 0             | 229  | 523      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 12/1/13 5:11:06   | 12/1/13 5:11:06   | 0             | 198  | 518      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/1/13 10:33:08  | 12/1/13 10:33:08  | 0             | 226  | 527      |
| (714) 904-6649 | (949) 607-6710 | (949) 607-6710 | Outbound | 12/1/13 13:27:42  | 12/1/13 13:28:09  | 27            | 41   | 642      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/1/13 15:20:40  | 12/1/13 15:20:40  | 0             | 226  | 528      |
| (714) 904-6649 | (949) 607-6710 | (949) 607-6710 | Outbound | 12/1/13 16:44:20  | 12/1/13 16:44:53  | 33            | 41   | 642      |
| (714) 904-6649 | (949) 607-6710 | (949) 607-6710 | Outbound | 12/1/13 17:31:41  | 12/1/13 17:32:10  | 29            | 41   | 642      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/1/13 18:45:25  | 12/1/13 18:45:25  | 0             | 227  | 296      |
| (714) 904-6649 | (949) 607-6710 | (949) 607-6710 | Outbound | 12/1/13 19:28:09  | 12/1/13 19:28:44  | 35            | 41   | 642      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/1/13 16:25:42  | 12/1/13 16:25:42  | 0             | 227  | 297      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/1/13 16:25:43  | 12/1/13 16:25:43  | 0             | 228  | 516      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 12/1/13 20:40:10  | 12/1/13 20:40:10  | 0             | 198  | 514      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 12/1/13 20:41:53  | 12/1/13 20:41:53  | 0             | 229  | 296      |
| (714) 904-6649 | (949) 607-6710 | (949) 607-6710 | Outbound | 12/1/13 15:20:18  | 12/1/13 15:21:42  | 84            | 41   | 642      |

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Call Records for PTN 7149046649

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| CALLING_NBR    | CALLED_NBR     | DIALED_DIGITS  | M_R_#    | START_DATE      | END_DATE        | DURATION(SEC) | NEED | REPOLL_# |
|----------------|----------------|----------------|----------|-----------------|-----------------|---------------|------|----------|
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/2/13 15:19:11 | 9/2/13 15:19:11 | 0             | 228  | 533      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/2/13 15:19:34 | 9/2/13 15:19:34 | 0             | 227  | 524      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/2/13 15:21:15 | 9/2/13 15:21:15 | 0             | 198  | 298      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/2/13 15:22:09 | 9/2/13 15:22:09 | 0             | 227  | 519      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/2/13 15:23:27 | 9/2/13 15:23:27 | 0             | 198  | 533      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/2/13 15:24:11 | 9/2/13 15:24:11 | 0             | 229  | 523      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/2/13 19:18:56 | 9/2/13 18:18:56 | 0             | 229  | 523      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/2/13 19:24:07 | 9/2/13 18:24:07 | 0             | 227  | 519      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/2/13 19:26:21 | 9/2/13 19:26:21 | 0             | 198  | 298      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/2/13 19:26:42 | 9/2/13 19:26:42 | 0             | 226  | 529      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/2/13 19:30:09 | 9/2/13 19:30:09 | 0             | 226  | 518      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/2/13 19:31:33 | 9/2/13 19:31:33 | 0             | 198  | 518      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/2/13 19:31:49 | 9/2/13 19:31:49 | 0             | 227  | 524      |
| (714) 904-6649 | (714) 904-6649 | (714) 904-6649 | Outbound | 9/2/13 22:20:45 | 9/2/13 22:21:03 | 18            | 41   | 642      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/3/13 13:14:59 | 9/3/13 13:14:59 | 0             | 228  | 531      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/3/13 13:17:14 | 9/3/13 13:17:14 | 0             | 198  | 529      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/3/13 13:43:37 | 9/3/13 13:43:37 | 0             | 198  | 531      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/3/13 13:45:03 | 9/3/13 13:45:03 | 0             | 226  | 525      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/3/13 13:52:59 | 9/3/13 13:52:59 | 0             | 198  | 521      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/3/13 21:33:45 | 9/3/13 21:35:30 | 105           | 41   | 642      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/3/13 21:49:43 | 9/3/13 21:52:03 | 140           | 41   | 642      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/3/13 22:37:28 | 9/3/13 22:38:02 | 34            | 41   | 642      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/3/13 22:46:01 | 9/3/13 22:46:34 | 33            | 41   | 642      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/3/13 23:33:03 | 9/3/13 23:33:03 | 0             | 198  | 522      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/3/13 23:38:47 | 9/3/13 23:38:47 | 0             | 198  | 526      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/3/13 23:38:48 | 9/3/13 23:38:48 | 0             | 198  | 524      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/3/13 23:45:14 | 9/3/13 23:45:14 | 0             | 198  | 531      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/3/13 23:56:01 | 9/3/13 23:56:01 | 0             | 198  | 529      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/3/13 23:57:52 | 9/3/13 23:57:52 | 0             | 198  | 533      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/4/13 0:02:49  | 9/4/13 0:02:49  | 0             | 198  | 297      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/4/13 11:48:48 | 9/4/13 11:48:48 | 0             | 228  | 522      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/4/13 11:50:46 | 9/4/13 11:50:46 | 0             | 198  | 527      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/4/13 11:53:17 | 9/4/13 11:53:17 | 0             | 227  | 527      |

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Call Records for PTN 7149046649

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| CALLING_NBR    | CALLED_NBR     | DIALED_DIGITS  | M_R_#    | START_DATE       | END_DATE         | DURATION(SEC) | NEID | REPOLL_# |
|----------------|----------------|----------------|----------|------------------|------------------|---------------|------|----------|
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/11/13 11:57:29 | 9/11/13 11:57:29 | 0             | 198  | 516      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/11/13 11:58:58 | 9/11/13 11:58:58 | 0             | 227  | 530      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/11/13 12:06:30 | 9/11/13 12:06:30 | 0             | 198  | 520      |
| (714) 904-6649 | (714) 904-6649 |                | Outbound | 9/11/13 12:38:22 | 9/11/13 12:38:22 | 0             | 226  | 527      |
| (714) 904-6649 | (714) 904-6649 |                | Inbound  | 9/11/13 12:38:22 | 9/11/13 12:38:22 | 0             | 226  | 520      |
| (714) 904-6649 | (949) 607-6710 | (949) 607-6710 | Outbound | 9/12/13 11:37:00 | 9/12/13 11:39:03 | 123           | 41   | 642      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/12/13 13:32:34 | 9/12/13 13:32:34 | 0             | 229  | 518      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/12/13 13:44:06 | 9/12/13 13:44:06 | 0             | 198  | 519      |
| (714) 904-6649 | (714) 904-6649 |                | Outbound | 9/12/13 15:53:01 | 9/12/13 15:53:01 | 0             | 227  | 525      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/12/13 15:53:02 | 9/12/13 15:53:02 | 0             | 228  | 532      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/12/13 15:55:29 | 9/12/13 15:55:29 | 0             | 198  | 524      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/12/13 15:56:12 | 9/12/13 15:56:12 | 0             | 229  | 531      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/12/13 16:15:32 | 9/12/13 16:15:32 | 0             | 228  | 531      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/12/13 16:37:54 | 9/12/13 16:37:54 | 0             | 198  | 533      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/12/13 16:40:46 | 9/12/13 16:40:46 | 0             | 227  | 529      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/12/13 16:41:44 | 9/12/13 16:41:44 | 0             | 198  | 528      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/12/13 16:44:06 | 9/12/13 16:44:06 | 0             | 228  | 519      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/12/13 17:01:39 | 9/12/13 17:01:39 | 0             | 198  | 520      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/12/13 17:03:04 | 9/12/13 17:03:04 | 0             | 227  | 515      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/12/13 17:04:12 | 9/12/13 17:04:12 | 0             | 226  | 522      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/12/13 17:04:22 | 9/12/13 17:04:22 | 0             | 226  | 522      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/12/13 17:07:44 | 9/12/13 17:07:44 | 0             | 198  | 519      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/12/13 17:07:52 | 9/12/13 17:07:52 | 0             | 198  | 529      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/12/13 17:10:14 | 9/12/13 17:10:14 | 0             | 228  | 518      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/12/13 17:12:06 | 9/12/13 17:12:06 | 0             | 228  | 522      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/12/13 17:14:19 | 9/12/13 17:14:19 | 0             | 198  | 514      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/12/13 17:15:15 | 9/12/13 17:15:15 | 0             | 226  | 522      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/19/13 1:26:13  | 9/19/13 1:26:13  | 0             | 226  | 524      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/19/13 8:36:27  | 9/19/13 8:36:27  | 0             | 198  | 514      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/19/13 16:15:58 | 9/19/13 16:15:58 | 0             | 226  | 517      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/19/13 16:16:19 | 9/19/13 16:16:19 | 0             | 198  | 297      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/19/13 16:16:38 | 9/19/13 16:16:38 | 0             | 228  | 524      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/19/13 16:17:11 | 9/19/13 16:17:11 | 0             | 228  | 524      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/19/13 16:17:17 | 9/19/13 16:17:17 | 0             | 228  | 524      |

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Call Records for PTN 7149046649

| CALLING_NBR    | CALLED_NBR     | DIALED_DIGITS  | M_R_#    | START_DATE       | END_DATE         | DURATION(SEC) | NEED | REPOLL_# |
|----------------|----------------|----------------|----------|------------------|------------------|---------------|------|----------|
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/19/13 16:21:11 | 9/19/13 16:21:11 | 0             | 198  | 517      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/19/13 16:21:18 | 9/19/13 16:21:18 | 0             | 198  | 520      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/19/13 16:32:44 | 9/19/13 16:32:44 | 0             | 226  | 531      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/20/13 0:49:17  | 9/20/13 0:49:17  | 0             | 198  | 523      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/20/13 0:51:14  | 9/20/13 0:51:14  | 0             | 227  | 521      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/20/13 1:16:10  | 9/20/13 1:16:10  | 0             | 198  | 526      |
| (949) 607-6710 | (714) 904-6649 | (714) 904-6649 | Inbound  | 9/20/13 20:26:43 | 9/20/13 20:27:11 | 28            | 41   | 642      |
| (714) 904-6649 | (949) 607-6710 | (949) 607-6710 | Outbound | 9/20/13 20:28:04 | 9/20/13 20:32:09 | 245           | 41   | 642      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/21/13 18:29:02 | 9/21/13 18:29:02 | 0             | 198  | 515      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/21/13 18:29:21 | 9/21/13 18:29:21 | 0             | 198  | 522      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/21/13 18:39:06 | 9/21/13 18:39:06 | 0             | 228  | 517      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/21/13 18:42:53 | 9/21/13 18:42:53 | 0             | 198  | 532      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/21/13 18:43:05 | 9/21/13 18:43:05 | 0             | 198  | 532      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/21/13 18:43:47 | 9/21/13 18:43:47 | 0             | 227  | 298      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/21/13 18:53:55 | 9/21/13 18:53:55 | 0             | 198  | 521      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/23/13 13:08:34 | 9/23/13 13:08:34 | 0             | 227  | 533      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/23/13 13:17:19 | 9/23/13 13:17:19 | 0             | 198  | 531      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/23/13 13:18:05 | 9/23/13 13:18:05 | 0             | 229  | 532      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/23/13 13:20:18 | 9/23/13 13:20:18 | 0             | 198  | 524      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/23/13 13:21:39 | 9/23/13 13:21:39 | 0             | 226  | 529      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/23/13 17:26:43 | 9/23/13 17:26:43 | 0             | 226  | 518      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/23/13 17:35:41 | 9/23/13 17:35:41 | 0             | 198  | 528      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/23/13 17:37:09 | 9/23/13 17:37:09 | 0             | 226  | 530      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/24/13 12:38:28 | 9/24/13 12:38:28 | 0             | 198  | 520      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/24/13 12:40:05 | 9/24/13 12:40:05 | 0             | 229  | 530      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/24/13 12:41:16 | 9/24/13 12:41:16 | 0             | 198  | 530      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/24/13 12:41:49 | 9/24/13 12:41:49 | 0             | 229  | 297      |
| (714) 904-6649 | (949) 607-6710 | (714) 904-6649 | Outbound | 9/25/13 16:08:09 | 9/25/13 16:14:26 | 197           | 41   | 642      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/25/13 20:00:25 | 9/25/13 20:00:25 | 0             | 227  | 525      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/25/13 20:13:22 | 9/25/13 20:13:22 | 0             | 198  | 521      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/25/13 20:15:15 | 9/25/13 20:15:15 | 0             | 226  | 524      |
| (949) 607-6710 | (714) 904-6649 | (714) 904-6649 | Inbound  | 9/26/13 10:09:33 | 9/26/13 10:10:17 | 44            | 41   | 642      |
| (714) 904-6649 | (949) 607-6710 |                | Inbound  | 9/26/13 23:15:06 | 9/26/13 23:15:06 | 0             | 198  | 528      |
| (949) 607-6710 | (714) 904-6649 |                | Outbound | 9/26/13 23:26:21 | 9/26/13 23:26:21 | 0             | 226  | 528      |

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Call Records for PTN 7149046649

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| CALLING_NBR    | CALLED_NBR     | DIALED_DIGITS  | M_R_#    | START_DATE        | END_DATE          | DURATION(SEC) | NEID | REPOLL_# |
|----------------|----------------|----------------|----------|-------------------|-------------------|---------------|------|----------|
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/27/13 20:55:22  | 9/27/13 20:55:22  | 0             | 229  | 620      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/27/13 21:09:47  | 9/27/13 21:09:47  | 0             | 198  | 297      |
| (949) 607-6710 | (714) 904-6649 | (714) 904-6649 | Inbound  | 9/30/13 20:48:51  | 9/30/13 20:51:56  | 185           | 41   | 642      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/30/13 22:48:14  | 9/30/13 22:48:14  | 0             | 229  | 526      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 9/30/13 22:52:25  | 9/30/13 22:52:25  | 0             | 198  | 297      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 9/30/13 22:53:35  | 9/30/13 22:53:35  | 0             | 226  | 298      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 10/1/13 10:50:51  | 10/1/13 10:50:51  | 0             | 198  | 295      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 10/1/13 10:55:30  | 10/1/13 10:55:30  | 0             | 228  | 532      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 10/2/13 12:50:55  | 10/2/13 12:50:55  | 0             | 198  | 528      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 10/2/13 12:52:37  | 10/2/13 12:52:37  | 0             | 228  | 531      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 10/2/13 13:35:40  | 10/2/13 13:35:40  | 0             | 198  | 296      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 10/3/13 12:49:21  | 10/3/13 12:49:21  | 0             | 227  | 297      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 10/3/13 12:52:31  | 10/3/13 12:52:31  | 0             | 198  | 528      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 10/3/13 12:53:11  | 10/3/13 12:53:11  | 0             | 226  | 525      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 10/3/13 12:53:35  | 10/3/13 12:53:35  | 0             | 198  | 529      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 10/3/13 12:53:58  | 10/3/13 12:53:58  | 0             | 229  | 515      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 10/5/13 8:58:25   | 10/5/13 8:58:25   | 0             | 198  | 514      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 10/5/13 8:58:39   | 10/5/13 8:58:39   | 0             | 198  | 514      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 10/7/13 14:22:08  | 10/7/13 14:22:08  | 0             | 227  | 298      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 10/7/13 14:22:08  | 10/7/13 14:22:08  | 0             | 227  | 528      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 10/7/13 14:22:49  | 10/7/13 14:22:49  | 0             | 226  | 515      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 10/7/13 14:22:49  | 10/7/13 14:22:49  | 0             | 226  | 522      |
| (949) 607-6710 | (714) 904-6649 | (714) 904-6649 | Inbound  | 10/9/13 17:05:59  | 10/9/13 17:07:55  | 116           | 41   | 642      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 10/13/13 18:29:43 | 10/13/13 18:29:43 | 0             | 198  | 519      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 10/13/13 18:29:49 | 10/13/13 18:29:49 | 0             | 198  | 519      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 10/13/13 18:32:24 | 10/13/13 18:32:24 | 0             | 226  | 518      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 10/13/13 18:34:08 | 10/13/13 18:34:08 | 0             | 198  | 522      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 10/13/13 18:35:27 | 10/13/13 18:35:27 | 0             | 198  | 522      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 10/13/13 18:36:29 | 10/13/13 18:36:29 | 0             | 228  | 518      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 10/13/13 18:36:36 | 10/13/13 18:36:36 | 0             | 198  | 526      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 10/13/13 18:37:15 | 10/13/13 18:37:15 | 0             | 198  | 296      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 10/13/13 18:37:49 | 10/13/13 18:37:49 | 0             | 226  | 527      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 10/13/13 18:38:46 | 10/13/13 18:38:46 | 0             | 198  | 297      |

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Call Records for PTN 7149046649

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| CALLING_NBR    | CALLED_NBR     | DALED_DIGITS   | M_R_#    | START_DATE        | END_DATE          | DURATION(SEC) | NEED | REPOLL_# |
|----------------|----------------|----------------|----------|-------------------|-------------------|---------------|------|----------|
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 10/13/13 18:39:45 | 10/13/13 18:39:45 | 0             | 229  | 531      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 10/13/13 18:40:16 | 10/13/13 18:40:15 | 0             | 198  | 519      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 10/13/13 18:41:06 | 10/13/13 18:41:06 | 0             | 228  | 528      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 10/13/13 18:41:25 | 10/13/13 18:41:25 | 0             | 227  | 529      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 10/13/13 18:47:31 | 10/13/13 18:47:31 | 0             | 198  | 520      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 10/13/13 18:49:06 | 10/13/13 18:49:06 | 0             | 198  | 295      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 10/13/13 18:50:37 | 10/13/13 18:50:37 | 0             | 228  | 296      |
| (714) 904-6649 | (714) 904-6649 |                | Inbound  | 10/13/13 19:29:28 | 10/13/13 19:29:28 | 0             | 229  | 521      |
| (714) 904-6649 | (714) 904-6649 |                | Outbound | 10/13/13 19:29:28 | 10/13/13 19:29:28 | 0             | 229  | 296      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 10/13/13 19:48:26 | 10/13/13 19:48:26 | 0             | 198  | 516      |
| (714) 904-6649 | (949) 607-6710 | (949) 607-6710 | Outbound | 10/14/13 14:08:00 | 10/14/13 14:07:36 | 98            | 41   | 842      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 10/14/13 16:00:19 | 10/14/13 16:00:19 | 0             | 198  | 519      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 10/14/13 16:01:53 | 10/14/13 16:01:53 | 0             | 227  | 525      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 10/14/13 16:08:55 | 10/14/13 16:08:55 | 0             | 198  | 298      |
| (714) 904-6649 | (714) 904-6649 | (714) 904-6649 | Outbound | 10/16/13 18:39:28 | 10/16/13 18:39:43 | 15            | 41   | 642      |
| (714) 904-6649 | (714) 904-6649 | (714) 904-6649 | Outbound | 10/16/13 18:39:59 | 10/16/13 18:40:53 | 54            | 41   | 642      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 10/21/13 11:20:56 | 10/21/13 11:20:56 | 0             | 229  | 515      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 10/21/13 11:56:37 | 10/21/13 11:56:37 | 0             | 198  | 514      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 10/21/13 15:35:47 | 10/21/13 15:35:47 | 0             | 226  | 295      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 10/21/13 15:57:57 | 10/21/13 15:57:57 | 0             | 198  | 532      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 10/28/13 17:23:19 | 10/28/13 17:23:19 | 0             | 228  | 532      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 10/28/13 17:23:20 | 10/28/13 17:23:20 | 0             | 229  | 524      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 10/28/13 17:25:25 | 10/28/13 17:25:25 | 0             | 198  | 521      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 10/28/13 17:28:03 | 10/28/13 17:28:03 | 0             | 227  | 532      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 10/28/13 17:29:48 | 10/28/13 17:29:48 | 0             | 198  | 524      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 10/28/13 17:31:43 | 10/28/13 17:31:43 | 0             | 227  | 515      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 10/28/13 17:32:08 | 10/28/13 17:32:08 | 0             | 198  | 624      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 10/28/13 19:51:50 | 10/28/13 19:51:50 | 0             | 198  | 297      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 10/28/13 19:53:44 | 10/28/13 19:53:44 | 0             | 227  | 533      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 10/28/13 19:54:45 | 10/28/13 19:54:45 | 0             | 198  | 520      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 10/28/13 19:55:17 | 10/28/13 19:55:17 | 0             | 226  | 517      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 10/28/13 20:08:57 | 10/28/13 20:08:57 | 0             | 198  | 515      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 10/28/13 20:10:01 | 10/28/13 20:10:01 | 0             | 229  | 296      |

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Call Records for PTN 7149046649

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| CALLING_NBR    | CALLED_NBR     | DIALED_DIGITS | M_R_#    | START_DATE        | END_DATE          | DURATION (SEC) | NEID | REPOLL_# |
|----------------|----------------|---------------|----------|-------------------|-------------------|----------------|------|----------|
| (949) 607-6710 | (714) 904-6649 |               | Inbound  | 10/29/13 13:27:52 | 10/29/13 13:27:52 | 0              | 198  | 518      |
| (714) 904-6649 | (949) 607-6710 |               | Outbound | 10/29/13 13:30:35 | 10/29/13 13:30:35 | 0              | 229  | 523      |
| (949) 607-6710 | (714) 904-6649 |               | Inbound  | 10/29/13 13:40:32 | 10/29/13 13:40:32 | 0              | 198  | 519      |
| (949) 607-6710 | (714) 904-6649 |               | Inbound  | 10/30/13 10:56:10 | 10/30/13 10:56:10 | 0              | 198  | 533      |
| (714) 904-6649 | (949) 607-6710 |               | Outbound | 10/30/13 11:03:02 | 10/30/13 11:03:02 | 0              | 229  | 515      |
| (949) 607-6710 | (714) 904-6649 |               | Inbound  | 10/30/13 11:03:19 | 10/30/13 11:03:19 | 0              | 198  | 519      |
| (949) 607-6710 | (714) 904-6649 |               | Inbound  | 10/30/13 11:03:59 | 10/30/13 11:03:59 | 0              | 198  | 524      |
| (714) 904-6649 | (949) 607-6710 |               | Outbound | 10/30/13 11:06:12 | 10/30/13 11:06:12 | 0              | 226  | 523      |
| (949) 607-6710 | (714) 904-6649 |               | Inbound  | 10/30/13 11:06:24 | 10/30/13 11:06:24 | 0              | 198  | 526      |
| (949) 607-6710 | (714) 904-6649 |               | Inbound  | 10/30/13 11:07:54 | 10/30/13 11:07:54 | 0              | 198  | 523      |
| (714) 904-6649 | (949) 607-6710 |               | Outbound | 10/30/13 11:10:12 | 10/30/13 11:10:12 | 0              | 229  | 524      |
| (714) 904-6649 | (949) 607-6710 |               | Outbound | 10/30/13 11:10:25 | 10/30/13 11:10:25 | 0              | 229  | 521      |
| (949) 607-6710 | (714) 904-6649 |               | Inbound  | 10/30/13 11:10:36 | 10/30/13 11:10:36 | 0              | 198  | 533      |
| (949) 607-6710 | (714) 904-6649 |               | Inbound  | 10/30/13 11:10:46 | 10/30/13 11:10:46 | 0              | 198  | 532      |
| (714) 904-6649 | (949) 607-6710 |               | Outbound | 10/30/13 11:13:18 | 10/30/13 11:13:18 | 0              | 228  | 519      |
| (949) 607-6710 | (714) 904-6649 |               | Inbound  | 10/30/13 11:13:42 | 10/30/13 11:13:42 | 0              | 198  | 298      |
| (714) 904-6649 | (949) 607-6710 |               | Outbound | 10/30/13 11:14:56 | 10/30/13 11:14:56 | 0              | 228  | 521      |
| (949) 607-6710 | (714) 904-6649 |               | Inbound  | 10/30/13 11:15:13 | 10/30/13 11:15:13 | 0              | 198  | 296      |
| (714) 904-6649 | (949) 607-6710 |               | Outbound | 10/30/13 11:23:39 | 10/30/13 11:23:39 | 0              | 227  | 530      |
| (714) 904-6649 | (949) 607-6710 |               | Outbound | 10/30/13 11:23:40 | 10/30/13 11:23:40 | 0              | 228  | 530      |
| (949) 607-6710 | (714) 904-6649 |               | Inbound  | 10/30/13 11:28:05 | 10/30/13 11:28:05 | 0              | 198  | 523      |
| (714) 904-6649 | (949) 607-6710 |               | Outbound | 10/30/13 11:33:39 | 10/30/13 11:33:39 | 0              | 228  | 516      |
| (949) 607-6710 | (714) 904-6649 |               | Inbound  | 10/30/13 11:33:59 | 10/30/13 11:33:59 | 0              | 198  | 296      |
| (714) 904-6649 | (949) 607-6710 |               | Outbound | 10/30/13 11:34:37 | 10/30/13 11:34:37 | 0              | 227  | 524      |
| (714) 904-6649 | (949) 607-6710 |               | Outbound | 10/30/13 11:58:06 | 10/30/13 11:58:06 | 0              | 227  | 295      |
| (949) 607-6710 | (714) 904-6649 |               | Inbound  | 10/30/13 12:09:16 | 10/30/13 12:09:16 | 0              | 198  | 297      |
| (949) 607-6710 | (714) 904-6649 |               | Inbound  | 10/31/13 16:14:48 | 10/31/13 16:14:48 | 0              | 198  | 298      |
| (714) 904-6649 | (949) 607-6710 |               | Outbound | 10/31/13 16:17:25 | 10/31/13 16:17:25 | 0              | 228  | 531      |
| (949) 607-6710 | (714) 904-6649 |               | Inbound  | 10/31/13 16:20:34 | 10/31/13 16:20:34 | 0              | 198  | 527      |
| (714) 904-6649 | (949) 607-6710 |               | Outbound | 11/1/13 10:53:49  | 11/1/13 10:53:49  | 45             | 41   | 642      |
| (714) 904-6649 | (949) 607-6710 |               | Inbound  | 11/1/13 11:53:29  | 11/1/13 11:53:29  | 25             | 41   | 642      |
| (949) 607-6710 | (714) 904-6649 |               | Outbound | 11/1/13 11:55:13  | 11/1/13 11:55:13  | 122            | 41   | 642      |
| (714) 904-6649 | (949) 607-6710 |               | Outbound | 11/1/13 12:57:06  | 11/1/13 12:57:06  | 0              | 229  | 297      |
| (714) 904-6649 | (949) 607-6710 |               | Outbound | 11/2/13 12:55:27  | 11/2/13 12:55:27  | 0              | 228  | 296      |

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1/28/2016 2:56 PM

Call Records for PTN 7149046649

9 of 13

| CALLING_NBR    | CALLED_NBR     | DALED_DIGITS   | M_R_#    | START_DATE        | END_DATE          | DURATION (SEC) | NEID | REPOLL_# |
|----------------|----------------|----------------|----------|-------------------|-------------------|----------------|------|----------|
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 11/21/13 13:03:36 | 11/21/13 13:03:36 | 0              | 198  | 528      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 11/21/13 13:05:05 | 11/21/13 13:05:05 | 0              | 229  | 519      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 11/3/13 11:35:26  | 11/3/13 11:35:26  | 0              | 226  | 517      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 11/3/13 15:05:25  | 11/3/13 15:05:25  | 0              | 226  | 527      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 11/3/13 16:04:33  | 11/3/13 16:04:33  | 0              | 198  | 297      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 11/3/13 16:05:54  | 11/3/13 16:05:54  | 0              | 229  | 527      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 11/3/13 16:19:26  | 11/3/13 16:19:26  | 0              | 198  | 518      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 11/4/13 13:10:04  | 11/4/13 13:10:04  | 0              | 226  | 514      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 11/4/13 13:32:34  | 11/4/13 13:32:34  | 0              | 198  | 516      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 11/4/13 13:37:04  | 11/4/13 13:37:04  | 0              | 229  | 518      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 11/4/13 13:37:40  | 11/4/13 13:37:40  | 0              | 198  | 298      |
| (714) 904-6649 | (949) 607-6710 | (714) 904-6649 | Outbound | 11/6/13 15:34:25  | 11/6/13 15:34:50  | 25             | 41   | 642      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 11/6/13 18:03:08  | 11/6/13 18:03:08  | 0              | 229  | 297      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 11/7/13 8:39:09   | 11/7/13 8:39:39   | 30             | 41   | 642      |
| (714) 904-6649 | (949) 607-6710 | (949) 607-6710 | Outbound | 11/7/13 8:39:45   | 11/7/13 8:41:05   | 80             | 41   | 642      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 11/7/13 10:36:14  | 11/7/13 10:36:14  | 0              | 198  | 297      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 11/7/13 17:35:08  | 11/7/13 17:35:08  | 0              | 198  | 514      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 11/7/13 17:37:56  | 11/7/13 17:37:56  | 0              | 227  | 295      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 11/7/13 17:38:28  | 11/7/13 17:38:28  | 0              | 198  | 298      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 11/7/13 17:39:07  | 11/7/13 17:39:07  | 0              | 226  | 295      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 11/11/13 11:50:09 | 11/11/13 11:50:09 | 0              | 198  | 297      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 11/20/13 18:41:16 | 11/20/13 18:41:16 | 0              | 198  | 523      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 11/21/13 10:57:56 | 11/21/13 10:57:56 | 0              | 198  | 525      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 11/21/13 10:59:43 | 11/21/13 10:59:43 | 0              | 229  | 515      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 11/25/13 10:45:48 | 11/25/13 10:45:48 | 0              | 198  | 519      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 11/25/13 10:47:27 | 11/25/13 10:47:27 | 0              | 228  | 522      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 11/25/13 10:54:36 | 11/25/13 10:54:35 | 0              | 198  | 298      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 11/25/13 20:20:31 | 11/25/13 20:20:31 | 0              | 226  | 524      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 11/25/13 20:21:54 | 11/25/13 20:21:54 | 0              | 198  | 519      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 11/25/13 20:23:05 | 11/25/13 20:23:05 | 0              | 228  | 515      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 11/28/13 11:15:41 | 11/28/13 11:15:41 | 0              | 227  | 526      |
| (714) 904-6649 | (949) 607-6710 |                | Outbound | 11/28/13 11:30:34 | 11/28/13 11:30:34 | 0              | 228  | 529      |
| (949) 607-6710 | (714) 904-6649 |                | Inbound  | 11/28/13 11:31:01 | 11/28/13 11:31:01 | 0              | 198  | 297      |

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**SOUTH DISTRICT INVESTIGATIONS  
INVESTIGATION REPORT**

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1 Huguenin reluctantly decided to talk to me. Huguenin told me that she first met Jodie  
2 in June of 2012. They met while playing tennis in the Coto De Caza community.  
3 Huguenin told me that Jodie and her would also meet up so there children could play  
4 together. Huguenin said that she received a call from Jodie about a month ago asking  
5 if she knew of a good attorney. Huguenin said that she has family members that were  
6 Attorneys that practiced family law. Jodie said that she was interested in a criminal  
7 Attorney and that she already had a family law Attorney. Huguenin asked Jodie why she  
8 needed a criminal law Attorney. Jodie explained that when she came to the US from the  
9 UK she did not have a job. Huguenin told me that Jodie said she needed money so she  
10 went to work for an "Escort Service" to make money. Jodie was very concerned because  
11 she believed Reza had a phone she was using at the time that had incriminating text  
12 and email messages in it that could get her into trouble. Huguenin told me that Jodie  
13 told her that the text and emails were communications between her "clients" and the  
14 escort service. Huguenin gave Jodie a number to an Attorney and wished her luck.  
15 Huguenin told me that she has had no further communication with Jodie after that  
16 call.

17 Huguenin told me that she was very concerned for Ariah, Jodie's daughter. Huguenin  
18 explained that while a mutual friend of her and Jodie was babysitting Ariah one day  
19 she told Huguenin that Ariah did something to their dog that made her think Ariah was  
20 being sexually abused. Huguenin would only give me a first name of her friend that  
21 witnessed the situation involving the dog. Huguenin told me that the name of the  
22 person that told her was Amy. I pressed Huguenin for more information regarding Ariah  
23 but Huguenin refused to give me any more details. I tried to get a time, place,  
24 names, what took place but she refused to give any further information. The only  
25 thing she would say was, "I recommend you contact Ariah's Father and tell him to have  
26 her evaluated for sexual abuse." The meeting was concluded and I left. I immediately  
27 contacted Ariah's father, Billy Wallace and met with him at his office in Irvine at  
28 approximately 3:00 pm. I explained what I discovered in my interview with Huguenin.  
29 Wallace said he was scheduled to pick up Ariah the following day and he would take  
30 her to a Doctor.

Wallace 13-647



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1 After further investigation the witness to the situation involving Ariah, Amy was  
2 later identified as Amy Busch DOB 3/2/1965.

3  
4 Evidence

5  
6 David Colby A1

7 I was taking a closer look at the information provided to me by Reza Honaver. I  
8 discovered a thread of text messages from a subject by the name of David Colby. The  
9 number in the contacts for Colby is 818-317-2700. In the text messages they talk  
10 about seeing each other and Colby remarks about giving Jody \$1,200 and wanted to know  
11 if Liz, (an employee of the escort service) got any of the money. Colby wanted to  
12 make sure Jodie got all of it. I checked the out the name David Colby. See attached  
13 evidence marked A-1. The evidence reveals that David Colby is a wealth person and  
14 likes to spend time with females in exchange for money and gifts. Also attached is  
15 text messages between "liz" David Colby and Jodie. These text messages have sexually  
16 explicit language and also talk about money paid for spending time with David Colby.

17 Dorian Cole AKA, John Lemomis and Mac Daddy 602-295-4461 A2

18 While further reading the text messages, I discovered some text communication between  
19 Jodie and a subject that was listed in the phone as John Lemomis. The cell number  
20 listed in the contacts is 760-989-1706. Please see attached evidence packet listed as  
21 A-2. Dorian Cole is the owner of an escort service called Escorts of Beverly Hills.  
22 The website for the escort service is [www.escortsofbeverlyhills](http://www.escortsofbeverlyhills) See attached copy  
23 listed as evidence packet A-2, where Dorian Cole has a page on the website listed as  
24 "Words From The Founder." In the text messages Dorian and Jodie talk about needing  
25 pictures to post on the website. The also discuss about Jodie being on call when a  
26 customer request her. Also an email sent to Dorian from Jodie at his request where  
27 she is nude. Dorian says he can block out her face. Also her Bio.

28 Text messages from "Liz" A-3

29 The communications between Liz and Jodie, discuss meeting people at hotels in exchange  
30 and money is exchanged. In one of the text messages there was a mention that Liz may  
31 be an attorney. Cell number 310-4870478. Also talking about meeting Davis Colby.

32 Wallace 13-647



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1 Text messages from "Rob" a dispatcher for an escort service A-4

2 Text messages where Rob is sending Jodie to a Hotel to meet with a client. Money is  
3 discussed for how long she will stay. Cell number 714-930-6125

4 Text messages between Abraham and Jodie A-5

5 The communications are between Abraham and Jodie. They talk about sex and how she is  
6 working. Cell number 949-228-8730

7 Text messages between Suzette Posh (Bar ownwe) and Jodie A-6

8 Communications between Suzette and Jodie about working in a bar and days and hours  
9 needed. Also about a rich customer that was waiting fro Jodie. Cell number 949-275-  
10 4052.

11 Text messages between Brandon (MMA Fighter) and Jodie A-7

12 In the text messages Jodie talks about working at a club called Posh and not making  
13 ut it because the pay and tips are not good.

14 PText messages between Playboy and Jodie 818-578-8013 A-8

15 The text messages are between a person listed in her phone as "Playboy" and Jodia. In  
16 the messages they talk about charging \$450 for basic plus tip. Charging \$300 to \$500  
17 for a "BJ" and staying for 30 minutes. Jodie also says that she would do a threesome  
18 if the money was right.

19 Text messages between Pouch night club owner and Jodie 949-697-6395 A-9

20 Communications between Jodie and the night club owner talking about working at the  
21 club and hours to work.

22 Text messages between Alex (manager of Pouch night club) 323-318-0999 A-10

23 Communication with Jodie regarding when to come in for work, what close to put on and  
24 that she should talk to Jimmy (club owner) about how much money she would be getting  
25 for working at the night club.

26 Text messages between Austin (Tamara) and 310-579-5289 Jodie A-11

27 Test messages between Austin and Jodie talking about getting \$700 each and making  
28 \$1200. Austrin also calls Jodie....AKA Julia.

29 Kurt Kaupke (Jodie was his Personal Assistant.)A-12

30 Jodie told Reza that this subject paid her 100k to be his personal assistant.

31 Email from John Robertson DDO Artists Agency A-13

32 Wallace 13-647



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1 Email from John Robertson to Jodie asking for a W-4 to be filled out for the "Reebok  
2 shoot."

3 Photos of Jodie posing in pictures for SoCal Photography Group A-14

4 Three photos Jodie posing in photos with a modeling agency. Printed 8/29/2013

5 Jodie's linkedin profile A-15

6 States she is currently working as a Fitness model. Printed 9/2/2013

7 A page from Model mayhem A-16

8 Jodie is listed as a Model as Jodie Honarvar MM#2358086

9 Copy of a Bank Of America check Jodie M. Wallace A-17

10 Copy of a check provided to me by Billy Wallace Via text mail.

11 Emailed letter to me from night club owner confirming Jodie was employed A-18

12 Owner of night club where Jodie was employed emailed me a letter confirming she was  
13 employed.

14 Email to Billy Wallace updating Jodie's address where she is living A-19

15 Email from Jodie Honarver to Billy Wallace updating her address where she lives. In

16 the email she uses Jodiemariesilver@gmail.com and indicates her name as Jodie M.

17 Silver. She lists her mobile number as 949-599-5497.

18

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Wallace 13-647

1 THE COURT: OKAY. SO EXHIBIT 4 IS  
2 TRANSCRIPTION NUMBER 1, AND THAT CORRESPONDS WITH TRACK  
3 1 ON THE C.D., THEN; IS THAT RIGHT?

4 MS. BROWN: THAT'S RIGHT.

5 THE COURT: OKAY. GO AHEAD.

6 MS. BROWN: AND, YOUR HONOR, I WOULD STIPULATE  
7 THAT THE COURT REPORTER NEED NOT TAKE DOWN THIS AUDIO  
8 TRACK OR ANY OF THE ONES THAT WE ARE GOING TO PLAY.

9 MS. SWAIN: THAT'S FINE.

10 THE COURT: OKAY.

11 (EXHIBIT 3 TRACK 1 PLAYED IN OPEN COURT.)

12 THE COURT: OKAY.

13 MS. BROWN: THANK YOU.

14 Q. BY MS. BROWN: SIR, HAVING LISTENED TO THAT  
15 AUDIO TRACK, DOES THAT ACCURATELY DEPICT THE  
16 CONVERSATION THAT YOU HAD WITH MR. WALLACE AT SKYPARK  
17 CIRCLE IN IRVINE ON OCTOBER 21ST, 2013?

18 A. YES.

19 Q. SIR, I FAILED TO ASK YOU THIS BEFORE WE PLAYED  
20 THE RECORDING. BUT PRIOR TO THIS CONVERSATION THAT YOU  
21 RECORDED, DID MR. WALLACE ASK YOU IF YOU KNEW ANYONE WHO  
22 WOULD KILL HER AND DISPOSE OF THE BODY?

23 A. NO.

24 Q. HE DIDN'T ASK YOU THAT PRIOR TO THIS  
25 CONVERSATION?

26 A. NO.

1 MS. -- YOU FOLLOWED HIS EX-WIFE, CORRECT?

2 A. YES, I DID.

3 Q. SO YOU KNEW WHAT SHE LOOKED LIKE?

4 A. YES.

5 Q. YOU KNEW WHAT KIND OF CAR SHE DROVE?

6 A. YES.

7 Q. AND THAT STARTED VERY SOON AFTER YOU WERE  
8 HIRED, CORRECT?

9 A. YES.

10 Q. YOU WANTED TO SEE WHERE SHE WAS GOING, WHAT HER  
11 ACTIVITIES WERE, THAT SORT OF THING?

12 A. MR. WALLACE WANTED TO SEE THAT, YES.

13 Q. MR. WALLACE HAD EXPRESSED CONCERN FOR HIS  
14 DAUGHTER'S SAFETY, CORRECT?

15 A. YES.

16 Q. YOU KNOW THAT MR. WALLACE AND HIS EX-WIFE HAVE  
17 A YOUNG DAUGHTER TOGETHER, CORRECT?

18 A. YES.

19 Q. AND THAT MR. WALLACE EXPRESSED TO YOU ON  
20 SEVERAL OCCASIONS HIS CONCERN FOR HIS DAUGHTER'S SAFETY  
21 WHILE IN THE CARE OF HIS EX-WIFE, CORRECT?

22 A. CORRECT.

23 Q. PART OF THE REASON FOR MR. WALLACE'S CONCERN  
24 WAS HIS BELIEF THAT MS. JODIE HONARVAR WAS ENGAGED IN  
25 PROSTITUTION?

26 A. CORRECT.

1 Q. AND SO PART OF YOUR RESPONSIBILITIES WERE TO  
2 DIG INTO THAT AND DETERMINE WHETHER SHE WAS, IN FACT,  
3 ENGAGED IN ANY SORT OF ILLEGAL ACTIVITY, CORRECT?

4 A. CORRECT.

5 Q. AND THROUGH THAT PROCESS, YOU DETERMINED THAT,  
6 IN YOUR OPINION, SHE WAS WORKING AS A PROSTITUTE,  
7 CORRECT?

8 A. YES.

9 Q. YOU WERE SHOWN TEXT MESSAGES THAT SAID -- THAT  
10 SHOWED SHE WAS MAKING APPOINTMENTS TO MEET MEN IN HOTELS  
11 FOR \$450 AN HOUR?

12 A. THAT'S CORRECT.

13 Q. YOU RELATED THAT INFORMATION TO MR. WALLACE?

14 A. YES, I DID.

15 Q. THERE ARE SEVERAL EXAMPLES OF THAT KIND OF  
16 ACTIVITY, WHICH INDICATED MS. HONARVAR WAS WORKING IN  
17 PROSTITUTION. IS THAT A FAIR STATEMENT?

18 A. YES, IT IS.

19 Q. AND THAT'S WHAT YOU LEARNED OVER THE COURSE OF  
20 A COUPLE MONTHS WITH DOING THIS INVESTIGATION, CORRECT?

21 A. CORRECT.

22 Q. NOW, YOU TALKED EARLIER ABOUT MR. WALLACE  
23 HAVING A DESIRE TO EITHER GET HER ARRESTED OR GET HER  
24 DEPORTED. DO YOU REMEMBER THAT CONVERSATION EARLIER  
25 TODAY?

26 A. YES.



1 SAY, "HEY, WANT TO GO OUT ON A DATE?"

2 Q. HOW WERE YOU GOING TO APPROACH THIS? WERE YOU  
3 GOING TO TRY TO DEVELOP A CONTACT WITH HER?

4 A. I WASN'T SURE. I DON'T KNOW.

5 Q. WELL, WASN'T THAT YOUR JOB?

6 A. TO DO WHAT?

7 Q. TO SET MS. HONARVAR UP FOR AN ARREST FOR  
8 PROSTITUTION.

9 A. NO.

10 Q. SO YOU DIDN'T AGREE TO DO THAT?

11 A. NO. MY JOB WAS TO DIG UP DIRT ON HER AND  
12 PRESENT IT TO HIM SO HE COULD DO WITH IT WHATEVER HE  
13 WANTED.

14 Q. NOW, YOU ALSO RELATED A COMPLAINT TO  
15 MR. WALLACE THAT YOU SAID YOU LEARNED ABOUT HIS DAUGHTER  
16 BEING IN THE CARE OF STRANGERS OR OTHER PEOPLE. IS THAT  
17 A FAIR STATEMENT?

18 A. YES.

19 Q. YOU LEARNED THAT MS. HONARVAR WAS LEAVING HER  
20 DAUGHTER WITH OTHER ADULT MEN WHO WEREN'T ANY SORT OF  
21 RELATIONSHIP TO HER, CORRECT?

22 A. NO.

23 Q. OKAY. SHE WAS LEAVING HER CHILD WITH PEOPLE  
24 THAT -- THAT WERE STRANGERS, RIGHT?

25 A. STRANGERS TO HIM, YES.

26 Q. BUT THERE WERE MULTIPLE PEOPLE INVOLVED, AND

1 MR. WALLACE FOUND OUT ABOUT THAT AND HE BECAME CONCERNED  
2 FOR HIS DAUGHTER'S SAFETY, CORRECT?

3 A. YES.

4 Q. YES. WOULD IT BE FAIR TO SAY WHEN -- HIS  
5 DEMEANOR WHEN YOU TOLD HIM THOSE THINGS, THAT HE BECAME  
6 UPSET?

7 A. YES.

8 Q. DID YOU ALSO RELATE TO MR. WALLACE THAT YOU HAD  
9 INFORMATION THAT HIS DAUGHTER WAS BEING SEXUALLY ABUSED?

10 A. YES.

11 Q. AND YOU BROUGHT THAT COMPLAINT TO MR. WALLACE?

12 A. YES.

13 Q. AND YOU SUGGESTED THAT THEY BRING THAT UP IN  
14 FAMILY LAW COURT?

15 A. YES.

16 Q. AND THAT WAS BROUGHT UP IN FAMILY LAW COURT,  
17 CORRECT?

18 A. ACTUALLY, I WAS -- I BROUGHT IT UP THAT HE  
19 SHOULD LET HIS ATTORNEY KNOW, CHRISTOPHER GLEW, AND THEN  
20 THEY WOULD GO FROM THERE.

21 Q. AND YOU GOT THAT INFORMATION FROM A PRIVATE  
22 PERSON. SOMEONE HAD TOLD YOU THAT THEY -- THAT THIS  
23 PERSON BELIEVED THAT HIS DAUGHTER WAS GETTING MOLESTED.  
24 IS THAT A FAIR STATEMENT?

25 A. YES.

26 Q. AND YOU TOOK THAT INFORMATION TO MR. WALLACE?

1 A. YES.

2 Q. DO YOU REMEMBER THE TIME OF THAT, OF THE YEAR  
3 WHEN YOU DID THAT?

4 A. IT WAS SEPTEMBER MAYBE.

5 Q. SO PRIOR TO TALKING TO DETECTIVE LAUNI?

6 A. YES.

7 Q. SO I AM GOING TO TRY TO DIVIDE THINGS UP INTO  
8 THINGS THAT HAPPENED BEFORE YOU TALKED TO INVESTIGATOR  
9 LAUNI AND THINGS THAT HAPPENED AFTER. I WILL USE THAT  
10 AS A REFERENCE POINT, OKAY?

11 A. OKAY.

12 Q. SO THIS ALLEGED COMPLAINT THAT MR. WALLACE'S  
13 DAUGHTER HAD BEEN MOLESTED WAS MADE AND YOU LEARNED OF  
14 IT AND INFORMED MR. WALLACE PRIOR TO MEETING WITH  
15 INVESTIGATOR LAUNI, CORRECT?

16 A. YES.

17 Q. AND AT THAT POINT YOU HAD ALREADY TOLD  
18 MR. WALLACE, "LOOK, THESE ARE THE THINGS THAT LEAD ME TO  
19 BELIEVE THAT JODIE IS WORKING AS A PROSTITUTE," CORRECT?

20 A. BASED ON THE TEXT MESSAGES ON THE PHONE, YES.

21 Q. THAT WAS YOUR OPINION THAT YOU RELAYED TO  
22 MR. WALLACE, CORRECT?

23 A. YES.

24 Q. WOULD IT BE FAIR TO SAY MR. WALLACE WAS UPSET  
25 AFTER THOSE CONVERSATIONS?

26 A. YES.

1 Q. ESPECIALLY ABOUT THE MOLEST?

2 A. YES.

3 Q. AND YOU UNDERSTOOD THAT HE TOOK HER TO GET  
4 EXAMINED AND HAVE HER CHECKED OUT RIGHT AWAY?

5 A. YES.

6 Q. AND I AM TALKING ABOUT MR. WALLACE'S DAUGHTER.  
7 RIGHT?

8 A. YES.

9 Q. SO YOU COMMUNICATED WITH MR. WALLACE GENERALLY  
10 DURING WITH TEXT MESSAGES, CORRECT?

11 A. YES, I DID.

12 Q. AND ONE OF THE REASONS YOU SAID WAS BECAUSE  
13 MR. WALLACE WAS UNCOMFORTABLE TALKING ON THE PHONE  
14 BECAUSE OF HIS ACCENT, CORRECT?

15 A. YES.

16 Q. SO WOULD IT BE FAIR TO SAY THAT PRIOR TO YOU  
17 TALKING TO INVESTIGATOR LAUNI IN SEPTEMBER OF 2013, YOU  
18 COMMUNICATED WITH MR. WALLACE BY TEXT MESSAGE?

19 A. YES.

20 Q. DID YOU SAVE ALL THOSE TEXT MESSAGES?

21 A. I DID NOT, NO.

22 Q. WHEN DID YOU START SAVING THE TEXT MESSAGES?  
23 AFTER YOU SPOKE TO INVESTIGATOR LAUNI?

24 A. YES.

25 Q. SO AFTER YOU SPOKE TO INVESTIGATOR LAUNI, YOU  
26 STARTED KEEPING ALL OF YOUR TEXT MESSAGES WITH

1 A. YES, HE DID.

2 Q. SO YOU DROVE TO HIS BUSINESS?

3 A. I DID.

4 Q. AND THEN HE GOT IN THE CAR?

5 A. YES, HE DID.

6 Q. AND THEN YOU HAD A CONVERSATION YOU RECORDED?

7 A. YES.

8 Q. AND THIS CONVERSATION STARTED BECAUSE  
9 INVESTIGATOR BEEMAN WANTED TO SEE IF YOU COULD GET SOME  
10 MONEY OUT OF MR. WALLACE IN ADVANCE, CORRECT?

11 A. YES. I BELIEVE SO, YES.

12 Q. INVESTIGATOR BEEMAN WANTED YOU TO ASK  
13 MR. WALLACE FOR SOME FORM OF PAYMENT OR DOWN PAYMENT  
14 UP-FRONT, CORRECT?

15 A. YES.

16 Q. AND SO THAT'S WHY YOU DID THAT AND ASKED FOR  
17 \$2500?

18 A. YES.

19 Q. AND THAT WAS SUPPOSED TO BE FOR THE CAPTAIN?

20 A. YES.

21 Q. AND YOU ASKED FOR IT AT LEAST TWICE DURING THIS  
22 CONVERSATION, CORRECT?

23 A. YES.

24 Q. AT THE DIRECTION OF INVESTIGATOR BEEMAN?

25 A. YES.

26 Q. AFTER THIS CONVERSATION ON DECEMBER 18TH, DID

1 MR. WALLACE GIVE YOU ANY MONEY FOR MR. -- FOR THE  
2 CAPTAIN?

3 A. NO.

4 Q. PRIOR TO DECEMBER 18TH, DID MR. WALLACE GIVE  
5 YOU ANY MONEY FOR THE CAPTAIN?

6 A. NO.

7 Q. MR. WALLACE NEVER EVER GAVE YOU ANY MONEY THAT  
8 WAS EARMARKED FOR THE CAPTAIN. IS THAT A FAIR  
9 STATEMENT?

10 A. THAT IS FAIR.

11 Q. YOU TESTIFIED EARLIER TO A STATEMENT THAT, AT  
12 SOME POINT PRIOR TO YOU MEETING WITH INVESTIGATOR LAUNI,  
13 THAT MR. WALLACE WANTED ASSISTANCE FROM YOU. WHETHER  
14 YOU, QUOTE, KNEW ANYBODY WHO COULD HELP HIM DO THAT?

15 A. YES.

16 Q. REFERRING TO HAVE SOMEONE TO KILL HIS EX-WIFE?

17 A. YES.

18 Q. AND THAT WAS NOT A RECORDED STATEMENT, CORRECT?

19 A. NO.

20 Q. IS THAT CORRECT THAT IT IS NOT A RECORDED  
21 STATEMENT?

22 A. CORRECT.

23 Q. THROUGHOUT THIS ENTIRE TIME, MR. WALLACE NEVER  
24 TEXTED YOU AND ASKED YOU TO COME TO THE SHOP AND MEET  
25 WITH HIM, DID HE?

26 A. I DON'T RECALL IF WE DID OR NOT.

1 Q. THESE MEETINGS AT THE SHOP WERE GENERATED BY  
2 YOU TEXTING HIM AND SAYING, "HEY, CAN I COME BY? ARE  
3 YOU THERE," CORRECT?

4 A. SEEMS FAIR, YES.

5 Q. AND, AGAIN, DURING THE SEVERAL CONVERSATIONS  
6 YOU HAD WITH MR. WALLACE THAT I JUST WENT THROUGH -- THE  
7 ONE IN THE CAR, THE ONE ON THE PHONE, THE ONE IN THE  
8 SHOP -- YOU NEVER COUNSELED MR. WALLACE AND SAID, "HEY,  
9 THIS IS A BAD IDEA," DID YOU?

10 A. NO.

11 Q. ONCE YOU HAD MET WITH INVESTIGATOR LAUNI AND  
12 SUBSEQUENTLY INVESTIGATOR BEEMAN ON THE 1ST OF NOVEMBER,  
13 YOU WERE GOING TO TRY TO GET MR. WALLACE TO MEET WITH  
14 THE SUPPOSED HIT MAN, CORRECT?

15 A. YES.

16 Q. THAT WAS YOUR PLAN, CORRECT?

17 A. YES.

18 Q. THEN YOU CALLED INVESTIGATOR LAUNI TO SEE  
19 SOMEONE YOU HAD A CLOSE CONNECTION TO IN LAW  
20 ENFORCEMENT, CORRECT?

21 A. I HAVE KNOWN HIM FOR QUITE A WHILE, YES.

22 Q. 20 YEARS? OVER 20 YEARS?

23 A. ROUGHLY.

24 Q. FROM TIME TO TIME, YOU PROVIDED HIM INFORMATION  
25 ABOUT WHAT'S GOING ON IN THE STREETS BECAUSE OF YOUR  
26 CAPACITY AS A SECURITY GUARD, CORRECT?