

instruct a witness how to respond to any questions by law enforcement.

5. At all times during the recordings referenced by the Defense in their Motion to Disqualify Prosecuting Attorney and Motion to Extend Time on Motion to Dismiss, Summer Shiflett and Zulema Pastenas were represented and accompanied by their Arizona attorney, Garrett Smith. I have never met with Mrs. Shiflett or Ms. Pastenas outside the company of their attorney. The meeting with Mrs. Shiflett took place on or about October 1, 2020, and the meeting with Ms. Pastanes took place on or about October 2, 2020. Both meetings took place at the Chandler, Arizona Police Department.

6. The meetings I attended with Mr. Smith, Mrs. Shiflett and Ms. Pastenas came about as a result of Ms. Pastenas reaching out to my office and law enforcement through her attorney, Mr. Smith.

7. The meetings I attended with Mr. Smith, Mrs. Shiflett and Ms. Pastenas were introductory in nature and not investigative. Said meetings took place before investigative meetings with law enforcement. I did not sit in on the meetings with law enforcement.

8. At no time did Mr. Smith make any objection to statements made by me, and after the introductory meetings, Mr. Smith accompanied his clients to interviews with law enforcement in which they actively participated of their own free will. At no time during or after our meeting did Mr. Smith raise an objection or concern that I had coerced, unduly influenced, coached, intimidated, or instructed a witness how to respond to any questions.

9. Not only did Mr. Smith not object to anything said during the initial meetings with Mrs. Shiflett and Ms. Pastenas, Mr. Smith and Ms. Pastanes, Mr. Smith and Ms. Pastanes then met with law enforcement a second time a few weeks after the first meeting.

10. I did not record the meeting with Mr. Smith, Mrs. Shiflett, and Ms. Pastanes. The recordings provided by the Defense were recorded without my knowledge or consent and do not include the entirety of the conversations among me, Mr. Smith, Mrs. Shiflett, and Ms. Pastenas, and as such appear at some level to be incomplete and/or possibly edited. I believe that Mr. Smith recorded these conversations, due to the fact that part of the recording with Ms. Pastenas appears to have taken place outside of Ms. Pastenas' presence. I do not know if Mrs. Shiflett and Ms. Pastenas consented to the recordings or to any disclosure to any third parties.

RESPECTFULLY SUBMITTED this 16th day of December, 2020.

[Signature]
Rob Wood, Special Prosecuting Attorney for
Fremont County

SUBSCRIBED AND SWORN to before me this 16th day of December, 2020



[Signature]
Notary Public
Residing at: Fremont
My Commission Expires: 9/22/2025

CERTIFICATE

I HEREBY CERTIFY that on this 16 day of December, 2020, that a copy of the foregoing AFFIDAVIT was hand delivered, emailed, faxed or mailed to the following party as indicated:

John Prior
john@jpriorlaw.com

- U.S. Mail
- Hand Delivered
- Courthouse Box
- Facsimile:
- File & Serve
- Email

Mark L. Means
mlm@means-law.com

- U.S. Mail
- Hand Delivered
- Courthouse Box
- Facsimile:
- File & Serve
- Email

By: [Signature]