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Chairman Jay Barnes
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Dear Chairman Barnes and Committee Members:

As has been previously stated, we believe it is not possible to determine the truth without providing our client his full Constitutional rights of due process. Most importantly, that would entail allowing attorneys representing Governor Greitens to cross-examine any and all witnesses, and to have available the compulsory process which would allow for the calling of relevant witnesses and disclosure of relevant documents. We understand the Committee has chosen not to engage in a full due process proceeding. Therefore, as to the invasion of privacy allegations, we submit that the following witnesses should be called to testify before the House Special Committee because even without cross-examination, (except for K.S. who will only be required to tell the truth if she is a participant in public testimony subject to full cross-examination) these witnesses have information the House must be provided:

1. K.S.—While we know that she has previously testified before the Committee, we believe that there are several facts which, if she was confronted with, would show that significant parts of her story are not true. For the testimony of K.S., we renew our request to participate in her questioning. We have developed information which we believe can only effectively be utilized in a cross-examination format and believe that such examination requires an attorney representing the Governor.
2. Brian Koberna, the Circuit Court's forensic examiner. Mr. Koberna performed a forensic analysis on the cell phone of Governor Greitens. That analysis not only proved that no photograph of K.S. was contained in the phone, but more telling, there was no indication that any photograph from March 21, 2015 had been deleted. This is crucial information for the Committee because if no photograph was ever deleted, and none were found within the phone, then the most critical portion of K.S.'s claim is refuted. Such a finding should raise significant questions as to any part of her story.
3. William Don Tisaby – Mr. Tisaby lied about almost every aspect of his investigation when he was under oath in his deposition. He then appeared for a second deposition and refused to answer any questions because the answers might incriminate him. He had significant interaction with both Ms. Gardner and K.S. He said things to her in ten minutes of silent taping that we believe molded the story K.S. has told. The reason for his committing perjury has to be tied to the efforts to hide evidence, and of course, one does not need to hide evidence if the evidence helps the prosecution.

DOWD BENNETT LLP

Chairman Jay Barnes

May 21, 2018

Page 2

4. Chuck Hatfield, the attorney for Al Watkins. Mr. Watkins, who received the mystery \$100,000 cash, appeared for a deposition with Mr. Hatfield. When asked who was paying for his attorney, Mr. Watkins testified he did not know. But, certainly Mr. Hatfield knows who paid him for his services. There is a high probability that the individual or group that paid for Mr. Hatfield also provided the \$100,000 cash.

5. The bank records of Scott Faughn. Scott Faughn delivered at least \$50,000 cash to Al Watkins for the benefit of P.S. and K.S. The information provided to date by Al Watkins and Mr. Faughn regarding the payments is completely contradictory. Mr. Watkins says the money was to provide a "soft landing" for P.S. Mr. Faughn says it was to get advice on a book he was writing. P.S. told this Committee he believed the money was to set up a trust for him and his children.

Because a trust for P.S.'s children would also be a trust for K.S.'s children, understanding the full purpose of the \$100,000 and its potential impact on K.S.'s testimony is critical. A witness motivated by money should not be believed by this Committee.

6. Stacy Newman. Ms. Newman was significantly involved with pushing K.S. to talk to Ms. Gardner for that first meeting in an Illinois hotel. Ms. Newman provided K.S. Ms. Gardner's personal cell phone number. Ms. Newman asked to talk to K.S.'s attorney. Ms. Newman indicated the Democratic leadership had a strong interest in the matter. What potential improper influence was put on K.S. is critical in assessing her credibility.

7. Will Markel. Mr. Markel will have direct information on the Low Income Housing Tax Credit group who many sources have asserted is the source of the \$100,000 cash payment to Al Watkins. The source of the cash is very important to help determine how impactful the payments were on the stories told by the witnesses.

8. Steve Tilley. He will have information on the Low Income Housing Tax Credit group. He may have information regarding cash payments. He also met with P.S.

Sincerely yours,



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