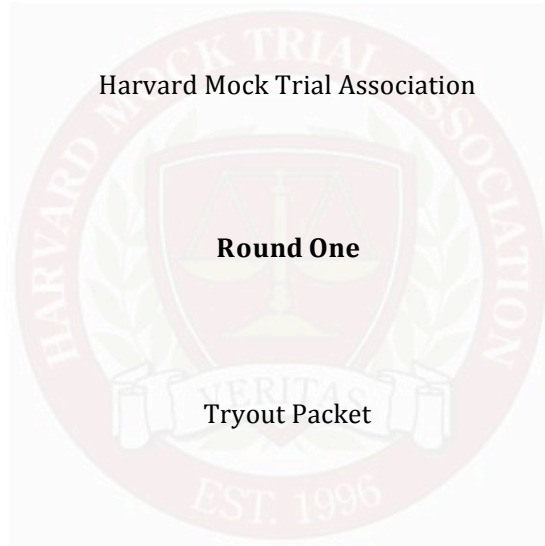


Harvard Mock Trial Association

**Round One**

Tryout Packet



Three stages (all in one tryout):

*1. Portray a witness*

Find attached two affidavits: one for a prosecution eyewitness, Hunter Baxamusa and one for the Chief Crime Scene investigator, Jordan Lee. You will prepare a direct examination of one witness (see following pages for details) and then you will be cross-examined by a member of Harvard Mock Trial as that witness.

*2. Perform the cross-examination of Alex Grace*

A member of Harvard Mock Trial will portray Alex Grace, a defense witness who provides an alibi for the defendant. You will play a prosecution attorney and cross examine Mr. Mrs. Grace.

*3. Prepare a short (4-5 minute) argumentative speech*

You may argue any point you wish. Here we are looking for your ability to argue a point. Topics can include, but are not restricted to political issues, opinions about public figures, support for legislation, a defense of an unpopular hobby, etc. The only requirement is that you pick a position and defend it.

Again, if you have any questions, or want to run any material by us before your tryout, please attend one of our help sessions.

See our website for details.

*Good luck!*

## **Stages 1 & 2**

In your first two parts of your tryout, you will be working on parts of an actual mock trial case. The basic summary is as follows:

In 2001, three business partners (Jackie Owens, Jacob Bennett, and Casey Maxwell) started a movie production studio in Midlands. In 2008 Jacob Bennett was killed and the state indicted for murder Jackie Owens and Casey Maxwell in a conspiracy murder plot. Casey Maxwell admitted to his involvement and told police about their conspiracy. Jackie Owens denied it. However, there is significant physical evidence linking Jackie Owens to the crime, including the fact that her car was seen at the scene of the crime.

In Stage one you will play a prosecution witness. Ideally, your testimony will appear unbiased, but will be damning for the defendant.

In Stage two you will play a prosecuting attorney. Ideally, your questioning of the defense alibi witness will shed doubt on his/her testimony.

## The Witness Portrayal (Direct Examination)

First, you must pick which witness you will portray. Find attached two affidavits. If you wish to play a more goofy, funny character, you will probably select Hunter Baxamusa. If you want a more serious, expert-like witness, you will likely select Dr. Jordan Lee.

At the beginning of your tryout, you will indicate which witness you will portray. A HMTA member will then serve as the attorney asking you questions as if you are testifying in court. We've included very brief, general answers in the direct examination in this packet, but we do not want you to read from what is already there. We want you to create a character for the witness you chose, and flesh out the answers by writing one or two sentence responses to each question that show us who your character is. You can use the affidavit as a guide to the facts, but come up with your own interpretation of who these people are.

For example, if the direct examination said:

*What do you do for a living?  
Car salesman*

You could change it into:

*What do you do for a living?  
Me? I sell cars. I have my own dealership too. Used to be Malone Ford, Malone Chrysler, and Malone Dodge. Now we're just Malone Ford. But I've also got a real high-end lot too—what I like to call “the collection”.*

Or:

*What do you do for a living?  
I'm the proud owner and operator of Midlands finest car dealership: “The Collection”. It's a dream come true for me; I spend part of my day getting my hands dirty fixin' up the world's most beautiful cars, and spend the other half wheelin' and dealin' with this town's A-Listers.*

You may print our responses and refer to your script if you'd like, but you should always be in character, and not just read the answers. Come in costume, put on an accent—whatever helps you get in the head of the witness. We are looking for people who are entertaining, believable, and present the facts in a way that is clear and understandable to the jury.

## Affidavit of Hunter Baxamusa

1  
2 My name is Hunter Baxamusa. I live with my mom, Andrea Baxamusa, at 510 Durant  
3 Avenue in State Center, Midlands. My dad died a long time ago. I know no one wants to live  
4 with their parents – especially at my age – but there isn't much I can really do about it! I've  
5 always enjoyed going to school and taking classes, especially science and astronomy type  
6 classes. I love to look out at the stars and imagine life on some faraway planet. I think I'll go to  
7 school until I die. People always joke and tell me that when I die my gravestone is going to read  
8 "Here lies Hunter Baxamusa, a professional student."

9 I had been looking forward to June 16, 2008, for months. That night was supposed to  
10 feature a full lunar eclipse! Around 9:00 that night, I got my stuff together to bike over to the  
11 Midlands Marina. The lookout point is on Calkins Cliffs above the Marina, probably about 200  
12 feet above and a few hundred feet back from the pier. The Marina is my favorite place for  
13 stargazing because there are so few lights on the harbor and almost no street lamps. The  
14 darkness helps the stars stand out. The eclipse wasn't supposed to be until 10:30 p.m., but I  
15 headed there early in case the Marina got crowded with other astronomers.

16 I got there around 9:30 p.m. I had expected a crowd, but, to my surprise, there was no  
17 one else there when I arrived. I unpacked my tripod and telescope, and set up for the eclipse. I  
18 pulled out my flashlight (the sun already had gone down and it was pretty dark), my thermos of  
19 coffee, and my astronomy journal. I held the flashlight in one hand as I wrote with the other. I  
20 always record the conditions before I record my astronomical observations: "9:34 p.m., 64°F,  
21 clear skies, no precipitation, no wind, very dark." These were perfect conditions for astronomy.

22 Some time later, I looked below and saw a really cool black car pulling into the Marina  
23 parking lot. I knew it was a Maserati the second I saw it – those are my favorite cars! I have this  
24 big poster that shows all the different models and options of Maseratis. I had to sneak it out of

25 the local Maserati dealership because they told me the posters weren't for sale. And this wasn't  
26 any ordinary Maserati; it had those super-bright xenon light bulbs that make the lights look  
27 purple instead of the normal colors. Those don't even come with the car; you have to custom-  
28 order them! One day I'm going to drive a Maserati.

29         Anyway, there were no other cars in the lot besides that cool Maserati. Right after the  
30 Maserati turned into the parking lot it shut its headlights off, even though it still drove for a short  
31 distance before parking. Someone got out of the driver's side of the car and began walking  
32 toward the pier. I couldn't make out the person's face or gender or ethnicity or even what they  
33 were wearing because none of the boats had their cabin lights on. Most of the light was shining  
34 off the moon. It was hard to see but I didn't want to move my telescope out of position. I can't  
35 even say how big the person was because I was so far away.

36         I saw the person walk towards the end of the pier and climb aboard the ship near the end  
37 of the dock. I turned my telescope to see if I could make out the name of the boat. It read, "The  
38 Help Burn." I figured some rich firefighter owned it. My watch read 10:00. I waited for the  
39 light on the fireman's boat to come on, but it never did.

40         At 10:32 p.m., a taxi pulled into the parking lot. Someone got out of the back seat and  
41 the taxi drove away. I can't describe much about this person either, but I did get a bit of a  
42 glimpse when he walked in front of the taxi's headlights. I'm pretty sure it was a man, but, if so,  
43 he was pretty small. He also was dressed all in black; he looked like a cat burglar or something.  
44 The second person started walking down the pier, but just as the second person approached the  
45 middle of the pier, the lunar eclipse went into full effect. From 10:34 until 10:49, everything was  
46 pitch black. It was incredible. I couldn't see anything, not even my hand when I held it up in  
47 front of my face.

48           While it was black, I did hear some things though. Even though I was really high up,  
49 there is always a huge echo up on the top of the cliff. I couldn't exactly make out what I heard,  
50 but first I heard someone scream like they were really surprised and really scared and then yell,  
51 "What are you doing here?" Another voice yelled back, "Shut up, Benny! I'm sick of you  
52 getting in my way, old man!" A few seconds later, I heard this loud bang from the pier. And  
53 then I heard four more loud bangs. I thought there was a gunfight going on! Then I realized the  
54 last four were probably just echoes. I'm almost positive they were gunshots because they  
55 sounded like the gunshots on television and in the movies, but I can't be 100 percent sure  
56 because I've never heard a live gunshot before. I was curious, so I waited for the eclipse to end  
57 so I could see what happened.

58           At 10:49, the moon became visible and the moonlight began to illuminate the Marina. I  
59 looked at the pier but there was no one there. Then I looked over at the parking lot. Someone  
60 was standing behind the Maserati, really struggling to load something into the trunk. I still  
61 couldn't see anything specific about the person, nor could I tell if it was either one of the people I  
62 saw before. I couldn't tell what the person was trying to put in the trunk, but it was big! I  
63 thought maybe the person was an astronomer too and was putting a big telescope back into the  
64 trunk! I thought about going down and asking to see if it was a telescope. If it was, it was  
65 probably the Proxalizer 3000, and I wouldn't want to miss an opportunity to test it out! But then  
66 I remembered the gunshots and decided I'd better not go down there. The person closed the  
67 trunk, opened the driver's side door, got in the car, and drove away without turning on the  
68 headlights. I grabbed my telescope to get a better look, but it was still too dark outside. One  
69 thing was sort of weird though. Instead of turning around and going back the way it came, the  
70 Maserati just sort of turned left. I didn't even know that there was a road there.

71           The first thing I did when I got home was go and look at my Maserati poster. Just as I

72 had suspected, the car I saw was a brand new Quattroporte – one of the rarest cars around! It  
73 was the first time in my life I had ever seen it out on the street and, believe me, I pay attention to  
74 cars all the time! It even had those custom purple xenon bulbs on it!

75 After looking at the poster, I began to think I might have seen a crime, but I didn't call  
76 the police or tell anyone what I'd seen. Honestly, I was scared that if I had seen a crime, the  
77 person might come after me. But then on July 9, 2008, I heard someone on television say that  
78 they'd found a body at the Calkins Cliffs, that the police were looking for information about a  
79 murder at the Midlands Marina, and that anyone who could help would be a hero. When I heard  
80 that, I called the police and told them everything I saw. Within a couple of hours, my mom's  
81 phone started ringing nonstop! All the networks wanted me to tell my amazing story. I was  
82 nervous, but I had always wanted to be on TV. That night I was all over the six o'clock news.  
83 My biggest regret is that if I'd been thinking, I could have shopped my story to the highest  
84 bidder. Oh well – at least I got to be the center of attention for one day in my life! I guess I was  
85 in the right place at the right time.

86 Of the available exhibits, I am familiar with the following, and only the following:  
87 “Midlands Parks and Recreation Map of River Bluffs State Park.” I've been there a lot and the  
88 map accurately depicts the surrounding area. The “1” on the map is the place where I saw the  
89 Maserati parked; the “2” where the boat called the “Help Burn” was; and the “3” is where I was.  
90 I have no idea what the “4” means, though.

91 \_\_\_\_\_  
92 **Hunter Baxamusa**

93 Sworn to and subscribed to me on this, the 30th Day of March, 2009.

94 \_\_\_\_\_  
95 **Howard Schnellen, Notary Public**

## Affidavit of Jordan Lee

1  
2 My name is Jordan Lee. I am the Chief Crime Scene Investigator in Breckinridge  
3 County, Midlands. My lab works with the Midlands Police to solve crimes and apprehend  
4 criminals. I attended the University of Arizona, double-majoring in criminology and chemistry.  
5 I received my Ph.D. in Chemistry from the Massachusetts Institute of Technology. I got  
6 numerous job offers from pharmaceutical companies and universities, but I have always been  
7 fascinated by law enforcement, so I became a CSI. As a result, I haven't done any scholarship or  
8 been published, but I do have a lot of experience in the field. I have testified in court as an  
9 expert on more than two dozen occasions.

10 I was the CSI in charge of the Jacob Bennett investigation. My team examined the  
11 following: Jackie Owens' home; Owens' 2005 Maserati Quattroporte and 2002 Bentley; Casey  
12 Maxwell's home and red Porsche; the Midlands Marina, particularly Casey Maxwell's boat, *The*  
13 *Hepburn*; the baseball field in Midlands State Park; the area below the Calkins Cliffs where the  
14 body of Jacob Bennett was found; and the bullet found during the autopsy in the victim's chest.  
15 This affidavit contains all of my significant observations and conclusions associated with this  
16 case. Consistent with our office's usual practice, I have provided a copy of these conclusions to  
17 the defense and offered to permit them to inspect all physical evidence that we recovered in this  
18 case.

19 I began by examining the Marina on June 19, 2008. When I arrived, I noted the  
20 footprints and streak on the dock leading up to the boat, but since Detective Finch had already  
21 collected footprints from the pier and *The Hepburn*, I saw no reason to duplicate Finch's work or  
22 rerun the analysis myself. Finch, knowing that I was well-trained and experienced in fingerprint  
23 analysis, had asked me to collect fingerprints from the boat. I did so and later analyzed them

24 back at the lab, after obtaining prints from Casey Maxwell and Maxwell's spouse, Bobbie. Both  
25 Casey's and Bobbie's prints were everywhere, which was to be expected. On the handrail as you  
26 climb aboard the boat was another set of prints which didn't match either Casey or Bobbie. I ran  
27 them in the database, but at that point I couldn't find a match.

28 Like Finch, I noticed a strong smell of bleach as soon as I boarded *The Hepburn*, and I  
29 found a substantial quantity of bleach solution on the tile floor below deck. I took a sample of  
30 the bleach back to the lab for analysis, and found that its chemical composition matched  
31 OxyBleach, a popular "As Seen on TV" product from those late-night Millie Bayes infomercials.  
32 The OxyBleach solution is patented and thus distinguishable based on its high concentration of  
33 sodium hypochlorite and other chemical additives.

34 We were given consent to search Jackie Owens' home, grounds, and vehicles, which we  
35 did later that week. Nothing of substance was found on the estate. Jackie Owens was out of the  
36 country, but I questioned Owens via phone and asked if Owens owned any firearms. Owens said  
37 no, but I wanted to confirm this fact, so I called my buddies down at the precinct. They pulled  
38 the registry for gun permits and found Owens had never owned a gun. Just on a lark, I asked  
39 them to run a similar check for Casey Maxwell, the other partner at Trifecta. Apparently  
40 Maxwell had permits for over a hundred guns, everything from antiques to real heavy-duty  
41 weaponry. I decided to investigate.

42 I drove to Maxwell's estate in Midlands Hills. Maxwell's spouse, Bobbie, greeted me  
43 and said I could search anywhere. I found nothing incriminating whatsoever on the grounds or  
44 in Casey Maxwell's Porsche. I asked to see Casey's gun collection. Bobbie opened a bookcase  
45 to reveal a hidden room containing over a hundred guns on the wall, each labeled. "Casey loves  
46 memorabilia," Bobbie explained. "Each gun is linked to a movie." I was about to leave when I

47 noticed there was one empty hook, under which a label read “84 Cheetah Beretta, Bruce Willis in  
48 *Die Hard*.” Bobbie had no explanation as to why the Beretta was missing or where it was, and  
49 when I spoke to Casey later, Casey said the Beretta must have been misplaced. I also asked  
50 Bobbie about both Bobbie’s and Casey’s whereabouts on the night of June 16, 2008. Bobbie  
51 replied that Bobbie had traveled alone to visit family that weekend, and hadn’t returned until the  
52 following Wednesday, June 18.

53 I drove back to the Owens estate. I asked Tony Simmons, who lived on the property and  
54 seemed to do various odd jobs for Owens, about June 16, 2008. I learned that Simmons usually  
55 drives Owens in the Bentley, but on the night Bennett disappeared, Owens drove the Maserati  
56 and Simmons stayed home. I examined Owens’ black-colored Maserati very carefully. Three  
57 things drew my attention. First, I noticed a lot of mud on the tires and side panels, and similar-  
58 looking mud on the floor in front of the driver’s seat. I took some mud samples and bagged  
59 them. I also found the trunk rather unusual. The lack of forensic evidence in the trunk was  
60 startling – no dirt, fibers, hairs, or blood. I took a whiff – the trunk smelled like bleach. I cut out  
61 a small piece of the white lining and a piece of the mat to analyze back in the lab.

62 I analyzed the fabric from the trunk of Owens’ Maserati against the fabric of a stock  
63 black-colored Maserati. The polymer test revealed exactly what we had smelled – sodium  
64 hypochlorite, the active ingredient in bleach. Bleach is excellent for destroying evidence,  
65 particularly DNA, although bleach is generally incapable of completely eliminating all traces of  
66 bloodstains. The concentration of sodium hypochlorite and presence of other chemical additives  
67 indicated that this bleach solution, like the bleach solution found on the boat, matched  
68 OxyBleach. The industrial-strength bleach used on the boat may well have been diluted with  
69 water for use in the trunk, however. Of course, I can’t say who bleached the trunk, when, or why,

70 but it certainly seems suspicious. We searched Owens' home again, looking for bleach  
71 containers, but found nothing.

72 I analyzed the mud found on the Maserati. There's no way to know exactly how long the  
73 mud had been caked onto the car. I'm not a forensic geologist but I am familiar with sediment  
74 analysis from an FBI seminar on the topic, and I have used the techniques from that seminar a  
75 few times in investigations. The first thing I found is that, based on the soil composition and the  
76 pollen tests, the mud from the exterior of the car definitely matched the mud from the interior of  
77 the car. Next, I wanted to determine the exact chemical composition of the mud. For the most  
78 part, the mud was unremarkable – a combination of clay, sand, and silt, which could be found  
79 almost anywhere in Midlands. The only oddity was the presence of significant quantities of  
80 calcium carbonate, a common chemical but one not normally present in soil samples from here in  
81 Midlands. Calcium carbonate comprised about 1.4% of each of three mud samples I'd taken  
82 from Owens' Maserati.

83 By early July, Finch was convinced that Owens was behind Bennett's disappearance, but  
84 we had no body and no proof. Then, on July 6, 2008, I was watching a baseball game on  
85 television. There was a collision at home plate and a swirl of dust, and then it hit me! Calcium  
86 carbonate is the key component in chalk, and baseball fields use chalk to line the dirt basepaths.  
87 I pulled up a map of Midlands to see where the various baseball fields are – there are about two  
88 dozen. But the only one between Maxwell's boat and Owens' estate is in Midlands State Park.  
89 The next morning, the Midlands State Police were digging. Two days later, the police had  
90 wreaked havoc on that field but to no avail. It was embarrassing.

91 I was about to send the police to the next baseball field when I remembered Occam's  
92 Razor. While the baseball chalk idea was novel, its likelihood paled in comparison to that of a

93 much larger source for the calcium carbonate – the Calkins Cliffs. The Cliffs, which overlook  
94 the Midlands Marina, contain large deposits of calcium carbonate and, as the Cliffs erode, small  
95 particles of calcium carbonate fall onto the ground below. I called up a judge and got a court  
96 order to begin digging right then and there. Only one thing stood in my way; apparently those  
97 cliffs are home to an endangered bug, and federal law required a certified expert to observe the  
98 dig to make sure we didn't mess up the bug's habitat. After doing some searching on the  
99 Internet, I called Dr. Loren Charney, an entomologist at Princeton, who agreed to come on the  
100 first flight the next morning and observe for me.

101 Dr. Charney showed up the next day, on the morning of July 9, 2008. My team was  
102 ready and waiting and, with Dr. Charney in tow, we immediately headed to the Calkins Cliffs. I  
103 told Dr. Charney to stay out of our hair and away from the evidence collection so that nothing  
104 was contaminated. I made it clear that Dr. Charney's job was to observe, not supervise. Dr.  
105 Charney did not say a word the entire time during the dig.

106 The dig site was a fairly remote area along the Nomaggaben River that is accessible by  
107 boat or on foot via an unpaved hiking trail that runs along the river. The area along the river is  
108 fairly flat. The distance between the river and the cliffs varies between 20 and 32 feet, and there  
109 are very few trees down there. We got there and started combing the area between the river and  
110 the base of the cliffs. Once we were looking closely, there was an area of dirt behind some  
111 bushes right near the base of the cliffs that was immediately suspicious. Bennett's wife, Mariah,  
112 was there when they pulled the body out, screaming, "It's him! It's Jacob!" I scooped up some  
113 of mud at the burial site. Tests confirmed that it was consistent with the mud in and on Owens'  
114 Maserati. However, I acknowledge that the mud on Owens's Maserati could have come from  
115 just about anywhere in the local area with chalk, like the baseball fields or even near the golf

116 course in Sunset Vista. Nothing else about the scene at the Calkins Cliffs could be linked to any  
117 particular suspect or suspects.

118 I attended the autopsy, during which the medical examiner, Dr. Prescott Ooms, confirmed  
119 that the deceased was in fact Jacob Bennett. After concluding that the cause of death was a  
120 gunshot wound to the chest, Dr. Ooms pulled a bullet out of Bennett's chest. I took the bullet to  
121 my lab for analysis. The metal was largely corroded by the body's decomposition, but I was able  
122 to do a partial ballistics analysis. The highly distinct grooves in the bullet must have come from  
123 one of three guns: a Cheetah Beretta, a Px4 Beretta, or a Beretta 9mm Series 92. Maxwell's  
124 missing gun could be the murder weapon, but it could be one of the other two models or even  
125 someone else's Cheetah. There's no way to know for certain because without the murder  
126 weapon, which we never found, I cannot perform any tests on the bullet's striations.

127 Once we found the body, people started coming out of the woodwork. Most were a waste  
128 of time, but two people whose stories checked out were Hunter Baxamusa and Shannon Stark.  
129 We met with Baxamusa on the afternoon of July 9, and word must have spread quickly, because  
130 later that night Baxamusa was the lead on every local newscast. Baxamusa reported having been  
131 at the Calkins Cliffs on the night Jacob Bennett disappeared, and having seen a dark-colored  
132 Maserati with very distinctive purple xenon headlights at the scene.

133 We knew from our previous search of the Owens estate that Jackie Owens owned an  
134 ebony-colored 2005 Maserati Quattroporte, but we hadn't turned our attention to the car and had  
135 no reason to pay any attention to the headlights during our previous search. Stark told us that  
136 Owens had purchased purple-tinted xenon headlights in June 2008, shortly before Bennett  
137 disappeared.

138           Based on those two pieces of information, we got another warrant to search the Owens  
139 estate and we executed that warrant on July 10, immediately after Owens was arrested. We  
140 flipped on the Maserati's headlights. The lights weren't purple, and they weren't xenon either.  
141 Instead, they were yellowish-white in color, which according to Maserati's specifications is the  
142 standard headlight color for that year and model of car. When we looked closely at the headlight  
143 assemblies, however, we saw scratches in the car's finish that were consistent with tool marks,  
144 indicating that someone – likely not a professional mechanic – had attempted to pry open the  
145 headlight assemblies. We then removed the bulbs from the headlamp casing and confirmed that  
146 they were, in fact, stock bulbs that were each stamped with a serial number and a bar code. I was  
147 suspicious about the bulbs because of the scratches around the casing, so I bagged the bulbs and  
148 brought them back to the station, where I keep a standard bar-code reader in my desk drawer.  
149 When we returned to the station, I scanned each bulb's bar code with my reader and the display  
150 read, "DATE OF PRODUCTION: 6-22-08." We also searched the entire Owens estate for any  
151 purple-tinted xenon bulbs, but we didn't find any bulbs or boxes in which they might have been  
152 packaged.

153           Once Owens was arrested, I took Owens' fingerprints and ran them against the  
154 unidentified set of prints I had found on the Hepburn. The set of prints on the boat consisted of  
155 the thumb and one other finger with at least 2/3 of a print, with the remaining fingers too  
156 smeared to use. This set of prints clearly did not match the other two sets of prints on the boat,  
157 which I had previously matched definitively to Casey Maxwell and Casey's spouse, Bobbie,  
158 based on prints I obtained from them. The thumb had 6 points of similarity with Jackie Owens'  
159 right thumb, while the other finger was a 10-point match with Owens' right index finger, which  
160 may not be a slam-dunk match but is pretty good for partial prints. Of course, fingerprint

161 analysis does not yield a simple “one-in-a-million”-type numerical result; the analysis is a  
162 qualitative one, based on the totality of the evidence and the examiner’s experience and  
163 expertise. Based on my comparison of Jackie Owens’ prints and those found on the boat, I am  
164 highly confident that the fingerprints found on the handrail of the *Hepburn* belong to Jackie  
165 Owens.

166           Of the available exhibits, I am familiar with the following, and only the following:  
167 “Autopsy Report for Jacob Bennett”; “Deposition of Prescott Ooms”; and “Midlands Parks and  
168 Recreation Map of River Bluffs State Park.” I have been to the area depicted on the last-  
169 mentioned exhibit and the map accurately depicts the general location. The spot labeled “2” on  
170 the map is where *The Hepburn* was berthed and the spot labeled “4” is where we found Bennett’s  
171 body.

172

173

174

175

\_\_\_\_\_  
Jordan Lee

176 Sworn to and subscribed to me on this, the 23<sup>rd</sup> Day of July, 2009.

177

178

\_\_\_\_\_  
Sharon Getty, Notary Public

Prosecution Direct Examination of Hunter Baxamusa

1. Where do you live?

Midlands.

2. What is your current occupation?

Student.

3. How did you become involved in the case at hand?

Witnessed a crime. Came forward to tell police about observations.

Ma'am, I'd like to walk the jury through exactly what you saw that night.

4. At what time did you arrive at the Calkins Cliffs

9:30 p.m.

5. Was there anyone else there at that time?

No. All alone.

6. Did anyone else arrive at the pier while you were there that night?

Yes. At 10 p.m. someone drove there and boarded a boat.

7. Did anyone else arrive at the pier?

Yes. 10:32 p.m. taxi drove there and dropped off someone else who boarded the boat.

8. After the two people boarded the boat, what happened?

Screaming. Gunshot.

9. After you heard a gunshot, what happened?

Ms. Baxamusa I would like to direct your attention to the second car you saw in the parking lot that night.

10. Do you know for sure what kind of car it was?

Yes. Maserati Quattroporte.

11. But ma'am, you were standing pretty far away; can you tell the jury how you can be so sure?  
Elaborate. Be persuasive.

Direct Examination of Dr. Jordan Lee

1. Doctor, what is your current occupation?

CSI

2. Can you outline for the jury your educational background?

UA. PHD. MIT.

3. Have you ever testified in court before?

Yes.

4. What is your role when you testify in cases such as this?

Tell the jury about physical evidence.

5. Turning your attention to this case, how did you become involved?

Lead CSI put in charge of disappearance.

I'd like to take the jury through your investigation step by step.

6. Where did you start?

Boat.

7. Did you find anything of note there?

Bleach. Explain.

8. After you searched the boat, how did your investigation proceed?

Maserati.

9. Did you find anything of note on the defendant's Maserati?

Yes. The same bleach. Explain.

10. Did you find anything else of note on the car?

Yes. Mud.

11. Doctor, did you run any tests on the mud on the defendant's car?

Yes. Chemical composition tests.

12. What did those tests reveal?

Perfect match. Persuade!

## Affidavit of Alex Grace

1  
2 My name is Alex Grace. I own homes in Beverly Hills and Martha's Vineyard but reside  
3 in Sunset Vista, one of Midlands' more exclusive communities.

4 It goes without saying that I am a movie star. I'm a good actor. Acting is just lying and  
5 lying is easy. Anyway, I would do anything for an award statue, for critical applause, for the  
6 chance to tell a great story. I've made my career and my fortune by starring in Hollywood  
7 blockbusters. My face and name have been everywhere: *People* magazine, my own personal  
8 workout video, and even my own signature bottled scent.

9 Jackie Owens gave me my big break in Hollywood. I had been doing some big roles on  
10 Broadway but never had thought seriously about going to the silver screen. Jackie came to see  
11 my award-winning lead in *Dogs* one day, and immediately signed me to a contract for a major  
12 part in an upcoming film, *Dangerous Lies*. That film set my career on fire. I instantly became a  
13 little too big-time for Jackie Owens, and never did another film with Jackie until recently.

14 My career has been filled with starring roles in blockbuster films like *Stony*, *Marbo*, and  
15 *Maximus*. The one thing that has always eluded me was an Oski Award. I had been searching  
16 for the script that could get me to that next level, and I had finally found it in 2005 when I was  
17 cast to play the lead in *50 Days*, a script that jumped off the page when I read it. That all went  
18 up in smoke, though, when I walked the red carpet at the Oski Awards in 2005. I don't speak out  
19 for anyone unless I'm getting paid. But instead of asking me about my latest hit movie, a  
20 reporter cornered me and wanted to know why I wasn't wearing a Katrina victim ribbon. I've  
21 hated New Orleans ever since an alligator almost chewed off my leg in a location shoot, so I  
22 made a joke about the hurricane being a good thing and called the city a "cesspool."

23 How was I supposed to know how bad things were there? It hadn't hit the tabloids, it  
24 wasn't in the box-office rankings yet, and it didn't come up on a Google search for "Alex

25 Grace,” so I wasn’t following it at all. The line about Katrina followed me, though. Within a  
26 few days, I was told my services were no longer required on the set of *50 Days*, and I couldn’t  
27 even get an audition for anything more than a Japanese television ad for the next two years. All  
28 of my sponsorships dried up too. I had really hit rock bottom both financially and in my career.  
29 I’d made a lot of money, but I’d spent a lot of money too. The bills were beginning to mount  
30 and I was about to call around to reality TV producers – the last refuge of the Hollywood D-list –  
31 when Jackie Owens called me out of the blue.

32 Jackie and I had lost touch, but Jackie knew about all my troubles and told me that a  
33 contract was waiting for me at Trifecta if I wanted it. I didn’t even ask about the details. You  
34 don’t ask questions when someone throws you a life preserver – you grab it and let them pull you  
35 to shore. Jackie told me that my career was salvageable and Jackie was glad to help. What was  
36 in it for Jackie? Trifecta would never even have a shot at a star like me under any other  
37 circumstances. Jackie planned to gradually reintroduce me to the public by casting me in  
38 increasingly larger roles over the next few years. I frankly didn’t care if I was a non-speaking  
39 extra – I just wanted back in the biz.

40 My career had come full circle and I was back with my best friend in the movie business.  
41 When Jackie rescued my career after that horrible storm I encountered – no pun intended – we  
42 became even closer. Ever since I moved to Midlands in August 2006, we have had standing  
43 dinner arrangements. Virtually every Monday night since I followed Jackie’s suggestion to  
44 move to Midlands, we have gone out to eat at one of the many fine restaurants Midlands has to  
45 offer.

46 June 16, 2008, was a Monday and, as usual, Jackie and I had dinner plans. This was the  
47 first time, though, that we didn’t dine out. Instead, we ate at my house. I don’t recall whose idea  
48 it was to eat at my house that night, but it ended up working out great. I sent my chef, maid, and

49 butler home and cooked the entire five-course meal all by myself. I don't cook very often so it  
50 took me all afternoon! Jackie arrived at 8:00 p.m. and stayed until well after 1 a.m. I remember  
51 Jackie pulling up in the Maserati. Jackie was wearing a yellow sweater and a pair of dark blue  
52 jeans. Jackie also brought along two bottles of a great Australian Shiraz that I'd never tried.

53 Jackie was in a great mood, totally calm and not at all distracted. We talked about all  
54 sorts of topics, enjoyed Jackie's excellent wine, and had another wonderful Monday evening.  
55 Jackie told me how well things were going at Trifecta, and how 2008 promised to be their most  
56 profitable year yet. Jackie also talked about how enjoyable it had been to work with longtime  
57 friend Jacob Bennett, but expressed concern about their other partner, Casey Maxwell. Jackie  
58 said Casey had been acting strangely and had been complaining about Jacob behind his back.  
59 Just after midnight, we walked outside and I watched Jackie climb into that beautiful black  
60 Maserati. I've driven from Jackie's house to mine many times and the trip is about 15 minutes.

61 On June 17, the story broke about Jacob's disappearance. It was June 21, 2008, when the  
62 police came to my estate and grilled me. They asked me whether Jackie was ever out of my  
63 sight on the night of June 16. I told them we were together the entire time. The cops asked what  
64 I cooked for dinner. I told them I cooked five courses, but I couldn't remember exactly what the  
65 different dishes were. After all, we had a lot of wine! They asked if anyone else had been there  
66 that evening, but I told the police it was just the two of us, me and Jackie.

67 The police asked whether Jackie had ever said anything bad about Jacob. I told them the  
68 only person I'd heard say bad things about Jacob was Casey Maxwell, their other partner. I went  
69 to the 2006 Trifecta holiday party as Jackie's guest, and I overheard Casey complaining about  
70 being mistreated by Jacob. The more Casey drank, the louder Casey got. Eventually, Jacob  
71 walked in and the two started arguing. Eventually Casey stormed out, with Jacob just laughing  
72 at Casey. That was the last time I saw Casey and Jacob together. Jacob and Jackie, on the other

73 hand, always got along great. They were like siblings, telling stories and laughing at inside  
74 jokes.

75 I talked to the police once again on July 2, 2008. For some reason, they wanted to know  
76 if Jackie had ever been on Casey Maxwell's boat. I started to say "I don't think so," but then, all  
77 of a sudden, it hit me – Jackie had been on Casey's boat and I'd been with Jackie at the time! I  
78 told the police it had happened a couple of weekends before Jacob disappeared. Jackie and I  
79 were eating brunch at this great new place when Jackie came up with this idea that Casey should  
80 cast me in Casey's next movie and decided that we needed to find Casey immediately. Since it  
81 was a beautiful Saturday, Jackie thought Casey would be at Casey's boat at the Midlands  
82 Marina, so we drove straight there. Jackie ran down the dock yelling "Casey! Casey!" and then  
83 jumped onto the boat. Casey wasn't there, though. At that point, I realized I had an appointment  
84 with my personal trainer in 20 minutes, and yelled at Jackie to stop dawdling on the boat and  
85 give me a lift home. We left without seeing Casey or anyone else there.

86 On Monday, June 23, 2008, I got some exciting news: Jackie offered me the lead in  
87 Jackie's new movie, *Rocking Leo*! As I said before, Jackie had convinced me to move to  
88 Midlands with the plan of gradually reintroducing me to the public over the course of the next  
89 few years. That plan had sort of stalled, however, because Jacob had made clear to both Jackie  
90 (and once to me) that he thought I was "radioactive" and could sink Trifecta just as it was getting  
91 going. As a result, I haven't actually had any speaking role in any Trifecta movie since moving  
92 to Midlands, which has been pretty frustrating. But Jackie promised to keep trying and I guess it  
93 worked out in a big way.

94 To tell you the truth, I was completely shocked when Jackie offered me the lead in  
95 *Rocking Leo*. I had known the movie was in the works, but that June 23 phone call from Jackie  
96 was the first time anyone (including Jackie) had ever mentioned to me the possibility that I

97 would be in the movie at all, much less playing the lead. In fact, when Jackie called from Europe  
98 to offer me the part, the first question I asked was how it was going to work given that Jacob was  
99 one of the producers of *Rocking Leo* and Jacob had previously made clear he didn't want me  
100 even as a non-speaking extra in one of "his" movies. Jackie said: "Jacob's over it. We talked  
101 about it at lunch the Monday before he disappeared and Jacob agreed that by now everyone had  
102 forgotten about your Katrina comment and now was the time to bring you back in a big way."  
103 Of course, now the movie is tied up with all the uncertainty about Trifecta's future. Once this all  
104 blows over and the movie's released, though, I know that *Rocking Leo* is going to show America  
105 that Alex Grace is back!

106 I have not seen and am not familiar with any of the available exhibits in this case.

107 \_\_\_\_\_  
108 Alex Grace

109 Sworn to and subscribed to me on this, the 1<sup>st</sup> Day of March, 2009.

110 \_\_\_\_\_  
111 Thomas Galvin, Notary Public