

33rd Annual Colorado Bar Association

2018 HIGH SCHOOL MOCK TRIAL PROGRAM



The Official Colorado Case Problem *The People v. Bailey Forsythe*



WRITTEN BY

Colorado Bar Association
High School Mock Trial Committee
and Carolyn P. Gravit



coloradohighschoolmocktrial.com

Case Summary

On June 3, 2017, Corey Forsythe fell into the Poudre River and was later found dead several miles downstream. Bailey Forsythe, who was married to Corey Forsythe, claims that the couple was arguing next to the river when Corey came at Bailey with a rock. Bailey claims that Corey accidentally fell in the river and drowned. The Coroner originally ruled the death an accident, but when Bailey Forsythe tried to collect on Corey's insurance policy, the insurance company assigned an investigator who now claims that Corey's death was a homicide.

The District Attorney agrees with the insurance investigator and has charged Bailey Forsythe with First Degree Murder.

Case Specific Situation and Rule

Certain facts in this case are dependent on the Defendant's or Victim's gender. As a result, although most references to witnesses in this case file are gender-neutral, some references are not and are intentionally gender-specific.

If the defense portrays Bailey Forsythe as male, then the deceased Victim, Corey Forsythe, will be female. Similarly, if the defense plays Bailey Forsythe as female, the deceased Victim, Corey Forsythe, will be male. This option provides competitors increased opportunities and challenges in preparing and trying the case.

Each team must identify, in their team rosters that are submitted prior to the tournament and at trial, whether Bailey Forsythe will be portrayed as male or female, and may not change the gender of the Defendant during a tournament. The Committee will announce before each round, with the courtroom assignments, the gender of the Defendant. Both teams will be bound by the announced gender of the Defendant.

AVAILABLE WITNESSES

Witnesses:

Prosecution

- 1 Dr. Val Williams (expert witness)
- 2 Pat Nunn
- 3 Jordan Garcia

Defense

- 1 Bailey Forsythe
- 2 Taylor Walken
- 3 Dr. Morgan Lloyd (expert witness)

EXHIBITS

- Exhibit 1 - Picture of the area along the river where the victim fell in.
- Exhibit 2 - Coroner's report
- Exhibit 3 - Independent Medical Expert report
- Exhibit 4 - CV of Val Williams
- Exhibit 5 - CV of Morgan Lloyd
- Exhibit 6 - Police Statement by Pat Nunn
- Exhibit 7 - Dinner receipt obtained from Rattlesnake Café
- Exhibit 8 - Dinner receipt produced by Defendant
- Exhibit 9 - Dagney's Doggy Daycare log
- Exhibit 10 - Text Messages between Victim and Defendant
- Exhibit 11 - 911 transcript
- Exhibit 12 - Map of Poudre Canyon
- Exhibit 13 - Print out from insurance file
- Exhibit 14 - Picture of Bernard

STIPULATED FACTS

1. The signatures on the witness statements and all other documents are authentic.
2. Chain of custody for evidence is not in dispute.
3. Stipulations cannot be contradicted or challenged.
4. Bailey and Corey Forsythe had a prior domestic incident in 2015 which resulted in the husband being convicted of a felony assault against the wife.

DISTRICT COURT LARIMER COUNTY, STATE OF COLORADO 200 W. Oak Street Fort Collins, Colorado 80524	<p style="text-align: center;">▲ COURT USE ONLY ▲</p>
THE PEOPLE OF THE STATE OF COLORADO Plaintiff v. BAILEY FORSYTHE Defendant	
Case Number: Division: 1	
<p style="text-align: center;">COMPLAINT AND INFORMATION</p>	

ONE CHARGE:

COUNT 1: MURDER IN THE FIRST DEGREE, C.R.S. § 18-3-102(1)(a) (F1)

Cliff Riedel, District Attorney for the Eighth Judicial District, in the State of Colorado, in the name and by the authority of the People of the State of Colorado, informs the court of the following offenses committed or triable in Larimer County:

COUNT 1: MURDER IN THE FIRST DEGREE (F1)

On or about June 3, 2017, BAILEY FORSYTHE, unlawfully, feloniously, and after deliberation with the intent to cause the death of another person, caused the death of COREY FORSYTHE, in violation of section 18-3-102(1)(a), C.R.S.

All offenses against the peace and dignity of the People of the State of Colorado.

By: Amy Petri Beard
 Deputy District Attorney

Filed on: July 31, 2017

Jury Instructions

Instruction No. 1

The defendant, Bailey Forsythe, is charged with committing the crime of Murder in the First Degree, in Larimer County, Colorado, on or about June 3, 2017. The defendant has pleaded not guilty.

The charge against the defendant is not evidence. The charge against the defendant is just an accusation. The fact that the defendant has been accused is not evidence that the defendant committed any crime.

Instruction No. 2

Every person charged with a crime is presumed innocent. This presumption of innocence remains with the defendant throughout the trial and should be given effect by you unless, after considering all of the evidence, you are then convinced that the defendant is guilty beyond a reasonable doubt.

The burden of proof is upon the prosecution to prove to the satisfaction of the jury beyond a reasonable doubt the existence of all of the elements necessary to constitute the crime charged.

Reasonable doubt means a doubt based upon reason and common sense which arises from a fair and rational consideration of all of the evidence, or the lack of evidence, in the case. It is a doubt which is not a vague, speculative or imaginary doubt, but such a doubt as would cause reasonable people to hesitate to act in matters of importance to themselves.

If you find from the evidence that each and every element of a crime has been proven beyond a reasonable doubt, you should find the defendant guilty of that crime. If you find from the evidence that the prosecution has failed to prove any one or more of the elements of a crime beyond a reasonable doubt, you should find the defendant not guilty of that crime.

Instruction No. 3

A fact may be proven by either direct or circumstantial evidence. Under the law, both are acceptable ways to prove something. Neither is necessarily more reliable than the other.

Direct evidence is based on first-hand observation of the fact in question.

Circumstantial evidence is indirect. It is based on observations of related facts that may lead you to reach a conclusion about the fact in question.

Instruction No. 4

You are the sole judges of the credibility of each witness and the weight to be given to the witness's testimony. You should carefully consider all of the testimony given and the circumstances under which each witness has testified.

For each witness, consider that person's knowledge, motive, state of mind, demeanor, and manner while testifying. Consider the witness's ability to observe, the strength of that person's memory, and how that person obtained his or her knowledge. Consider any relationship the witness may have to either side of the case, and how each witness might be affected by the verdict. Consider how the testimony of the witness is supported or contradicted by other evidence in the case. You should consider all facts and circumstances shown by the evidence when you evaluate each witness's testimony.

You may believe all of the testimony of a witness, part of it, or none of it.

Instruction No. 5

You are not bound by the testimony of witnesses who have testified as experts; the credibility of an expert's testimony is to be considered as that of any other witness. You may believe all of an expert witness's testimony, part of it, or none of it.

The weight you give the testimony is entirely your decision.

Instruction No. 6

The credibility of a witness may be challenged by showing that the witness has been convicted of a felony. A previous felony conviction is one factor you may consider in determining the credibility of a witness. It is up to you to determine what weight, if any, is to be given to such a conviction.

The defendant is to be tried for the crime charged in this case, and no other. You may consider testimony of a previous conviction only in determining the credibility of the defendant as a witness, and for no other purpose. When the defendant testifies, the defendant's credibility is to be determined in the same manner as any other witness.

Instruction No. 7

The credibility of a witness may be discredited or supported by testimony about his or her reputation for truthfulness or by the opinion of another witness. It is entirely your decision to determine what weight shall be given such testimony.

Instruction No. 8

The number of witnesses testifying for or against a certain fact does not, by itself, prove or disprove that fact.

Instruction No. 9

The elements of the crime of Murder in the First Degree are:

1. That the defendant,
2. in the State of Colorado, at or about the date and place charged,
3. after deliberation, and
4. with the intent,
5. to cause the death of another person,
6. caused the death of that person.

After considering all the evidence, if you decide the prosecution has proven each of the elements beyond a reasonable doubt, you should find the defendant guilty of murder in the first degree.

After considering all the evidence, if you decide the prosecution has failed to prove any one or more of the elements beyond a reasonable doubt, you should find the defendant not guilty of murder in the first degree.

Instruction No. 10

A crime is committed when the defendant has committed a voluntary act prohibited by law, together with a culpable state of mind.

“Voluntary act” means an act performed consciously as a result of effort or determination.

Proof of the voluntary act alone is insufficient to prove that the defendant had the required state of mind.

The culpable state of mind is as much an element of the crime as the act itself and must be proven beyond a reasonable doubt, either by direct or circumstantial evidence.

In this case, the applicable states of mind are explained below:

The term “after deliberation” means not only intentionally, but also that the decision to commit the act has been made after the exercise of reflection and judgment concerning the act. An act committed after deliberation is never one which has been committed in a hasty or impulsive manner.

A person acts “intentionally” or “with intent” when the person’s conscious objective is to cause the specific result proscribed by the statute defining the offense. It is immaterial whether or not the result actually occurred.

VAL WILLIAMS – WITNESS STATEMENT - PROSECUTION

I am Val Williams, Independent Insurance Medical Investigator. I was employed by After Life Advice Life Insurance Company to investigate various claims. I was a Board Certified Internal Medicine Physician for twenty years. Very soon after my residency training in Denver, I was invited to a presentation on pain management at a Tahiti resort. The pharmaceutical companies that put the program on treated me so well and described a very lucrative business plan. On the way back, I sat next to Jackson Michael, who turned out to be a huge entertainment star, but at the time, was very friendly. Candidly, I had no idea who he was at first—my musical tastes run more toward Warren Zevon. Anyway, after exchanging pleasantries, I noticed he was flinching whenever he reached for his drink. I mentioned that he seemed in pain. He told me that when he was rehearsing for an upcoming show, he felt something in his back seize up. He was looking forward to seeing a chiropractor when he got back to LA. Since I still had some of the samples from the conference, I gave him a sample of a new pain medication that was all the rage at the conference. He immediately swallowed it and it instantly gave him relief. After that, we became so close, it was unbelievable. Like peas in a pod. We discussed the pain-management business idea I had just learned, and Jackson was very interested. Jackson even offered to refer some of his entertainment business friends who always complained about pain from their high energy performances. So from that time, Jackson became my primary patient, but I always accepted new referrals. Jackson even had a nickname for me. One time I said that I liked his last album better than his current one, and he called me Critical Bill—you know, like Doubting Thomas or Nervous Nelly. Well, the name stuck and everyone in Hollywood was calling me that for a while. Hence the name of my old company, Critical Bill Pain Management Consultants.

Everything was going well. I had a hugely successful practice, very famous clients, and became a spokesperson in the legalization of marijuana movement across the country. I was a

groomsman at Jackson's second wedding, and he was best man at my first. If we'd had children, I'm sure they would have grown up together, we were that tight. Then fatality struck. Jackson was found at his home unresponsive with huge amounts of pain killers and stimulants in his system.

I decided to surrender my medical license because they threatened to investigate my practice. This meant investigating several entertainment stars, including Jackson Michael. They were all pain-relief patients taking medical marijuana and opioids. I didn't learn till later that Jackson had been using several professionals for his pain management and I was cleared, sort of. But I had decided to avoid the hassle and surrender my license. By this time, After Life had contracted with me on some insurance litigation and the pay was very good. So, I decided to do this full time. I took several courses to expand my forensic medical expertise with scene investigation, interviewing skills, and additional lab analysis. My only regret is that I lost all my famous friends, and I miss the great parties.

I have been recognized as an expert in forensic internal medicine and forensic accident investigation in several jurisdictions around the country, including courts in Colorado. I always testify for the insurance company, which means I usually am a defense expert. This is the first time I have testified in a criminal case, but I have been recognized as an expert witness in nineteen civil trials. I am paid a salary by After Life, so I am not charging for my time or testimony.

I was asked by After Life Advice Life Insurance Company to look into the claim by Bailey Forsythe for accidental death benefits for the death of Corey Forsythe due primarily to the size of the policy, but also because of the recent increase in the benefit by the wife.

47 The size of the policy, and how it came to be, is significant. I reviewed the electronic file
48 for the Forsythe policy. Whenever a policy holder calls After Life or whenever there is some
49 action taken in connection with an insurance policy, a contemporaneous note of it is made in the
50 file. After Life's file for the Forsythe policy revealed that the couple had mutual policies for
51 \$250,000 for several years. Then two years ago, they increased the policies to \$500,000,
52 consistent with their increase in income. However, a month before the incident, the wife
53 increased the policy on the husband to \$1 million. With a double-payment for accidental death,
54 the wife would receive \$2 million. The other policy remained in effect. It just did not increase.
55 So, the husband would still have benefited from the wife's accidental death to the tune of \$1
56 million. That presents a very lucrative motive to exit a difficult marriage.

57 It is correct that After Life Advice Insurance Company is known for vigorous litigation of
58 insurance claims. I get a bonus based on the amount of risk I mitigate, but I would never lie just
59 to get a bonus. The money is nice, but my work as an investigator is not nearly as rewarding as
60 my private practice to the stars was. I should point out that I was never charged with criminal
61 conduct as a medical practitioner.

62 In any claim investigation, experts in my field look for additional motive; that is, in
63 addition to the monetary payoff. In this case, the Coroner did not look into the history of the
64 couple who had a difficult marriage. I checked the police records and confirmed that the husband
65 has a prior felony conviction for a domestic violence assault on the wife. According to the police
66 report, the husband threw a dinner plate at the wife during a fight. On the other hand, several
67 friends of the couple, including Jordan Garcia, confirmed that the wife was known to stray from
68 her marriage bed and to taunt the husband with her infidelities.

It is understandable that the coroner did not look at the history of the marriage. They are presented with a body and maybe first responders' statements. I lucked out in that Jordan Garcia contacted After Life to let us know that Bailey Forsythe was scamming us. After Jordan Garcia told me what happened at the Rattlesnake Café, I went there and talked to the manager. The manager and I went through the receipts for the evening. Most of the receipts were for larger groups, but there was one receipt for a couple at about the right time. I took the receipt to Jordan Garcia, who immediately told me that it had the same food and drink items that Jordan saw on the table.

After that, I went and looked at the Coroner's report, focusing on the physical evidence. Critically, there was very little water in the lungs, no evidence that the victim fought the current by grabbing rocks, no evidence that the victim cried out for help, no over-distension of the alveoli, no diatoms found in the blood, and most significantly, the fracture in the back of the skull which is more consistent with a blow to the head than with a glancing impact as the victim is being carried downstream. When I visited the site of the immersion, the ground was littered with softball size rocks, whereas the large rocks that were visible in the river were more rounded due to erosion.

Additionally, I dug a little further into Bailey Forsythe's past life and found that Bailey's first spouse also died of "accidental" causes in a remote area. There was a large insurance payoff in that incident as well. In that case, the information I was able to obtain indicated that Bailey Forsythe had been married a short time when, during a 4x4 driving trip in the Colorado mountains, the spouse was crushed under the 4-wheel vehicle they were driving, allegedly during an effort to exchange a flat tire. Because of the remote location, Bailey completed changing the tire, loaded up the horribly mangled body, and drove back into town. The police in that case did

not even examine the “flat” tire Bailey was carrying, or examine the ground where the flat and death had occurred. The family of that first spouse was suspicious and they complained loudly to the local news stations, but there was no real evidence of foul play and charges were never filed. My understanding is that the CBI is now evaluating whether they will re-open that case for a full investigation.

Corey Forsythe’s death really is not a close call in my mind. Bailey Forsythe essentially admitted the murder to Jordan Garcia. The fact that the physical evidence exactly matches the description of events that Bailey taunted Garcia with seals the deal. The insurance claim, the first spouse dying under suspicious circumstances, and what was going on in the marriage between Bailey and Corey Forsythe is just icing on the cake. In all likelihood, Bailey Forsythe murdered Corey Forsythe to collect the insurance money and tried to make it look like an accident.

I travelled to the location where Corey Forsythe fell into the Poudre River. Exhibit 1 is a fair and accurate representation of that location. Exhibit 2 is an accurate copy of the Coroner’s report that I reviewed and considered in forming my opinions today. Exhibit 3 is an accurate copy of my report that I prepared in this case. Exhibit 4 is my CV. Exhibit 6 is a police statement from Pat Nunn that I reviewed and considered in forming my opinions today. Exhibit 7 is an accurate copy of the receipt I obtained from the Rattlesnake Café. Exhibit 11 is a copy of a transcript I obtained from the police department. Finally, Exhibit 13 is an accurate printout of the note in After Life’s electronic file for the Forsythe insurance policy reflecting the conversation the rep who took the call had with Mrs. Forsythe.

I have carefully reviewed this statement. It is true and accurate, and it includes everything I know of that could be relevant to the events I discussed. I understand that I can and must update this statement if anything new occurs to me before the trial.

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By: Val Williams, MD
Val Williams, MD

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PAT NUNN – WITNESS STATEMENT - PROSECUTION

It was going to be a good day, fishing on the Poudre, but it didn't turn out that way. It was June 3rd. A perfect Saturday. An easy wind was blowing and the sky was crystal blue. Normally, I can just dry clean my brain, because if you do anything else at all while you are fishing you'll miss a strike and get a reminder to pay attention. And you'll feel stupid. So you stay in the moment, and the rest of the world leaves you. But not that day.

I ran up the Canyon on 287 and 14 past Poudre Park almost to Mishawaka. I know exactly where I was because I log where I fish so I can find it again. GPS showed 40.6937400 - 105.3314000. And yes I am sure: I logged it before it all went down. I brought the map of the Canyon: you can see where we were, at about Young Gulch, but not quite there. I've read that it all happened in a campground, but trust me, there just ain't no campground there. I wouldn't have been there if there had. Sure, I had my tent and sleeping bag, but a campground it wasn't. People and fly fish types don't mix, which is why I was surprised when the Forsythes showed up.

These clowns walked right into my backcast. I was fishing a San Juan worm, but before that I had on a big stonefly nymph, and believe me, you don't want to get hit by one. It's weighted to bounce along the bottom, and it has a big nasty hook, even if it is barbless, and you can put an eye out with the thing. I nailed myself in the ear with a fly a few years ago and had to dig it out in the truck's side mirror with pliers. By the time I heard them over the sound of the river they were way too close, and for a moment I thought I still had the stonefly on. It was just the worm, but still. I side-armed the cast away from them and tried to ignore them at first, but they were talking too loudly. I had my back to them, but I could tell from the voices who was saying what. The guy was mad, and said something like, "You are screwing around on me, aren't

24 you?” Just like I wasn’t there. Then I said to myself, I’ll get them out of here, and I picked up the
25 line and false casted a couple of times, the line whipping between us, this time almost hitting
26 them on purpose, and I let the line settle on the water. They didn’t take the hint and walked right
27 up to me as if I wanted to talk, which was really, really odd. It was like a set up, but I didn’t
28 think of that till later. They introduced themselves, saying: “We’re sorry to interrupt your
29 fishing. My name is Corey Forsythe and this is Bailey. What’s your name?” It was strange—as if
30 Corey Forsythe specifically wanted to make sure I knew who they were and to get my name for
31 some reason. You just don’t do that in the woods. In town, maybe, or in a meeting, sure. But on
32 the river? I turned to ask them to go away and that’s when I saw Bailey Forsythe’s face. I don’t
33 know why the name didn’t click, but I don’t forget faces, and everyone in my family knows
34 Bailey’s face.

35 About eight years ago, Bailey was married to my second cousin, Lee. Well, actually, Lee
36 was my aunt’s grandchild, so, technically, Lee was my first cousin once removed. Lee died
37 under suspicious circumstances, and the gossip in my family was that Lee had been killed to
38 collect on a life insurance policy. I had never met Lee, but after Lee’s death, everyone in my
39 family was talking about “Bailey the murderer.” Lee’s mother and father were convinced it was
40 not an accident, but the police wrote them off as grieving parents. So they went to the local TV
41 stations. There were several stories and Bailey’s face was all over the news for a couple of
42 nights. That’s how I knew what Bailey looked like. One time my aunt, Lee’s grandmother, told
43 me at a family reunion how Bailey never grieved over Lee’s death, and as soon as the life
44 insurance policy paid off, Bailey started living high on the hog.

45 But, back to the river. I was kind of dumbstruck that the person who had killed my cousin
46 was standing two feet away from me. They did not know who I was, and I was not 100% sure

47 that this was the same Bailey who had killed Lee, so I just kind of stood there. Then this Corey
48 person says “you’ll have to forgive Bailey, we’re having a bit of a misunderstanding over a
49 phone call and Bailey has a little bit of a temper.” What a strange thing to say. Anyway, Bailey
50 hears Corey say that and storms off in a huff. I couldn’t hear what they said, over the river, but
51 they were still at it.

52 I was immediately suspicious. Everyone in my family believed that Bailey had lured Lee
53 to a remote location to make the murder look like an accident, and here’s Bailey again, fighting
54 with some new person along a remote stretch of the Poudre river. So I started watching these
55 two. He was waving his arms around and getting louder, and she was quieter, not looking at him,
56 but talking back, and sure looking like she was doing the passive-aggressive thing and getting
57 her licks in. She was dragging her feet, kind of wanting to stay in range, he was getting ahead of
58 her and turning until he was walking backwards talking at her, until she turned and looked back
59 at me, then put on speed, passed the guy, and went downstream around the bend. I am absolutely
60 sure she left first, and he followed her.

61 Pretty quickly they got out of sight, but I could still hear the argument, so I secured my
62 rod and walked over toward where they had gone. At this point, it got weird. I got to where I
63 could see Bailey just standing there doing nothing. I didn’t want to get caught following them, so
64 I hung back and did not get any closer. Bailey bends over and picks something up, then quickly
65 walks toward the river. I couldn’t see anything after that, but I am certain I heard a splash, then I
66 hear Bailey Forsythe shout, scream, really, “*What are you doing?*” And the OMG thing. You
67 know, “Oh my god, oh my god!” The river is really loud right there, but I am sure that’s what I
68 heard. As soon as all that happened, I ran toward Bailey who, by then, was yelling for help.
69 Immediately, Bailey looks at me and says, “Thank goodness you’re here! Corey attacked me!”

70 Then I said, "Attack you? With *what*?" The Defendant said a rock. I said, "*Right*," because I
71 knew something really bad was going down. I started heading around the bend as fast as I could
72 go but couldn't move fast because of the waders. I saw the victim for just a moment as the body
73 bobbed around the next bend, but I had no way of catching it. So I sat down and shucked off the
74 waders. As I was doing that, Bailey came up behind me calling 911 and telling them the same
75 thing I was told, but adding that the victim was dead! Now how the hell could Bailey know that?
76 I knew right then that Bailey was faking the whole thing. The shouting was all wrong, the call to
77 911 was fake, Bailey was not at all really upset, just noisy, and why the hell was Bailey talking
78 with me and 911 instead of going after the victim? I was wearing waders, then just my socks, and
79 I still made more of an effort.

80 I scooted downstream in my long underwear and socks, but that was a no go. Without
81 anything to protect my feet I wasn't going anywhere. So I went back to the truck, got some
82 shoes, and drove downstream trying to spot and intercept the victim. No luck. I either got ahead
83 of the victim, or not, but anyway I never saw the body of Corey Forsythe again. I was headed
84 downstream as the police came up 14 from Ft. Collins. I waved them down and told them what I
85 could. They said stop right there and stay there, until they could get my statement. Get this, I'm
86 the only one who knows what the victim looks like, what the victim wore, all that, and the cops
87 tell me to stay put, and they kept me out of the rescue party. They find the victim, finally, most
88 of the way to Ft. Collins. If I'd been with them they'd have found the victim sooner, maybe still
89 alive. We could have set up a search party in a line across the river at Poudre Park and found the
90 victim, but nooooo...So all that search and rescue talent was wasted.

91 So anyway, *a couple of hours later*, a police officer showed up to take my statement.
92 That time would have been better spent looking. Stupid. So I give the officer my statement, she

93 writes it down, and I sign it on the hood of her car. I admit that I did not tell the officer about
94 Bailey's first marriage to Lee or how Lee had died. I was fairly certain it was the same Bailey,
95 but I wasn't completely positive until I went home and found an old news story on the internet.
96 Besides, I had been there several hours and I knew if I said something then, I would be at the
97 police station all night. And isn't that the job of the police? I figured they could discover Bailey's
98 past all on their own. So I went back to 40.6937400 -105.3314000, but it was roped off with that
99 yellow crime scene stuff, the tape, you know, and I could not get my gear. Went back the next
100 day and still couldn't get my gear. I go to the station and all that they'll tell me is that my gear is
101 evidence. Really. Like I killed the victim with a fly rod. Never did get it back. And not my vest,
102 and not my flies, and not my net, and not my waders. I'm lucky I still have the truck. Wise-ass
103 desk sergeant sees me out the door, and says, "So long, and thanks for all the fish." Great, a
104 Douglas Adams fan.

105 Anyway, that night, the night of the murder, I got to thinking things through. There was
106 no reason for that couple to approach me the way that they did. It was like the victim wanted to
107 make sure I would be a witness. Probably suspected that Bailey was up to something, and was
108 making sure somebody knew they were together if anything happened. The yelling part was kind
109 of stupid. The river was so loud that I would never have heard it had I not followed them a little
110 ways. Still, it was obvious what Bailey the murderer was up to—setting up that story about being
111 attacked.

112 I kept waiting for the police to come interview me again. They had my name and a short
113 statement. Right about the time it was obvious that nobody from the police was going to talk to
114 me, some insurance investigator shows up at my door. Somebody named Val Williams. Well, I
115 told "Doctor Val" everything that happened, and this investigator looks me in the eye and says

116 “will you testify in a court of law to all that?” Well, I look at it this way—Bailey Forsythe might
117 be able to get away with murder once, but not twice. Bailey is smart. Got to admit that. But
118 guilty as hell, too, and I’ll make sure the jury knows it!

119 Exhibit 1 is a fair and accurate picture of the Poudre River at the spot where Bailey
120 Forsythe killed Corey Forsythe. Exhibit 6 is a copy of the police statement that the police officer
121 wrote and I signed. Exhibit 11 is an accurate map of Poudre Canyon, and the red arrow shows
122 where we all were that day.

123 I have carefully reviewed this statement. It is true and accurate, and it includes everything
124 I know of that could be relevant to the events I discussed. I understand that I can and must update
125 this statement if anything new occurs to me before the trial.

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By: Pat Nunn

Pat Nunn

JORDAN GARCIA – WITNESS STATEMENT - PROSECUTION

My name is Jordan Garcia. I am 32 years old, and I have been friends with Corey since our junior year of college. We were roommates. I did not finish my schooling, but Corey was one of my closest friends. We would talk about everything together. We probably got together once a month just to catch up and have some de-stressing time together. I recently started work at a grocery store. It's terrible work. I mop the floors when there's a spill, I have to collect the carts from the parking lot, and the pay is dismal. But I have a felony conviction and it is next to impossible to get a job. The grocery chain I work at gets a tax break for hiring people on probation or parole, so I got a job with them, but they won't let me near a cash register, which means I can't even be a checker, and I get the awful jobs around the store. How did I get a felony? I used to work at a dispensary with my cousin, and when I left, my cousin lied to the police and said I stole money. I got a deferred judgment, and then I started working for this weasel named Reese McKernan. Reese, the backstabbing snake, set me up to fire me and steal my ideas for the company. Anyway, long story short, my deferred got revoked and I have a felony on my record because of bad advice by my lawyer. Never trust a lawyer! But that's an old story.

Corey didn't care about my record or about where I worked. We were tight. I've also known Bailey for a long time, ever since Corey and Bailey started dating. While I would never wish to do anyone harm, I have to be honest and say that I've always had a hard time with Bailey. I knew Corey and Bailey struggled in their marriage, but it was because Bailey was so self-absorbed and egotistical, even when they were first dating. When I heard the horrible news about Corey, I couldn't help but be a bit suspicious. Then I ran into Bailey one night, and Bailey all but admitted to killing Corey. I had to come forward and tell the truth, for Corey's sake.

24 Bailey and I don't get along, to put it mildly. Bailey would get really jealous when Corey
25 and I stayed out late, and even tried to convince Corey that I was interested romantically, which
26 is pure crap. Corey and I were just close like that, like siblings. I know Bailey and Corey fought
27 a lot, but that's because Bailey is an instigator. Corey would just get frustrated, which was very
28 understandable. I wouldn't want a spouse constantly accusing me of cheating. I'm not saying
29 Corey was the saint in the relationship or anything, but Corey was a straight shooter, a real
30 honest person. I'm sure all those baseless accusations caused a lot of anger and pain. I'm sure it
31 got physical sometimes too. I never saw anything go down, but one time Corey broke down and
32 told me that Bailey would push and shove or hurl dishes. That's probably why Corey always
33 wanted to stay out so late with me.

34 Even though we didn't get along, Bailey once confided in me about an affair that almost
35 broke up their marriage. In fact, it caused strife between Bailey and Corey for a long time
36 afterward. Based on what Bailey told me, the nuts and bolts are that she had a brief relationship
37 with a co-worker that she later broke off, but not before he found out. I always wondered if the
38 time he threw a plate at her—and got convicted for it—was related to him finding out about the
39 affair. Anyway, sometimes when they fought, she would bring up the affair to try to hurt him.

40 Mostly I tried to do things just with Corey, but I remember one time I joined Bailey and
41 Corey for dinner at a restaurant. Big mistake. Somehow the prior affair came up, and they started
42 bickering. Bailey, of course, always has to escalate everything and said something really nasty. I
43 don't recall exactly what it was, but it was a low blow. We were all upset. Anyway, Corey, being
44 the adult in the relationship, storms off to the bathroom to cool off. Naturally, Bailey starts
45 playing the victim. At this point I'm feeling really awkward, so I say, "Bailey. Clearly this isn't
46 working out. You both look miserable. Why don't you just end it?" Suddenly, Bailey's whole

47 demeanor changes. It was like a light switch—from overly emotional to cold and calculating in a
48 split second. Then Bailey looks me in the eye and says, “I will never leave while Corey is alive.”
49 Then it was the light switch again, and Bailey tries to turn it into a joke and says something like:
50 “Besides, if I left, Corey would hunt me down and kill me!” I tried to laugh it off to break the
51 tension, but that thing about not leaving while Corey was still alive seemed completely sincere. It
52 really creeped me out, and I never forgot it.

53 When I heard Corey had fallen into the river and drowned, of course I was devastated.
54 Corey was my best friend. And honestly, at first, my thoughts were with Bailey. Even though we
55 don’t get along, no one should have to lose a spouse, much less witness their death. I decided I
56 would reach out to Bailey at some point. I knew Corey would have appreciated it. Well, about
57 two weeks after Corey died, on June 16th, I spot Bailey at the Rattlesnake Café in Denver, and I
58 think, “here’s my opportunity.” Only it was not what I expected. I assumed Bailey would be
59 devastated by Corey’s death, but it was the exact opposite. Bailey looks like a million bucks,
60 almost as good as the hot date at the same table. You could hear the laughter from down the
61 block. They are flirting, touching, and sharing the giant glass of what looked like sangria with
62 two straws. I thought I was going to be sick. The date gets up and goes to the bathroom as I am
63 approaching, and I get Bailey’s attention. I’m thinking, “who knows, maybe it’s just a relative?”
64 Fat chance! Bailey goes off on some spiel about starting a new life, putting it out there, finding
65 love again, *and*—if you can believe it—the money from Corey’s life insurance policy would get
66 that new life kick started! And that’s when it hits me. Corey’s death wasn’t an accident! Before I
67 could stop myself, my foot is in my mouth. I blurt it out: “Oh, my, god! You *killed* Corey!”

68 When I get emotional I say things I shouldn’t. I don’t really remember exactly what I said
69 after that but as soon as those words left my mouth, I was sorry. It was such a ridiculous

70 accusation. So I'm about to apologize, but I notice Bailey still isn't upset or even offended by
71 this outrageous thing I just said. No, Bailey was smiling. *Smiling* for crying out loud! Bailey
72 looks me in the eye and says, "Are you saying maybe I hit Corey over the head with a rock, but
73 then made it look like an accident? Interesting theory. Too bad there is no way to possibly prove
74 it." The tone of voice was really sarcastic, too. And Bailey was smiling the whole time. And I'm
75 about to lose my mind, so I say, "You'll never get away with this." Bailey's still smirking, and
76 says, "I already have. Didn't you hear? The coroner ruled it an accident." We got interrupted by
77 the waiter at that point. He brought the check. I'm sure Bailey was more than happy to cover the
78 tab for two, what with the fat life insurance check on the way. But I saw the receipt and I
79 remember what I saw. An appetizer, two fajita supremes, a sangria, and two desserts. I have
80 heard that Bailey now claims to have been eating alone. Well, that's a whole lot of food for one
81 person.

82 Listen, I'm not about to let this loser get away with murdering my best friend. I
83 remember Corey mentioning their life insurance policies were with After Life Insurance, so I
84 phone them right away. I tell them: "Bailey Forsythe is committing insurance fraud." The next
85 Monday, they had me meet with a medical expert named Val Williams. I told Dr. Williams the
86 same exact thing. Bailey is a liar and a murderer. I said that Bailey hit Corey over the head with a
87 rock and all the other stuff Bailey admitted to at the restaurant. Then, the doctor told me all about
88 how there's no *real* evidence that Corey's head wound came after the fall, but combined with
89 what Bailey told me, it's enough to get a conviction. I don't know about the physical evidence,
90 but I know what Bailey said, and I know it was murder. Besides, Bailey was always very abusive
91 in that relationship. Domestic abusers often end up killing their spouses, and Bailey is exactly the
92 kind of person who could kill someone in cold blood.

Exhibit 7 is the receipt that Val Williams showed me. It accurately reflects the food and drinks I saw on the table when I confronted Bailey Forsythe at the Rattlesnake Café.

I have carefully reviewed this statement. It is true and accurate, and it includes everything I know of that could be relevant to the events I discussed. I understand that I can and must update this statement if anything new occurs to me before the trial.

By: Jordan Garcia
Jordan Garcia

BAILEY FORSYTHE – WITNESS STATEMENT - DEFENSE

My name is Bailey Forsythe. I have been wrongly accused of the murder of Corey Forsythe based on the vicious lies of Jordan Garcia and the overzealous efforts of After Life Insurance to avoid paying what it owes me due to Corey's tragic, but accidental, death.

I am 33 years old, and I was married once before. My first spouse, Lee, also died in an accident. We were changing a tire when the jack slipped. Lee was crushed under our SUV. Some people in Lee's family accused me of murder, but the police thoroughly investigated and saw that it was an accident. Besides, what motive would I have had? Lee did have a life insurance policy, but it barely paid for the funeral.

I grieved for a long time after Lee died, but then I met Corey. I thought I had loved Lee, but I soon discovered that Corey was truly the love of my life. Sure, we had arguments but that doesn't mean I wasn't in love. Unfortunately, Corey had a little bit of a temper and sometimes overreacted to situations. Because of Corey's temper we had a lot of fights, but only one fight ever got physical. Oh, and by physical I don't mean anybody hit anybody. By physical I mean that we were both throwing dishes at each other and one of us got hit by a dish. It started with Corey throwing a coffee mug at me. I ducked and it went right through a window. The neighbors heard the glass break and the yelling, and they called the police. Of course, it doesn't really matter to the police who threw the first dish if they show up and one person is bleeding from getting hit on the head by a flying plate. The person who isn't bleeding gets arrested—and charged with a felony because if you hit someone with a plate, it counts as assault with a deadly weapon. Worse, it is a crime of violence with mandatory prison time. The plea bargain was to a different kind of assault that was not a crime of violence with a stipulation to probation and no jail. Corey and I went to the DA together and said neither of us was really trying to hurt the other

24 and we both thought it would be for the best if the charges were dropped. However, the DA did
25 not care that the actual victim did not want to press charges. So Corey and I talked some more,
26 and, since the DA would not drop the case, and a conviction meant automatic prison time, we
27 both agreed the plea bargain was a better deal, even if it meant a felony conviction.

28 Anyway, after that mess we both realized that we could not let things get so out of control
29 ever again. We still argued sometimes, but we never had another fight like that one. A lot of our
30 arguments traced back to the fact that Corey had an affair with a co-worker once. After I found
31 out about it, Corey apologized profusely and swore that it would never happen again. I probably
32 should have filed for divorce, but I still loved Corey. I never caught Corey cheating on me again,
33 but sometimes I would get suspicious. It would just be little things—a late night text, or Corey
34 talking too quietly on the phone. Of course, any time I brought it up, Corey would get defensive
35 and fly off the handle.

36 It was a little after the dish throwing incident that we got Bernard. Bernard is our dog,
37 and, yes, he's a Saint Bernard. I bought him afterwards to kind of apologize for my part in what
38 happened. We both loved Bernard and alternated dropping him off and picking him up from
39 daycare. We used a little place near our house called Dagney's Doggie Daycare—which we
40 called Triple D. It is this little family run place. Well, it used to be a family run place, but it was
41 recently bought out by this huge national chain. I loved the family atmosphere, but now I hate
42 the franchise feel. Anyway, there is an employee at Triple D named Taylor who handles the
43 drop-offs and pick-ups, who Corey and I would both talk to every day. Taylor's last name was
44 Walker or Watkins, or something like that. Taylor is kind of a nut, if you know what I mean.
45 Don't get me wrong, Taylor is very friendly—always chatting with everybody. But sometimes I
46 think Taylor has a screw loose. Anyway, after Corey died, when I took Bernard into Triple D,

47 Taylor said something about how tragic Corey's death was, and we started talking. At that point,
48 I hadn't contacted the insurance company, but I was really bothered by some of the things that
49 happened in Poudre Canyon, and I had this nagging feeling that Corey had actually orchestrated
50 some of it. When Taylor told me about the things Corey said, I got even more suspicious.

51 About a week later, the insurance issue came up. Corey and I had life insurance with
52 After Life. Technically, the company's full name is After Life Advice Life Insurance Company,
53 but everyone just calls them After Life. Anyway, a couple of years after we got married, Corey
54 and I took out a joint policy. We had both started new careers so we got a \$250,000 policy. A
55 few years later, when we both started making more money, we decided to increase the benefit to
56 \$500,000. In fact, I was the one who contacted our insurance agent for that increase, but that was
57 after Corey and I talked about it and made the decision together. Right after Corey's death, I was
58 so distraught that I forgot all about the policy. Then when I got hit with the funeral expenses, I
59 remembered that we had the insurance. So, I got in touch with After Life. I was shocked to find
60 out that Corey had gone in alone and doubled the amount of the policy about a month before the
61 whole incident in Poudre Canyon. That's when everything came together and I realized
62 everything had been a set up. There was no reason to double the insurance otherwise. But to get
63 the insurance, if Corey killed me, it would have had to look like an accident or self-defense.
64 Otherwise, there is a provision that the policy is void if the beneficiary murders the insured. In
65 fact, with an accidental death, Corey would have collected double the benefit which would have
66 been a million dollars.

67 Looking back on everything, I am sure that Corey was having another affair and decided
68 to get out of our marriage. Rather than just demand a divorce, Corey apparently came up with
69 this crazy plan to kill me and make it look like it was self-defense. And if I hadn't turned around

70 when I did, it would have worked. Why didn't I call the police once I figured it out? Corey was
71 dead. What was I going to say? "I know this is a closed case, but in case you're interested, I
72 think my dead spouse was trying to kill me?" No. I figured you don't speak ill of the dead and
73 that I should just let it go.

74 So, what happened that day in Poudre Canyon? Well to get the full picture, you have to
75 back up a couple days. I think it was May 31st. I had walked into the family room and I heard
76 Corey talking on the phone in hushed tones. Images of Corey's old affair came rushing into my
77 head and I got jealous and started interrogating Corey about who was on the phone. I was acting
78 just like that jealous wife in the Jake from State Farm commercial. Corey, of course, over-reacted
79 and we got into a pretty heated argument. It wasn't as bad as the plate throwing episode, but it
80 was pretty ugly. We both got so upset that we ended up sleeping in different rooms and we didn't
81 even acknowledge each other before heading off to work the next morning. That day, however,
82 Corey texted me—acting all sweet, apologizing for overreacting, and setting up a romantic
83 picnic as a way to make up. I felt bad about some of the things I said during the fight so I
84 convinced myself that I had misread the situation with how Corey was talking on the phone, and
85 I apologized, too. I said the picnic sounded like a great idea, and Corey texted: "Great! I will set
86 everything up."

87 Corey wasn't kidding about setting everything up. That Saturday morning Corey had a
88 picnic basket packed and even had a specific spot picked out along the Poudre River, a few miles
89 up the canyon. I had said we didn't have to drive all the way out to Poudre Canyon; that we
90 could just have the picnic at a park near our home, but Corey was adamant about having picked
91 out the perfect spot along the river. When we got to the picnic area, I have to say it was a pretty
92 scenic spot. The river was full and kind of narrow, so it was really impressive to see the water

93 violently rushing over huge rapids. Right away, though, there was something odd. When we got
94 to the picnic area, Corey made a beeline to a table right next to someone who was fly-fishing on
95 the river. At the time, I just thought it was rude, but now I wonder if Corey didn't want an
96 audience. The river was roaring, so if Corey wanted them to hear us, we would have had to have
97 been really close. I suggested a different spot, but Corey said "Oh, don't worry. I'm sure they
98 won't mind. Besides this table has a great view of the river." So we sat right there next to
99 somebody who could probably overhear whatever conversations we had—although, the river
100 was pretty loud, so they might not have heard every detail.

101 I have recently found out that the person who was fly fishing was a second cousin of my
102 first spouse Lee. I sure didn't know that at the time, and the person never said anything about it.

103 While we were eating lunch, a text popped up on Corey's phone. Corey had set the phone
104 on the table, almost as if to put it specifically where I could see the screen, but then picked up the
105 phone and tucked it in a pocket after the text came up. I could have sworn the text said "Did you
106 tell Bailey about us yet?" I am not 100% sure, and I might have misread it. Since Corey's phone
107 was apparently lost in the river, I guess I'll never know for sure. Either way, though, we had just
108 fought about Corey talking secretively on the phone a few nights earlier, and, well, I kind of lost
109 it. I started accusing Corey of having another affair. I tried not to get too loud because there was
110 this stranger standing there fly-fishing just a few feet away, but I was absolutely accusing Corey
111 of cheating. Although I was trying to keep things at least between us, Corey started making a big
112 scene and it was catching the attention of the person who was fly fishing. I was furious, too, but I
113 don't like to air my dirty laundry in public and I didn't like that somebody could listen in on a
114 fight. So, I left and started walking downstream. Corey followed me, yelling at me the whole
115 way.

116 I don't know exactly how far I walked, but it was far enough that we were out of sight of
117 the person who was fishing because of the trees, but probably still close enough that they could
118 hear us if we yelled loudly. Because I was so angry, I went over to the edge of the river and
119 stared at it while I tried to calm down. As I stood there, I suddenly realized that Corey wasn't
120 yelling anymore, so I turned around to see what was going on. You can imagine my surprise to
121 see Corey coming at me with a large rock. I didn't realize it at the time, but now that I look back,
122 I think that was the plan all along—make a scene in front of a witness so it looked like I was
123 being aggressive, then get me alone and claim I was the attacker and Corey was just acting out of
124 self-defense. When I saw Corey with that rock, I screamed something like, "Oh my god! What
125 are you doing!" And then I ducked out of the way. Corey couldn't stop and went right over the
126 edge. I did not push Corey, I just dodged out of the way.

127 I knew that Corey couldn't swim but I was so stunned at having been attacked that I
128 didn't react immediately. I thought about jumping in the river, but the current was crazy there.
129 Like I said, it was narrow with huge rapids. In a second, Corey was swept downstream but I
130 knew that if I did something stupid like jumping in, there would be two victims. So I started
131 running along the edge of the river, hoping to find a spot where it slowed down, and calling out
132 for help as I ran. Very quickly, Corey was carried so far downstream as to be completely out of
133 sight. I realized that I could not catch up, so I stopped and pulled out my phone to call 911.
134 Although it all happened very quickly, I am absolutely positive that Corey was alive and still
135 struggling to stay above water right before being carried out of my sight downstream.

136 Right as the 911 operator answered, the person who was fly fishing ran up and started
137 asking what happened. Before I could say anything, the operator said, "911, what is your
138 emergency?" so I put my hand up to get the person to be quiet and I told the 911 operator that

139 Corey fell in the river. The operator asked how Corey fell in and I explained that we had been
140 arguing and that Corey came at me with a big rock but slipped and fell into the river. That's
141 about the last thing I remember clearly. Everything after that is a blur and is all mixed up. I know
142 the police came, and I remember a police officer telling me they had recovered Corey's body
143 more than two miles downstream. I remember falling on to my knees when I realized they were
144 telling me Corey was dead. Of course, I know—Corey had tried to attack me with a rock after I
145 found out about a new affair. But that's not what I was thinking about right then. When you find
146 out the person you love is dead, nothing else matters.

147 After Corey's death I was devastated and distraught. At first I couldn't eat or sleep, but,
148 slowly, I tried to get back on my feet. One night, after the coroner's report came out saying that
149 Corey's death was accidental, and after I had submitted a claim to After Life on Corey's life
150 insurance policy, I went out to dinner at the Rattlesnake Café down in Denver. It was a Friday.
151 June 16, to be exact. Anyway, it was just easier to go out to eat than to cook in that empty house.
152 I was at a table all by myself the entire night. In fact, I have not dated or been in a relationship
153 with anyone since Corey's death. I even have a receipt from the Rattlesnake Café from that night
154 showing that I was alone. I paid in cash, so it's not on my credit card statement, and the receipt
155 from the Café got a little wet so part of it's hard to read, but I swear that it is the receipt from the
156 only time I have eaten at the Rattlesnake Café. Apparently Corey's old friend, Jordan Garcia was
157 there eating, too. Actually, for all I know, Jordan followed me there. Either way, while I was
158 eating, Jordan Garcia accosted me. Jordan has always hated me. I don't know if Jordan had
159 romantic feelings for Corey or just didn't like that I intruded on their friendship, but Corey was
160 never interested in Jordan other than as a friend. Well, as I was eating, Jordan stormed up to my
161 table and accused me of killing Corey! I was stunned. Jordan started saying Corey and I always

162 had a dysfunctional marriage and was throwing around words like domestic violence and abusive
163 relationship. Then Jordan said that I must have pushed Corey into the river! I knew Jordan didn't
164 like me, but I could not have seen something like that coming. I started stammering: "It wasn't
165 like that! It wasn't me. Corey tried to hit me over the head with a rock. I didn't even touch
166 Corey!" Then Jordan yelled: "Don't you dare try to blame this on Corey. You're the monster.
167 You'll never get away with it! I'll see to it if it's the last thing I do!" I said: "There's nothing to
168 get away with. It was an accident!" Jordan sneered at me for a second, then said something like
169 "we'll see about that," and then stomped out of the restaurant.

170 Soon after Jordan's tirade in the Rattlesnake Café, After Life contacted me and said it
171 was withholding payment of the insurance benefits while it conducted an investigation into
172 Corey's death. Then a couple of weeks later, the police showed up and arrested me. But I didn't
173 kill Corey. My belief is that Corey got into another affair and wanted out of our marriage. Rather
174 than file for divorce, Corey came up with a plan to kill me but to try to make it look like self-
175 defense. I could never have done something like that—I was still in love and thought we still had
176 a good marriage! Obviously I was more in love with Corey than Corey was with me.

177 I recognize Exhibit 1. That is the spot where Corey lunged at me and fell into the river. I
178 have never seen Exhibit 7 before, but Exhibit 8 is an accurate copy of the receipt from my dinner
179 at the Rattlesnake Café the night Jordan Garcia falsely accused me of killing Corey. It proves
180 that I was alone. Exhibit 10 is an accurate copy of text messages between Corey and me on June
181 1, 2017. Exhibit 11 is a copy of a 911 call. It reflects the correct time and day, and it is clearly
182 me speaking, but I don't remember if that is exactly what I said. Exhibit 12 is an accurate map of
183 Poudre Canyon. Exhibit 14 is a picture of my dog, Bernard.

184 I have carefully reviewed this statement. It is true and accurate, and it includes everything
185 I know of that could be relevant to the events I discussed. I understand that I can and must update
186 this statement if anything new occurs to me before the trial.

187

188

189

By: Bailey Forsythe
Bailey Forsythe

1 **TAYLOR WALKEN – WITNESS STATEMENT – DEFENSE**

2 I am Taylor Walken. Dogs are my life. They don't judge. They don't complain. And they
3 are always up for adventure. Did you know humans first domesticated dogs 14,000 years ago?
4 It's true...at least that's what Wikipedia says. Because I love dogs, I've dedicated my
5 professional and personal life to them.

6 In 2006, the Chinese year of the dog, I started working at Dagny's Doggy Daycare. I
7 work hard but it doesn't seem like a job. I love spending every day taking care of my pooch pals.
8 Their parents are another story. It's like Mark Twain said, "the more I know people, the more I
9 like dogs." Also, we never say "dog owner" because dogs are not owned. They are loved and
10 cherished family members.

11 In late 2015, I met Corey and Bailey Forsythe, the parents of Bernard, a regal St. Bernard.
12 Bernard, like his ancestors from the Alps in the 1700s, is a big dog with an even bigger heart. He
13 loves snuggling, chasing tennis balls, and taking naps with his temperamental best friend Ned, a
14 one-eyed Shih Tzu. We call Ned "Mr. Bad Example" because he is always giving the other dogs
15 bad ideas. He is always the man with the plan.

16 Anyway, from the beginning, Mrs. Forsythe dropped off Bernard in the morning and Mr.
17 Forsythe picked him up at night. I made small talk with the Forsythes during pickup and drop-
18 off. Mrs. Forsythe talked about Beethoven (the movie and the composer) and Stephen King
19 books. We both agreed Cujo was not Mr. King's best work.

20 Sometimes Mrs. Forsythe made comments that worried me. One time, I complemented
21 her on the teamwork she and Mr. Forsythe displayed in taking care of Bernard. She responded:
22 "Things aren't always as they seem on the surface. Sometimes the water below is really ugly. I

23 mean, really ugly.” Her statement caught me off guard and it was clear Mrs. Forsythe was
24 stressed and upset.

25 Mr. Forsythe acted strangely sometimes too. One time, he was very suspicious about
26 Mrs. Forsythe and other men. He asked whether any men accompanied Mrs. Forsythe to drop off
27 Bernard. He also wanted to know whether she talked or texted any men on the phone. It was
28 really awkward. I joked that he and sweet Bernard were the only men in Mrs. Forsythe’s life I
29 knew about. Mr. Forsythe did not laugh at my joke.

30 A short time later, Mrs. Forsythe arrived with Bernard wearing large sunglasses. It was
31 May 5, 2017. I remember because I saw Guardians of the Galaxy 2 that night, and also because I
32 wrote about it in the check-in log. Mrs. Forsythe had never worn those sunglasses before. Even
33 with the large glasses, it was obvious she had a black eye. Remembering Mr. Forsythe’s
34 jealousy, I asked Mrs. Forsythe if Mr. Forsythe had hit her. She denied it. I then told her to call
35 the police but Mrs. Forsythe said she tried that before and it just makes things worse. I also
36 suggested that Mrs. Forsythe end her relationship with Mr. Forsythe. Her response creeped me
37 out. She said, “I could never leave him while he’s alive. As long as he was breathing, he would
38 come after me.”

39 After that, Bernard seemed sad. You could tell things at home were tense. I started
40 treating Mr. Forsythe colder than a Chihuahua in a snow storm. One time Mr. Forsythe out of the
41 blue reacted to my icy demeanor and said: “You may think you know about me and my wife, but
42 you don’t. She manipulates situations to make it look like she is a victim when she really isn’t.”

43 All of this was starting to really take a toll on poor Bernard. I could tell that he could tell
44 when things were uncomfortable between me and his mom and dad. So, I tried to lighten the

45 mood whenever the Forsythes brought in or dropped off Bernard. I dropped the Mr. and Mrs. and
46 started calling them Bailey and Corey.

47 Shortly before Corey's death, we had an odd conversation. I am not sure of the exact day,
48 but it would have been after Memorial Day, so after May 29. Corey came to drop-off Bernard
49 and entered Dagny's while talking on the phone. Corey was distracted and didn't seem to notice
50 I was in the entryway. Corey said sweetly into the phone: "Don't worry, we'll be together soon.
51 You know what the plan is, you just have to be patient." Corey then ended the call and saw me.
52 It was clear Corey didn't realize I was right there and seemed surprised. I asked: "Oh, was that
53 Bailey?" Corey laughed awkwardly and said something like: "Oh, uh no, it was a client, a client
54 that is quite demanding." It hadn't seemed like a client call to me and who talks to a client at
55 7:00 a.m. while dropping off a dog?

56 I learned about Corey's death a week or so after it happened. Bailey came to drop-off
57 Bernard and said that Corey had died in a tragic accident. Bailey was distraught when telling me
58 about it. We talked awhile about Bernard and Corey. I specifically remember telling Bailey about
59 Corey's phone call with the so-called client. I don't know why I brought it up and I wish I
60 hadn't. I'm much better talking to dogs than people. Anyway, it was clear the story upset Bailey.
61 To change the topic, I asked if Bernard was doing okay. Bailey didn't say much in response and
62 then left.

63 Bernard acted differently after Corey died. He ate less and slept more. Ned tried to cheer
64 him up by bringing him toys which seemed to help. I also played songs about dogs for Bernard
65 on my phone. "Who Let the Dogs Out?" and "Hound Dog" were his favorites and made him feel
66 a little better.

A month or so after Corey died, without explanation, Bailey stopped bringing Bernard to Dagny's. I'm sick to my stomach over what happened to Corey and I worry about Bernard. I sure miss him and I hope he's okay. Ned misses him too.

Exhibit 9 is an accurate copy of the customer log for the day Mrs. Forsythe came in with a black eye. I made all of the entries. We keep the log as part of the regular business of Dagny's Doggy Daycare, and I keep an accurate record of everyone who drops off or picks up a dog. Oh, hey! Exhibit 14 is a picture of Bernard! He's so fluffy!

I have carefully reviewed this statement. It is true and accurate, and it includes everything I know of that could be relevant to the events I discussed. I understand that I can and must update this statement if anything new occurs to me before the trial.

By: Taylor Walken
Taylor Walken

1 **MORGAN LLOYD – WITNESS STATEMENT - DEFENSE**

2 My name is Dr. Morgan Lloyd. I am a medical examiner with the Larimer County
3 Coroner's Office. I performed an autopsy of the Victim at the request of the Larimer County
4 Sheriff's Office.

5 I have been a Medical Examiner for Larimer County since the fall of 2015. I moved to
6 Colorado from D.C., where I had been the Chief Medical Examiner for about 7 ½ years. Prior to
7 that, I was a Medical Examiner in Chicago, Illinois for approximately 10 years. After conducting
8 autopsies in the two cities with the highest murder rates for almost 18 years, I was ready for
9 something a little calmer and more slow-paced. I used to visit family in Longmont, Colorado,
10 and have always loved the easy-going lifestyle and safe-feeling communities. So I was excited
11 when the Larimer County Coroner's Office had an opening. With my experience and credentials,
12 they hired me almost on the spot.

13 Prior to my examination, I obtained a verbal report from the lead investigator at the
14 Sheriff's Office. He reported to me that the victim, Corey Forsythe, had allegedly fallen into the
15 Poudre River. The victim's body was recovered from the Poudre River and the victim was
16 deceased at the time of recovery.

17 I determined that the cause of death was drowning and the manner of death was
18 accidental.

19 In the course of my examination, I noted multiple lacerations, abrasions, broken bones
20 and a skull fracture. It is my opinion that all were the result of the victim's body smashing into
21 rocks in the turbulent river. There was no bruising found on the victim's body but such would be
22 expected if the victim struck the rocks after having already drowned. Because of the severity of
23 the surrounding tissue damages, it is not possible to tell if the skull fracture and injury happened

pre- or post-mortem. However, a post-mortem fracture would be consistent with the humerus fracture which was determined to have occurred post-mortem.

I found some water in the victim's lungs, although not as much as sometimes seen in lungs after a drowning. However, this does not rule out drowning. Oftentimes the larynx goes into spasm and seals off the trachea during drowning—known as vaso vagal reflex or laryngospasm—which results in less water in the lungs. Regardless, I do not believe the amount of water in the victim's lungs is a reliable indicator in this case in any event because, even if the vaso vagal reflex had not occurred, the victim's lungs would have filled with some water from tossing and rolling in the rapids regardless of whether the victim was already dead.

I took tissue samples during the autopsy, including samples of the lung tissue. There was no over-distension of alveoli seen in any of the lung tissue samples. The diagnosis of drowning is one of the most difficult in forensic pathology, and alveolar distension—a stretching of the tiny sacs within the lungs—is an indicator. However, the microscopic appearance may be entirely normal in some parts of the lungs and not others, and I only obtained a small number of samples. As such, the lack of distension is not determinative.

I reviewed the victim's medical records and found a record of a previous hospital visit in which the victim was seen for possible broken ribs. The victim first told the doctor that the victim and the victim's spouse, Bailey Forsythe, were fighting, the spouse pushed the victim from behind, and the victim fell onto the table edge. There was no indication in the record if the police were called. The victim later told the doctor that the spouse did not push the victim. I did note, in the course of my examination, old rib fractures on the victim's chest x-ray. However, the exact age and cause of the fractures is indeterminable.

46 The defense attorneys in this case provided me with the report by Dr. Val Williams,
47 which I have reviewed and note the following:

48 (1) I understand that Dr. Williams has opined that the fracture on the victim's posterior
49 parietal bone was caused by being struck by a large stone. However, it is my opinion
50 that the skull fracture is also consistent with the victim's head striking a boulder or
51 rock while being rapidly washed down the river. The fracture is somewhat more
52 focused or acute than the other fractures, however, boulders have pointed parts or
53 corners that, if struck at a rapid speed, would cause a focused and acute fracture.

54 (2) I agree there were no diatoms seen in the victim's blood sample. Diatoms are a single
55 celled species of algae that have tiny coatings made of silica and which are found in
56 almost all water sources. If a person inhales a sufficient quantity of water into their
57 lungs, the diatoms in the water get taken up in the blood stream. Nevertheless, the
58 presence of diatoms in the blood is merely an indicator that water was in the lungs.
59 As such, it is used to determine if a person drowned when other drowning signs may
60 have been destroyed. The fact that diatoms were not observed in the blood sample
61 simply means that the quantity of water in the victim's lungs was relatively small. We
62 already know that there was a small amount of water in the victim's lungs and that the
63 quantity was likely restricted due to the vaso vagal reflex.

64 (3) I understand that Dr. Williams has opined that the cause of death of the victim was
65 homicide. However, homicides are very difficult to prove in a drowning context.
66 Accordingly, a pathologist cannot determine that a death was a homicide unless all
67 other causes can be conclusively eliminated. While I cannot rule out a homicide in
68 this case, I also cannot rule out an accidental death, so I have to conclude the death

69 was accidental. Furthermore, while it is possible that the victim died from a blow to
70 the head, it is more plausible, based on all of the medical evidence, that the victim
71 died of accidental drowning.

72 Ultimately, it is possible that the victim did not drown and was killed by a blow to the
73 back of the head. It is also possible, and I believe more likely, that the victim drowned and the
74 head injury was caused by striking a rock in the river. That is the point that Dr. Williams appears
75 to be determined to ignore.

76 I also take great issue with Dr. Williams' insinuation that my autopsy was rushed. I am an
77 extremely experienced medical examiner, having completed hundreds of autopsies much more
78 complicated than this one, and I take my job very seriously. I pay careful attention to detail,
79 consider all of the pieces of the puzzle, and am extremely thorough—many have even called me
80 a perfectionist. This autopsy was no different.

81 All of my opinions in this case are rendered in my capacity as the Larimer County
82 Medical Examiner, and I have not been separately paid for my time or work in this case by the
83 Defendant or defense counsel.

84 Exhibit 2 is a copy of my report. I am required by law to prepare such a report whenever I
85 conduct an autopsy. Exhibit 3 is the report of Val Williams that I reviewed and commented on. It
86 was given to me by the Defendant's attorneys. Exhibit 5 is my CV.

87 I have carefully reviewed this statement. It is true and accurate, and it includes everything
88 I know of that could be relevant to the events I discussed. I understand that I can and must update
89 this statement if anything new occurs to me before the trial.

90 By: Morgan Lloyd, MD
91 Morgan Lloyd, MD

Exhibit 1



Exhibit 2

Larimer County Office of the
Coroner/Medical Examiner
495 N. Denver Avenue
Loveland, Colorado 80537
(970) 619-4517



AUTOPSY REPORT
Case No. 2017-0606001

June 6, 2017

POSTMORTEM EXAMINATION OF THE BODY OF
COREY FORSYTHE

EXTERNAL EXAMINATION (EXCLUDING INJURIES)

An external examination is performed on the body tentatively identified as Victim, at the Larimer County office of the Coroner/Medical Examiner, on the 6th day of June, 2017. Identification is later confirmed by viewing a photograph.

The body is received within a sealed body bag (seal #24431).

The body is that of a well-developed, well-nourished adult with the reported age of 32 years.

The body is received clad in a striped T-shirt, tan shorts, and tennis shoes.

There is a gold band on the left ring finger.

The scalp hair is brown, straight and short.

The irises are light in color. The pupils are round. The corneas are translucent. The sclerae are clear and the conjunctivae are pale. No petechial hemorrhages are identified on the sclerae, bulbar conjunctivae, facial skin or oral mucosa.

The nose and ears are normally formed. Nostrils are clear.

The anterior teeth are natural and in adequate condition.

The neck is unremarkable.

The spine is normally formed. Lacerations are present, but no bruising.

The upper and lower extremities are well-developed and symmetrical without absence of digits. Lacerations are present, but no bruising. Fingerprint ink is present on the fingertips.

IDENTIFYING MARKS/SCARS:

No identifying marks or scars are readily apparent.

EVIDENCE OF MEDICAL INTERVENTION:

There is no evidence of medical intervention.

EVIDENCE OF INJURY

BLUNT FORCE INJURIES OF HEAD:

On the posterior of the parietal bone is a 3x2 inch abrasion within which is a 1 ½ inch laceration. A visible underlying skull fracture is present. Fracture is focused and acute. Because of the severity of the surrounding tissue damage, it is not possible to tell if the skull injury happened pre- or post-mortem. On the left eye is a 1 ½ x 1 inch laceration. Beneath the chin is a 2 x 1 inch laceration.

BLUNT FORCE INJURIES OF TORSO:

On the left lateral chest and left upper quadrant of the abdomen is a 5x4 inch laceration. On the left mid back is a 3x1 inch laceration.

Blood is withdrawn by syringe from the right chest cavity.

BLUNT FORCE INJURIES OF EXTREMITIES:

On the left upper arm is a 5x1 inch contusion beneath which is a fracture of the left humerus. Fracture is acute. Based on tissue surrounding the fracture, it is determined to have occurred post-mortem. On the right elbow is a 2 x ½ inch laceration. On the left lateral ankle is a 4 x 3 inch contusion within which is a laceration. Scattered on all four extremities are mixed lacerations and abrasions.

INTERNAL EXAMINATION

MOUTH/THROAT/AIRWAYS:

Nostrils are clear. Negligible froth present in mouth. Upper and lower airways are clear.

LUNGS:

Water present in lungs. Lung weight is normal.

RADIOGRAPHS:

Radiographs of the head and neck reveal a fracture of the posterior parietal bone. The cervical spine contains mild degenerative joint disease. The hyoid bone appears intact. Dental restorations are visible within the mouth.

Radiograph of the chest reveals old fractures of left ribs #3 and #4 and the right rib #3. Age of fractures is indeterminable.

Radiographs of the abdomen are unremarkable.

Radiographs of the pelvis are unremarkable.

Radiographs of the lower extremities reveal no clear evidence of acute injury.

Radiographs of the upper extremities reveal acute fracture of the left humerus and fractures of the left second-fifth metacarpals.

SPECIMENS:

Blood: No diatoms found in blood.

Lung tissue samples, various locations: No over-distension of alveoli on microscopic exam.

REVIEW OF MEDICAL RECORDS/MEDICAL HISTORY

Reviewed medical records. Previous hospital visit in which Victim was seen for possible broken ribs.

OPINION

CAUSE OF DEATH: Drowning.

MANNER OF DEATH: Accidental.

Morgan Lloyd, MD

DATE: June 6, 2017

Morgan Lloyd, MD
Medical Examiner
Weld County Coroner

Exhibit 3

Created for and at the direction of: After Life Advice Life Insurance Company

On the life insurance claim on the policy holder Bailey Forsythe on the life of Corey Forsythe

July 19, 2017

By Dr. Val Williams

For your consideration, the undersigned commenced the investigation into the cause and manner of death of your insured, Corey Forsythe, who died on June 3, 2017, in the Poudre River North of Fort Collins, Colorado.

The Coroner did not consider the background of the parties, the nature of the relationship between the deceased and the beneficiary, and therefore ruled the death consistent with drowning as accidental.

However, at the inception of my investigation, I received a telephone call from Jordan Garcia, a friend of the couple, who related how Bailey admitted to setting up the "accident." I interviewed the friend who stated that the Insured was out on a date at the Rattlesnake Café shortly after the incident. After the date went to the restroom, Garcia confronted the Insured. The Insured said: "Are you saying I actually hit Corey over the head with a rock, but then made it look like an accident? Interesting theory. Too bad there is no way to possibly prove that." Garcia then said: "You'll never get away with it." To which the Insured replied: "I already have. Didn't you hear? The coroner ruled it an accident. I'm just waiting for the dough and I'm starting a new life with a new squeeze."

I interviewed Garcia and learned that the marriage had been volatile for some time. The husband had been accused of domestic violence in the past. The Wife had strayed from the marriage. However, the wife had declared that she feared for her life if she tried to divorce the husband.

In order to substantiate this information, I contacted the Rattlesnake Café and learned that they did have a tab for a couple who was there at the time of the confrontation and had both ordered Fajitas Supreme. I obtained the tab after they made a copy of it for their records.

With this evidence, I re-read the coroner's report and determined that the coroner had done a rush job in determining cause and manner of death. The coroner did not investigate the history of the relationship and relied on signs that could point to death by drowning, but also support a finding that Corey Forsythe died from a severe blow to the head prior to immersion in water. Specifically, there was very little water in the lungs, although there were abrasions all throughout the body, there were no significant abrasions in the hands, fingers or feet to indicate that Corey fought to escape the river. The report on the microscopic examination of the lungs indicates there was no over-distension of alveoli, no diatoms were found in the blood, and the skull fracture to the back of the head is more consistent with a deliberate blow than from bumping into rocks in the river. There was some evidence consistent with vaso vagal reflex, which could explain the lack of significant water in the lungs.

I also visited the site of the incident. The type of rocks visible downstream from the entry site are large rocks rounded by erosion and inconsistent with the hammer-shape indentation in the skull. However, on

the ground, there were several softball-size rocks with protruding sharp points that would more likely cause the indentation in the skull.

CONCLUSION

This death was not an accidental drowning. There was insufficient water in the lungs for a finding of drowning. There was no over-distension of alveoli. There were no diatoms found in the blood. The skull fracture is inconsistent with bumping on river rocks on the rush of the stream, but more consistent with the rocks found on the ground next to the river. The history of domestic violence and the statements by the witness at the scene and the friend of the couple, along with the large payoff in the event of an “accident” all point to homicide.

Dr. Val Williams *7/19/2017*

Val Williams, MD

Exhibit 4

Curriculum Vitae of

Val Williams

Forensic Medical Examiner and Claims Investigator

After Life Advice Life Insurance Company

100 N. Main Street, Suite 160

Greeley, CO 81031

Main Line: (970) 555-4435

EDUCATION

University of Colorado, Denver, CO

M.D., magna cum laude

1995

Medical residency at the University of Colorado School of Medicine

1995 – 1999

University of Denver, Denver, CO

B.A Honors in Chemistry

1990

CERTIFICATIONS

American Board of Forensic Medicine

2010

PROFESSIONAL EXPERIENCE

Forensic Medical Examiner

2010 - Present

After Life Advice Life Insurance Company Claims Investigation

Critical Bill Pain Management Consultants

1999 – 2010

Managed pain for celebrity clients

PUBLICATIONS AND PAPERS

“The Holistic Approach to Pain Management”

Article published on the Medical Marijuana Journal

1999

“The Myths of Gateway Drug Philosophy”

Guest speaker at annual 420 Celebration Conference, Los Angeles, CA

2000

“The Complete Guide to Holistic Pain Remedies”

Article published as apart of 420 Celebration Conference, Los Angeles, CA

2001

PROFESSIONAL AFFILIATIONS

International Association for Correctional and Forensic Medicine

Forensic Expert Witness Association

Exhibit 5

Morgan Lloyd, M.D., FCAP

Medical Examiner/Anatomic and Forensic Pathologist

EDUCATION

Vanderbilt University School of Medicine
May 1992 | Doctor of Medicine

University College Hospital, London, England
May 1990 | One-month Training in Autopsy Pathology

The Johns Hopkins University
May 1988 | Natural Sciences

TRAINING

Fellow in Forensic Pathology **July 1, 1996 – June 30, 1997**
Office of the Chief Medical Examiner, State of Maryland

Senior Clinical Fellow in Surgical Pathology, **July 1, 1995 – June 30, 1996**
The Johns Hopkins Hospital, Baltimore, Maryland

Resident in Anatomic Pathology, **July 1, 1992 – June 30, 1995**
Medical University of South Carolina

EXPERIENCE

Medical Examiner **September 2015** – present
Larimer County Coroner's Office, Loveland, Colorado

Chief Medical Examiner **January 2008 – August 2015**
Office of the Chief Medical Examiner, District of Columbia

Associate Medical Examiner **July 1997 – December 2007**
Cook County Medical Examiner, Chicago, Illinois

LICENSURE

- Diplomate, American Board of Pathology, Anatomic and Forensic Pathology, September 1997
- Illinois Medical License
- Colorado Medical License

PROFESSIONAL MEMBERSHIPS (CURRENT)

- International Association of Coroners and Medical Examiners
- Colorado Society of Pathologist
- Colorado Medical Association
- Colorado Association of Medical Examiners

Exhibit 6**Witness Statement Form**

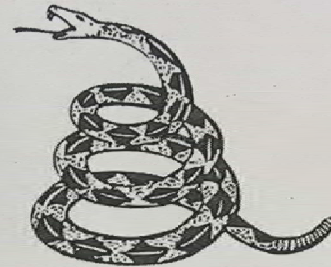
Witness information					
Name (Last, First, MI)	Nunn, Pat			Date	6/3/2017
Driver's License		Cell #		Home #	
Email Address					

Description of Incident			
Time/Date	6/3/17, 12:15 pm	Location	Poudre Canyon, Hwy 14
Please write a detailed description of the events relating to this complaint. If you have already written a statement, please check here.			

I was fishing the Poudre and was approached by a couple having a fight. Surprisingly, they introduced themselves and got my name, we talked for just a few seconds, then they moved off downstream. I heard them for a little bit, then I didn't anymore. I figured they were gone. Then I heard the spouse yelling "What are you doing, what the hell are you doing...." a big splash, and then I heard the same person yell "Oh my God" a couple of times. Then the one doing all the yelling came around the bend yelling for help, saying that the other tried to kill with a rock but fell into the river and was swept away. I tried to get to the victim, but could not as the river was too fast. I heard the spouse call 911, then I took off to catch the victim, but could not. I met the police on 14, who told me to stay here until I gave a statement, and here I am.

I certify that the information I have provided in this statement is my honest recollection of events.

Signature	Pat Nunn	Date	6/3/2017
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The Rattlesnake Cafe

06 / 16 / 17

7:18 PM

SERVER : LUCINDA

TABLE : 12

Guacamole	8.00
Lg Sangria	14.00
Fajitas Supreme	16.50
Fajitas Supreme	16.50
Sopapillas	6.00
Choc Volcano	7.50

Payment :	CASH	
Subtotal :		\$68.50
Tax :		5.24
Amount due:		\$73.74

THANK YOU
COME AGAIN!

Exhibit 8

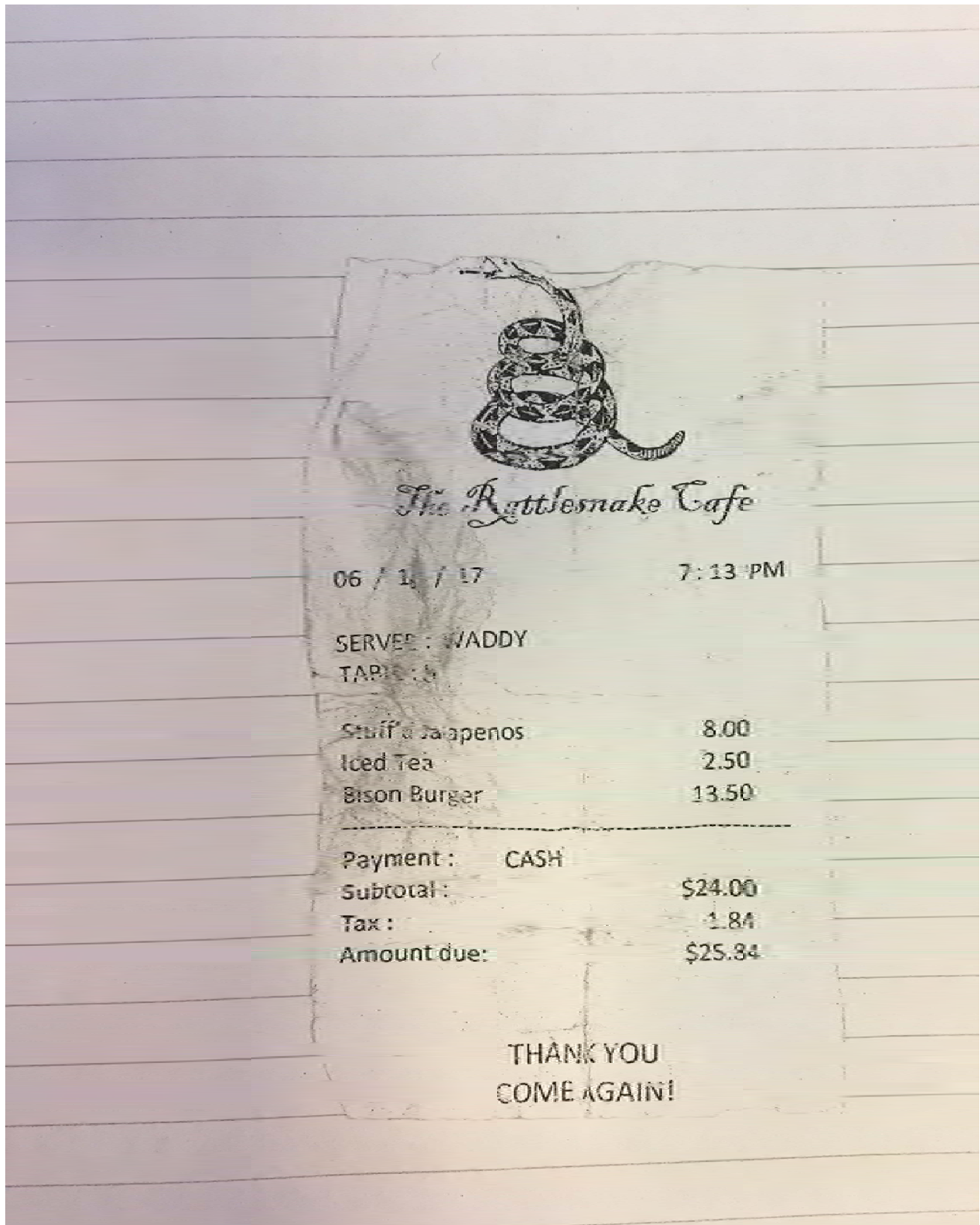


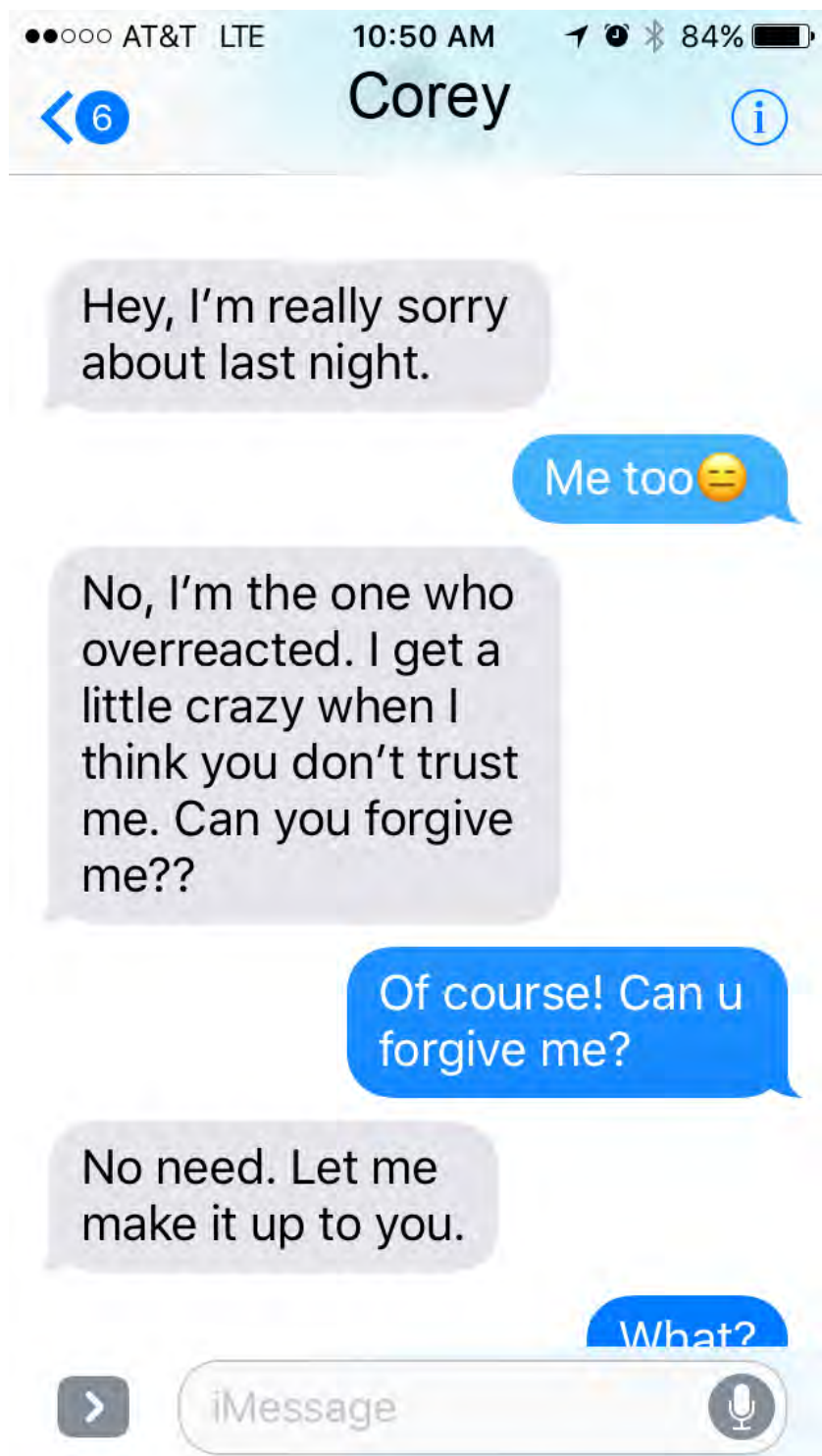
Exhibit 9

Dagney's Doggy Daycare

Sign In/Out Sheet

DATE: 5/5/17			
DOG	In	Out	Special Instructions
Cooper Vidergar	7:01	4:56	
Misty Carey	7:08	6:59	
Bernard Forsythe	7:14	6:10	Mrs. Forsythe has a black eye. I worry Mr. Forsythe gave it to her!
Roxy Madden	7:16	7:42	
Bear Neiley	7:22	4:17	
Harley Sparks	7:23	3:42	Naíl trím. Paíd
George Gravít	7:27	3:28	
Scout Lien	7:28	7:56	
Buddy Bolmer	7:41	5:29	
Rocky Mansorian	7:42	6:43	No treats today.
Coco Hickey	7:44	7:45	
Oso Lord-Blegen	7:45	7:39	
Lucky Vasquez	7:45	12:04	Early pick-up
Charlotte Cohen	7:53	6:57	
Chewey Hernandez	7:54	7:46	

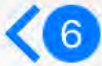
Exhibit 10



●●○○ AT&T LTE

10:50 AM

📶 🔒 84% 🔋



Corey



What?

What do u mean?

How about a
romantics picnic this
weekend. I've already
got a perfect spot
picked out.

That would be great!
Where is the spot?

In Poudre Canyon.
You won't believe the
view of the river. It
will just be the two of
us.

That is a LONG
drive... but does



iMessage



●●○○ AT&T LTE

10:50 AM

📶 🔔 84% 🔋

< 6

Corey

i

us.

That is a LONG
drive...but does
sound sooooo nice!
Let's have a picnic!

C'mon! It'll be with it.
I put a lot of time into
finding the perfect
spot. Trust me, it will
be very romantic.

??? I don't know....

Please??

Ok! U win! I talked me
into it! 👍

Delivered

>

iMessage



Exhibit 11

911 Call, June 3, 2017, 1218 hours

Operator: 9-1-1. What is your emergency?

Caller: I'm in Poudre Canyon. My spouse, Corey Forsythe, just fell in the river. I need you to send a rescue team as soon as possible.

Operator: Where in Poudre Canyon are you?

Caller: I'm at a picnic spot about 11 miles up the canyon from the turn off onto highway 14. It's on the right hand side of the road if you're driving up the canyon. Corey and I were arguing, Corey came at me with a big rock and tried to hit me with it. I dodged out of the way and Corey fell in the river.

Operator: Can you see Corey now?

Caller: No. No, I know Corey was still alive, but the current was too fast.

Operator: Alright, I need you to stay calm and stay on the phone with me. I am sending a rescue crew to you now.

I certify that the above transcription of a 911 call is a public record of the City of Fort Collins Police Department kept at the main Records Division at 2221 S. Timberline Road, Fort Collins, Colorado, 80525.

Elsa Martinez Tenreiro

Deputy Records Custodian



Exhibit 13

>> 04/30/2017, 14:31 mdt

>> by W. Wachtel

>> re policy: MBE-24431

Incoming ph call fm: policy holder. Action: Life insur policy, husb and wife are co-benef. Present benefit \$500k. Wife requests increase on benefit for husb' s policy to \$1million. Advised wife that increase effective June 1.

Exhibit 14

