



2024-25 Case Problem
A train ride 40 years in the making

Shannon Shahid v. Taylor Hopson

BY THE AMTA CIVIL CASE COMMITTEE

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Trial Association**

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August 12, 2024

To Our AMTA Community—

Whether this is the first AMTA case you're reading or your twentieth, we're so happy to have you participating in college mock trial. While the start to a fresh season is always exciting, this year is special because it marks a significant milestone in AMTA's history – our 40th anniversary.

Founded in 1985, the American Mock Trial Association has touched tens of thousands of people. For many, mock trial has provided cherished college memories (of both cheers and tears), introductions to life-long friends, and unrivaled preparation for careers, whether that be in law or not.

As the Board has been preparing to kick off the 40th anniversary season, honoring this milestone has let us truly walk down memory lane, reflecting on how the organization has grown and sharing stories across eras of our own experiences as competitors and coaches.

This year's case is a celebration of the past 40 years of AMTA: you'll find witnesses that you and alumni may recognize, references to cases of years past, and of course, the next chapter in the legacy of Midlands.

Regardless of whether your official season ends at Regionals or you close out the season with doing the NCT final round rebuttal, just opening and reading this case is an accomplishment. And while we know this is a competition, we hope that you too will take a moment to celebrate the 40th anniversary by enjoying everything else mock trial means to you personally beyond a trophy. But most importantly, have fun and enjoy this year's case!

Best,
Jacinth Sohi
AMTA President

Sam Jahangir
Civil Case Committee Chair

The American Mock Trial Association

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SYNOPSIS

On April 25, 2024, infamous Midlands millionaire Avery Bancroft died while aboard the Mid-Riverina Express (the “MRE”). Bancroft had two children: Taylor Hopson and Shannon Shahid (Hopson’s younger half-sibling). According to Bancroft’s will, Hopson—who was also aboard the MRE when Bancroft died—would inherit most of Bancroft’s estate. Shahid has brought forward a Slayer Statute proceeding, alleging Hopson caused Bancroft’s death and therefore cannot inherit any of Bancroft’s estate.

AVAILABLE WITNESSES

- | | | |
|--|---------------------------------|---|
| • Kirby Doolittle
Personal Assistant | • Ashley Connel
Artist | • Taylor Hopson
Defendant |
| • Hillary Edmund
Pulmonologist | • Kelly Doos
Influencer | • Dana Haskins
Clinical Psychologist |
| • Jordan Nathanson
Private Investigator | • Harley Kim
Photojournalist | • Alex Silva
Trained EMT |
| | • Rory Shelton
Sport Mascot | |

WE NEED YOUR HELP!

Please report any typos, inconsistencies, errors, suggestions, or any other concerns to amta.civilcase@collegemocktrial.org. We plan to release case changes in December following the conclusion of the fall invitational season.

LICENSING FEE FOR INVITATIONAL TOURNAMENTS HOSTS

These case materials are the intellectual property of the American Mock Trial Association. By paying the School Registration Fee, a school acquires a license to use this case for internal educational purposes and to compete at AMTA-sanctioned tournaments (that is, Regionals, ORCS, the National Championship Tournament, and other standalone tournaments). Under AMTA’s Intellectual Property policy, however, this license does not by itself permit use of these case materials to host an invitational tournament. Instead, schools wishing to use these case materials to host an invitational tournament must obtain a separate license to do so.

For **2024-25**, this license will require tournament hosts to:

1. Pay AMTA an amount equal to **\$8.00** per team per round;
2. Provide AMTA with a copy of the tournament tab summary; and
3. Promptly respond to any requests for information from AMTA.

Failure to comply with any of these requirements could result in sanctions under the AMTA Rules or other consequences, including inability to compete in AMTA-sanctioned tournaments until the school complies. If you have any questions, please contact AMTA.IP@collegemocktrial.org.

Notes and Acknowledgements

This case is a work of fiction, and AMTA owns all rights. Any similarity to real people, companies, locations, trade names, service marks, or copyrighted material is purely coincidental. Additionally, outside of the mock trial context, please do not rely on the information contained in this case packet.

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- **Sharmin Shahid** for assisting with some of the exhibits.
- Case Authors and Case Committees of years past for contributing to AMTA lore.



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Contact Drexel Kline's Trial Competition Director Phil Pasquarello
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Thomas R. Kline
School of Law

CHAMPIONSHIP MOCK TRIAL

The Guide for Students and Coaches



by Hon. David Nelmark and Justin Bernstein

ABA AMERICAN BAR ASSOCIATION
Judicial Division



“This book is phenomenal. No matter your skill level — if you’re just beginning, if you’re a seasoned competitor, or if you’re looking to win a national championship — this book was written for you. *It’s the only resource* that meticulously guides you through every component of success, from writing, to delivery, to team strategies that I wish I had known when I was a competitor.”

RIYA LAKKARAJU

All-American • Emory University



“When I started competing, I wish there had been a book to teach me everything I’d need to know to get good at mock trial. This is

that book. *And it’s the only book like it.* I can’t recommend it enough to any student or coach looking to take the next step. It’s helpful, funny, and full of wisdom from two people have done more winning than anyone.”

BENNETT DEMSKY

All-American • Tufts University



“This is written by champions, built for champions, and is sure to create champions. *I wish I had a copy when I was competing at Gladiator and TBC.* I’ll be teaching from this book for years to come.”

LIZ GRANT

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SPECIAL INSTRUCTIONS

1. **Witness Availability and Pronouns.** Kirby Doolittle, Hillary Edmund, and Jordan Nathanson may only be called by Plaintiff. Taylor Hopson, Dana Haskins, and Alex Silva may only be called by Defense. Ashley Connel, Kelly Doos, Harley Kim, and Rory Shelton may be called by either side. The Captains' Meeting Form further explains the procedures regarding witness selection as well as procedures for picking the pronouns of witnesses and non-witnesses.
2. **Party Representatives.** Taylor Hopson is the only permissible party representative for Defense under MRE 615. If Hopson is testifying, Defense must designate Hopson as party representative. Plaintiff may (but is not required to) designate non-testifying witness Shannon Shahid as party representative and have Shahid sit at counsel table.
3. **Final Versions (and Revision Dates).** All participants must acknowledge that all case documents are the final and only versions of these documents. Revision dates (*e.g.*, "8/15/2024") will typically appear at the top or bottom of documents. For purposes of the trial, such dates do not indicate anything about the history of the case document. For instance, revision dates do not indicate that a witness has revised their affidavit, report, deposition, etc., or when such a revision occurred. Participants may not use these dates to introduce facts about the case.
4. **Documents and Characters Are What and Who They Purport to Be.** Witnesses must acknowledge authorship of any document that purports to be authored by them and the authenticity of any signature that purports to be theirs. A witness whose affidavit, report, or deposition states a witness is familiar with a particular document must acknowledge that the witness is familiar with that document and that the referenced document is the same version as the corresponding document in the current case. In addition, a witness whose affidavit, report, or deposition states a witness is familiar with or recognizes a particular person must acknowledge that the student portraying any witness of the same name during a given round is the same person referenced in the affidavit, report, or deposition.
5. **Affidavits.** The reports of Hillary Edmund and Dana Haskins are affidavits for purposes of AMTA Rules 7.21 (Invention of Fact) and 7.17 (Admission). Neither report may be offered into evidence. None of the numbered exhibits are affidavits pursuant to Rules 7.21 and 7.17. Only Exhibit 29d—and no other numbered exhibit—is subject to Rule 6.11(3).
6. **Nathanson and Hopson Depositions.** Jordan Nathanson and Taylor Hopson do not have an affidavit or report. The depositions of Nathanson and Hopson are not "affidavits" for purposes of AMTA Rules 7.21 (Invention of Fact) or 7.17 (Admission). Students playing Nathanson and Hopson may build their testimony using their respective depositions and other documents in the case. Nathanson and Hopson may also invent facts outside of the case documents but can still be cross examined on those inventions using their respective depositions, exhibits, or other case materials. All inventions of fact by Nathanson and Hopson must comply with all AMTA Rules (including Rule 6.11(3) and Special Instruction 4 above). For example, Nathanson and Hopson may not deny that Nathanson and Hopson gave the answers given in their respective depositions after having sworn to tell the truth or deny having sent any emails or texts purportedly sent by the witness.

7. **Inventions by Nathanson and Hopson.** Teams are allowed to refer to Nathanson's and Hopson's inventions during opening statements and closing arguments. Teams are also permitted to create demonstratives utilizing the inventions of fact created through the testimony of Nathanson and Hopson. Note that a "demonstrative" is distinct from an "exhibit." Teams are not permitted to create new exhibits and offer them into evidence in support of Nathanson's or Hopson's testimony. The exhibits in the case packet are the only ones that may be offered into evidence. This Special Instruction is simply clarifying that teams may create demonstratives related to Nathanson's and Hopson's inventions (including, but not limited to, demonstratives such as timelines, drawings on maps or exhibits provided in the case packet, etc.) without running afoul of the invention parameters of Rule 7.20(2)(b).
8. **Doos Affidavit.** If Plaintiff calls Doos, then Doos's defense-side affidavit is not part of the case packet for purposes of that round and may not be referenced by either side for any purpose. If Defense calls Doos or if Doos is not called, then Doos's plaintiff-side affidavit is not part of the case packet for purposes of that round and may not be referenced by either side for any purpose.
9. **Closed-Universe Problem.** The only legal materials that participants may mention, or judges may rely upon, for any purpose are those set forth in "Available Law," "Midlands Case Law," and the "Midlands Rules of Evidence." All participants must acknowledge such if asked.
10. **Constitutional Issues.** The parties have raised all objections arising under the United States Constitution prior to trial in motions in limine and preserved them for appeal. Accordingly, no party may raise any objections specifically related to the United States Constitution at trial. Any such objections have previously been overruled, and no motion for reconsideration is permitted. Nothing in this Special Instruction precludes the making of timely objections during trial based on the Midlands Rules of Evidence.
11. **Fifth Amendment.** No witness may refuse to answer any question—and no attorney may instruct a witness not to respond—based on the witness's Fifth Amendment rights.
12. **Attorney-Client, Doctor-Patient, and Spousal Privilege.** The parties have waived all objections arising under attorney-client privilege—including any alleged attorney-client communications—doctor-patient privilege, and spousal privilege. Accordingly, no party may raise any objections related to attorney-client, doctor-patient, or spousal privilege. No witness may refuse to answer any question—and no attorney may instruct a witness not to respond—based on attorney-client privilege, doctor-patient privilege, or spousal privilege.
13. **Best Evidence Rule Limited to Items in the Case Packet.** No attorney may object under MRE 1002 if the "original writing, recording, or photograph" in question is not among the documents contained in the case packet.
14. **Black-and-White Copies.** No objections may be raised on the ground that a document, exhibit, or demonstrative is presented in black and white.

15. **Time Limits.** Should a team wish to publish part or all of a document (including any stipulations) by reading it onto the record, the time spent reading shall be deducted from the publishing team's total direct or cross time, depending on whether the reading occurs during the publisher's case-in-chief or that of the other team. Publication may not occur before Plaintiff's opening statement or after Defense closes its case-in-chief.
16. **Jury Instructions and Special Verdict Form.** The jury instructions and special verdict form are provided as educational tools. They are not exhibits or evidence to be admitted at trial. These documents are designed to help you understand the law and how juries are instructed before and during deliberation. Closing attorneys may not contradict the jury instructions or special verdict form; however, they are not required to use or reference them during their closing arguments. Attorneys can presume that the jury instructions will be constructively read to the jury by the presiding judge before both parties have presented closing arguments and that the jury will be provided a copy of the special verdict form during deliberation.
17. **Witnesses Must Be Able to Respond to Cross Examination.** Stipulation 3 provides that "[a]ll parties and witnesses are at least of normal intelligence and none has or ever has had a mental condition that would impact a person's perception, memory, or ability to respond to questions on cross examination." It is a violation of that stipulation and of this Special Instruction to portray any witness in a manner that renders that witness unable to respond to otherwise proper questions on cross examination.
18. **Characteristics as Material Invention.** Although teams may employ distinctive accents / speech characteristics to develop a character, teams may not use such accents / speech characteristics to invent material facts or to prove that a voice heard was or was not the voice of a specific person in the case. This Special Instruction does not prohibit asking a witness questions regarding the witness's certainty of a voice identification or the circumstances in which the witness heard the voice in question. Additionally, no team may use the penmanship of a student playing a witness to make an argument based upon any handwriting contained in the case packet. This Special Instruction applies both to examinations of witnesses and to opening statements / closing arguments.
19. **No "Guilty Portrayals" Rule.** Teams are reminded that AMTA Rule 6.11(2) prevents Defense from alleging that a witness called by Defense committed the wrong or otherwise suggesting that a witness called by Defense is responsible for the wrong. Additionally, under Rule 6.11(2)(b), if Defense calls Ashley Connel, Defense cannot allege that Bailey Connel committed the wrong or otherwise suggest that Bailey Connel is responsible for the wrong. For clarification, nothing in Rule 6.11(2) prevents Defense from alleging that a witness called by Plaintiff—or a non-testifying witness (other than Bailey Connel when Ashley Connel is called by Defense)—committed or is responsible for the wrong.

20. **Witnesses Testifying for Plaintiff.** Plaintiff cannot allege that a witness called by Plaintiff committed the wrong or otherwise suggest that a witness called by Plaintiff is responsible for the wrong. Additionally, if Plaintiff calls Ashley Connel, Plaintiff cannot allege that Bailey Connel committed the wrong or otherwise suggest that Bailey Connel is responsible for the wrong. Nothing in this Special Instruction prevents Plaintiff from alleging that a witness called by Defense—or a non-testifying witness (other than Bailey Connel when Ashley Connel is called by Plaintiff)—committed or is responsible for the wrong.
21. **Stipulation 30.** During Captains' Meeting, Plaintiff shall fill in the blank present in Stipulation 30 in order to identify which witness(es) will be deemed unavailable for purposes of MRE 804 for that round. Bailey Connel shall always be listed. In addition to Bailey Connel, the following witnesses shall be listed if they are not testifying in that round: Ashley Connel, Harley Kim, and Rory Shelton. No other witnesses or non-witnesses can be listed in Stipulation 30.
22. **Exhibit 1 (Photograph of Avery Bancroft).** Subject to the Midlands Rules of Evidence, Defense (and only Defense) may supply a single photograph of Avery Bancroft. The photograph may not contain any other person, or anything specifically intended to evoke other persons, places, things, or events specifically mentioned or described in the case (*e.g.*, Taylor Hopson, the Mid-Riverina Express, etc.). The person portraying Avery Bancroft in the photograph must not show any signs of death or injury, and the photograph may not contradict any facts in the case packet or introduce any material facts beyond what is in the case packet. If Defense wishes to supply a photograph, the photograph must be shown to Plaintiff during Captains' Meeting, and failure to do so shall constitute an absolute bar to using the photograph in any way during the trial. Any objection based on this Special Instruction to a properly disclosed photograph may be raised only at Captains' Meeting, not during trial.
23. **Exhibit 19 (Autopsy of Avery Bancroft).** If Dr. Hillary Edmund is testifying, only Exhibit 19a (the autopsy dated April 29, 2024) exists, and Exhibit 19b is not part of the case packet for purposes of that round and may not be referenced by either side for any purpose. If Dr. Hillary Edmund is not testifying, only Exhibit 19b (the autopsy dated April 30, 2024) exists, and Exhibit 19a is not part of the case packet for purposes of that round and may not be referenced by either side for any purpose.
24. **Exhibit 34 (Sunglasses).** In lieu of the provided Exhibits 34a and 34b, Plaintiff (and only Plaintiff) may supply physical Exhibits 34a and 34b. The physical Exhibits 34a and 34b must generally conform to the provided Exhibits 34a and 34b (*i.e.*, Exhibit 34a must be the frame plus one lens while Exhibit 34b is the other, missing lens) and may not contradict any facts in the case packet or introduce any material facts beyond what is in the case packet. The physical Exhibits 34a and 34b do not need to perfectly match the provided Exhibits 34a and 34b (*e.g.*, the physical sunglasses do not need to have red lenses). If Plaintiff wishes to supply physical Exhibits 34a and 34b, they must be shown to Defense during Captains' Meeting, and failure to do so shall constitute an absolute bar to using the physical Exhibits 34a and 34b in any way during trial. Any objection based on this Special Instruction to properly disclosed Exhibits 34a and 34b may be raised only at Captains' Meeting, not during trial. In trials using physical Exhibits 34a and 34b, the provided Exhibits 34a and 34b are not part of the case packet for purposes of that round and may not be referenced by either side for any purpose.

25. **Exhibit 38 (Birthday Card).** Teams may use the provided Exhibit 38 to approximate an actual birthday card (including by folding the materials, printing them on cardstock, or the like) so long as they do not add content or alter the existing content in any way (or otherwise contradict any facts in the case packet or introduce any material facts beyond what is in the case packet). Any team wishing to approximate an actual card must show their card during Captains' Meeting. Any objection based on this Special Instruction to a properly disclosed card may be raised only at Captains' Meeting, not during trial. If both teams provide a card during Captains' Meeting that conforms with this Special Instruction, Plaintiff's card will be used as Exhibit 38 in that trial.
26. **Exhibit 40 (Label for Concentrated Banana Extract).** Teams may print out and affix Exhibit 40a to a four-ounce "Boston Round" bottle (either glass or plastic, with or without an eyedropper top) and present that bottle as Exhibit 40b. Teams may not alter the dimensions of Exhibit 40a when affixing it to a bottle. The bottle may be any color, but the bottle must be empty. Other than the Label for Concentrated Banana Extract, no other item may be affixed to the bottle. Although the label may slightly overlap, all text on the Label for Concentrated Banana Extract must be visible when affixed to the bottle. All teams planning to use an actual bottle must show their bottle during Captains' Meeting. Any objection based on this Special Instruction to a properly disclosed Exhibit 40b may be raised only at Captains' Meeting, not during trial. If either team provides a bottle during Captains' Meeting that conforms with this Special Instruction, only that bottle may be presented as Exhibit 40b, and neither team may use Exhibit 40a in that trial. If both teams provide a bottle during Captains' Meeting that conforms with this Special Instruction, the Plaintiff's bottle will be used as Exhibit 40b in that trial. If neither team provides Exhibit 40b, neither team may object to Exhibit 40a on the grounds of MRE 1002 (Best Evidence).
27. **Exhibit 41 (Box of Rodenticide).** Teams may use Exhibit 41 in two ways. First, a team may print the exhibit and use it as printed (*i.e.*, on a single piece of paper) as Exhibit 41a. Second, a team may print Exhibit 41a on paper or card stock, cut it out, and fold it into a box which, when assembled, will measure approximately 5"x3.5"x1.4" and then introduce that box as Exhibit 41b. All teams planning to use an assembled box must show their assembled box during Captains' Meeting. Any objection based on this Special Instruction to a properly disclosed Exhibit 41b may be raised only at Captains' Meeting, not during trial. If either team provides an assembled box during Captains' Meeting that conforms with this Special Instruction, only that box may be presented as Exhibit 41b, and neither team may use Exhibit 41a in that trial. If both teams provide a box during Captains' Meeting that conforms with this Special Instruction, the Plaintiff's box will be used as Exhibit 41b in that trial. If neither team provides an Exhibit 41b, neither team may object to Exhibit 41a on the grounds of MRE 1002 (Best Evidence).

28. **Nonexpert Opinions on Handwriting.** There are four handwritten exhibits (8, 38, 39, and 42) As stated in their respective affidavits, witnesses familiar with one or more of these exhibits (and only those witnesses) may—consistent with MRE 901(b)(2) and subject to objections—provide a nonexpert opinion on the handwritings in those exhibits. These opinions can be brought up on direct or cross examination. The witness’s opinion cannot contradict the witness’s affidavit or deposition, but if the witness’s affidavit or deposition is silent on their nonexpert opinion, the witness is free to opine either way (*e.g.*, that the handwritings are similar or that the handwritings are not similar). Witnesses may use aspects of the handwritings on the exhibits to support their opinion. Nonexpert opinions that conform with this Special Instruction do not constitute material invention.

CAPTAINS' MEETING FORM

Prior to the start of trial, teams must turn in one completed copy of this form to the AMTA Representative. Participants may not view (or attempt to view) the form for any trial in which their team does not compete. All selections are final and binding once announced.

Room Number: _____

Round: 1 2 3 4

Plaintiff Team Number: _____

Defense Team Number: _____

The Captains' Meeting proceeds in the following order:

1. **DOOS.** First, does Defense wish to exercise its right of priority over Kelly Doos?

Yes
No

2. **FIRST PICK OR WITNESS STRIKE.** Next, does Plaintiff wish to make the first pick in witness selection or "strike" a witness? If Plaintiff chooses to strike a witness, Plaintiff selects exactly one of three swing witnesses—that is, Connel, Kim, Shelton—to be struck for purposes of that round. The struck witness cannot be called by either side.

First
Pick

Strike
Connel

Strike
Kim

Strike
Shelton

3. **WITNESS SELECTION.** Only Plaintiff may call Doolittle, Edmund, and Nathanson. Only Defense may call Hopson, Haskins, and Silva. Either side may call Connel, Kim, and Shelton. If Defense exercises priority over Doos, Defense must use one of its three picks to call Doos (it need not be the first pick). If Defense does not exercise priority over Doos, Doos may be called by either side (including Defense).
 - a. **If Plaintiff chose to make the first pick in witness selection:**
 - i. The witness call order shall proceed as follows: **P-D-P-D-P-D**.
 - b. **If Plaintiff chose to strike one of three swing witnesses:**
 - i. The struck witness (Connel, Kim, or Shelton) cannot be called by either side; and
 - ii. The witness call order shall proceed as follows: **D-P-D-P-D-P**.

4. **CALL ORDER.** Fill in the order in which the witnesses will testify.

Plaintiff Witness Selections		Defense Witness Selections	
Witness Name	Call #	Witness Name	Call #

5. **PRONOUNS.** Avery Bancroft's pronouns will be he/him. Plaintiff will determine the pronouns of Shannon Shahid and all side-constrained Plaintiff witnesses. Defense will determine the pronouns of all side-constrained Defense witnesses. The pronouns of Connel, Kim, and Shelton will be determined by the side calling that witness (or by Plaintiff if that witness is not called). The pronouns of Doos will be determined by the side calling Doos (or by Defense if Doos is not called). Teams shall also complete the Gender/Pronouns Form included in the case packet.

Plaintiff	Pronouns	Defense	Pronouns	Other	Pronouns
Shannon Shahid		Avery Bancroft	he/him	Ashley Connel	
Kirby Doolittle		Taylor Hopson		Kelly Doos	
Hillary Edmund		Dana Haskins		Harley Kim	
Jordan Nathanson		Alex Silva		Rory Shelton	

6. **EXHIBITS AND DEMONSTRATIVES.** Teams must show any demonstrative aid within the meaning of AMTA Rule 7.20 to the other team during the Captains' Meeting so that any concerns may be brought to the AMTA Representatives' attention. Failure to do so shall constitute an absolute bar to using the demonstrative in any way during trial. Any objections based on the Special Instructions or AMTA Rules must be raised during the Captains' Meeting and may not be raised or renewed during trial. Objections based on the Midlands Rules of Evidence, however, may be made only during trial.

GENDER/PRONOUNS FORM

During the Captains' Meeting, teams must complete one copy of this form. One completed copy of this form must be provided to the presiding judge with the ballots.

Room Number: _____

Round: 1 2 3 4

Plaintiff Team Number: _____

Defense Team Number: _____

Please complete this form in the following order:

1. **ATTORNEY PRONOUNS.** Please include the names, pronouns, and honorifics (*e.g.*, Mr., Ms., Mx.) of all attorneys who will be competing in the round.

Plaintiff Attorney Name	Pronouns/ Honorifics	Defense Attorney Name	Pronouns/ Honorifics

2. **TESTIFYING WITNESS PRONOUNS.** Please include the character names, pronouns, and honorifics (*e.g.*, Mr., Ms., Mx.) of all witnesses who will be called to testify during the round. Do not include any witnesses who will not be testifying.

Plaintiff Witnesses		Defense Witnesses	
Witness Name	Pronouns/ Honorifics	Witness Name	Pronouns/ Honorifics

3. **PARTY REPRESENTATIVE PRONOUNS.** Teams who will *not* call a party representative to testify, but will have them seated at counsel table, must include the party representative's pronouns and honorifics (*e.g.*, Mr., Ms., Mx.). Teams who will neither call a party representative nor have them seated at counsel table may leave this section blank.

Plaintiff Party Representative		Defense Party Representative	
Witness Name	Pronouns/ Honorifics	Witness Name	Pronouns/ Honorifics
Shannon Shahid		Taylor Hopson	

IN THE CIRCUIT COURT OF POLK COUNTY, MIDLANDS

Shannon Shahid,

Plaintiff,

v.

Taylor Hopson,

Defendant.

Case No. CV 24-401985

Action filed: May 3, 2024

Judge Richard M. Calkins

NOTICE OF INTENT TO OFFER EVIDENCE PURSUANT TO MRE 608(A)

Pursuant to MRE 608(a), Defendant hereby gives notice that Defendant intends to offer opinion and / or reputation evidence attacking the character for truthfulness of the following Plaintiff witness(es):

Defendant understands and acknowledges that, because rebuttal witnesses are not permitted in this jurisdiction, Plaintiff may offer evidence of the truthful character of the witness(es) listed above during Plaintiff's case-in-chief.

Signed:

Attorney for DEFENDANT

Attorney for PLAINTIFF

CASE DOCUMENTS

Legal Documents

1. Complaint
2. Answer
3. Available Law
4. Midlands Case Law
5. Discovery Responses
6. Stipulations
7. Pretrial Order
8. Jury Instructions
9. Special Verdict Form

Plaintiff Witness Materials

1. Affidavit of Kirby Doolittle
2. Statements of Hillary Edmund
 - a. Affidavit
 - b. Report
3. Deposition of Jordan Nathanson

Defense Witness Materials

4. Deposition of Taylor Hopson
5. Statements of Dana Haskins
 - a. Affidavit
 - b. Report
6. Affidavit of Alex Silva

Non-Constrained Witness Materials

7. Affidavit of Ashley Connel
8. Affidavit of Kelly Doos
 - a. Defense-Side Affidavit
 - b. Plaintiff-Side Affidavit
9. Affidavit of Harley Kim
10. Affidavit of Rory Shelton

EXHIBIT LIST

1. Photograph of Avery Bancroft (not in case packet) (*see* Special Instruction 22)
2. Brochure for Jordan Nathanson
3. CV of Hillary Edmund
4. CV of Dana Haskins
5. Deposition of Bailey Connel
6. July 16, 2015 Will of Avery Bancroft
7. Schedules of Assets for Avery Bancroft
8. Handwritten Will
9. February 1, 2024 Instagram Post
10. Brochure for Mid-Riverina Express
11. Train Diagram of Mid-Riverina Express
12. Itinerary for Mid-Riverina Express
13. April 25, 2024 Interrogation of Taylor Hopson
14. April 25, 2024 Interrogation of Kelly Doos
15. Excerpt of Hopson May 8, 2024 Interview
16. Picture of Set of Keys
 - a. Set of Keys (April 20, 2024)
 - b. Set of Keys (April 25, 2024)
 - c. Chuggie's Keychain (April 25, 2024)
17. Picture of Medallion
18. May 1, 2024 Death Certificate for Avery Bancroft
19. Autopsy of Avery Bancroft (*see* Special Instruction 23)
 - a. April 29, 2024 Version
 - b. April 30, 2024 Version
20. October 9, 2022 Bancroft Medical Record
21. December 18, 2023 Midlands Courier Gazette
22. May 1, 2022 – April 30, 2024 Bank Statement for Avery Bancroft
23. Bancroft v. Connel et al., Complaint
24. Dana Haskins Resignation Letter
25. March 17, 2024 Emails
 - a. Hopson-Doolittle Emails
 - b. Hopson-Doos Emails
26. Text Messages between Hopson and Doos
 - a. Report of April 22-25, 2024 Texts
 - b. Bassett Declaration
27. February 3, 2024 Shahid-Nathanson Email
28. Text Messages between Shahid and Connel
29. Voice Memos Created by Avery Bancroft
 - a. April 23, 2024 Voice Memo
 - b. April 24, 2024 Voice Memo
 - c. April 25, 2024 Voice Memo
 - d. Doolittle Declaration
30. April 25, 2024 Note on Bancroft's Phone
31. April 23, 2024 Scher's Tool & Craft Receipt
32. April 25, 2024 Drawing by Bailey Connel
33. April 25, 2024 Search History for Hopson
34. Sunglasses (*see* Special Instruction 24)
 - a. Frame plus one Lens
 - b. Single Lens
35. Excerpt from Avery Bancroft's Draft Memoir
36. Article by Dana Haskins
37. Unsigned Note
38. Birthday Card (*see* Special Instruction 25)
39. April 25, 2024 Notes by Alex Silva
40. Label for Concentrated Banana Extract (*see* Special Instruction 26)
 - a. Printout
 - b. Physical Label on Bottle
41. Box for Rodenticide (*see* Special Instruction 27)
 - a. Printout
 - b. Physical Box
42. Handwritten Note

IN THE CIRCUIT COURT OF POLK COUNTY, MIDLANDS

Shannon Shahid,

Plaintiff,

v.

Taylor Hopson,

Defendant.

Case No. CV 24-401985

Action filed: May 3, 2024

Judge Richard M. Calkins

Complaint

JURISDICTION, VENUE, & ADMINISTRATIVE PREREQUISITES

1. This court has subject matter jurisdiction, personal jurisdiction, and is a proper venue for this lawsuit.

THE PARTIES

2. Plaintiff Shannon Shahid (“Plaintiff”) is a biological child of Avery Bancroft (“Decedent”).
3. Defendant Taylor Hopson (“Defendant”) is a biological child of Decedent.
4. Prior to his death, Decedent’s primary residence was located in Polk County, Midlands.
5. Decedent has no living spouse.
6. Plaintiff and Defendant are Decedent’s only children, biological or adopted.
7. Neither Plaintiff nor Defendant have any children, biological or adopted.

FACTUAL BACKGROUND

8. On April 22, 2024, Defendant and Decedent boarded the Mid-Riverina Express (the “MRE”).
9. The MRE was scheduled to depart Sydney, Australia on Monday, April 22, 2024 and arrive in Perth, Australia on Thursday, April 25, 2024.
10. On April 25, 2024, Decedent died while on board the MRE.
11. On July 16, 2015, Decedent executed a will naming Defendant as the beneficiary of 95% of Decedent’s estate.
12. If Defendant were ineligible to receive any part of Decedent’s estate, Plaintiff would be Decedent’s sole heir.
13. On April 26, 2024, Defendant—through an attorney—submitted Decedent’s July 16, 2015 will for probate in Polk County, Midlands.

FIRST CAUSE OF ACTION: SLAYER STATUTE PROCEEDING

14. Plaintiff repeats the allegations of the foregoing paragraphs as if fully set forth herein.
15. MRS 41B.200(a) provides that any person “who was a culpable actor in the death of another shall not receive any part of the decedent’s estate.”
16. MRS 41B.200(c) provides that “[a]ny person who would inherit upon the triggering of MRS 41B.200(a) may bring an action in the appropriate circuit court under this section against any person who would inherit absent triggering of that section.”
17. Because of Decedent’s July 16, 2015 will, Defendant is a “person who would inherit absent the triggering of” MRS 41B.200(a).
18. As the only other beneficiary of Decedent’s will other than Defendant, Plaintiff is a “person who would inherit upon the triggering of MRS 41B.200(a).”
19. The Circuit Court of Polk County, Midlands is the appropriate circuit court for this action under MRS 41B.200(c).
20. Defendant was a culpable actor in the death of Decedent.
21. Plaintiff is entitled to a judgment declaring that Defendant is ineligible to inherit any portion of Decedent’s estate.
22. Plaintiff is entitled to a judgment declaring that Plaintiff is the sole party entitled to inherit Decedent’s estate.

PRAYER FOR RELIEF

THEREFORE, Plaintiff demands, pursuant to MRS 41B.200(c), a judgment declaring Defendant ineligible to receive any part of Decedent’s estate and declaring Plaintiff as the sole party entitled to inherit Decedent’s estate.

Respectfully submitted,

Anna Dubnoff

Sun, Dubnoff, and Marx LLP
Attorneys for Plaintiff

IN THE CIRCUIT COURT OF POLK COUNTY, MIDLANDS

Shannon Shahid,

Plaintiff,

v.

Taylor Hopson,

Defendant.

Case No. CV 24-401985

Action filed: May 3, 2024

Judge Richard M. Calkins

Answer

JURISDICTION, VENUE, & ADMINISTRATIVE PREREQUISITES

1. This court has subject matter jurisdiction, personal jurisdiction, and is a proper venue for this lawsuit.

A. Defendant's Response to ¶ 1: Admitted.

THE PARTIES

2. Plaintiff Shannon Shahid ("Plaintiff") is a biological child of Avery Bancroft ("Decedent").

A. Defendant's Response to ¶ 2: Admitted.

3. Defendant Taylor Hopson ("Defendant") is a biological child of Decedent.

A. Defendant's Response to ¶ 3: Admitted.

4. Prior to his death, Decedent's primary residence was located in Polk County, Midlands.

A. Defendant's Response to ¶ 4: Admitted.

5. Decedent has no living spouse.

A. Defendant's Response to ¶ 5: Admitted.

6. Plaintiff and Defendant are Decedent's only children, biological or adopted.

A. Defendant's Response to ¶ 6: Admitted.

7. Neither Plaintiff nor Defendant have any children, biological or adopted.

A. Defendant's Response to ¶ 7: Admitted.

FACTUAL BACKGROUND

8. On April 22, 2024, Defendant and Decedent boarded the Mid-Riverina Express (the "MRE").

A. Defendant's Response to ¶ 8: Admitted.

9. The MRE was scheduled to depart Sydney, Australia on Monday, April 22, 2024 and arrive in Perth, Australia on Thursday, April 25, 2024.

A. Defendant's Response to ¶ 9: Admitted.

10. On April 25, 2024, Decedent died while on board the MRE.

A. Defendant's Response to ¶ 10: Admitted.

11. On July 16, 2015, Decedent executed a will naming Defendant as the beneficiary of 95% of Decedent's estate.

A. Defendant's Response to ¶ 11: Admitted.

12. If Defendant were ineligible to receive any part of Decedent's estate, Plaintiff would be Decedent's sole heir.

A. Defendant's Response to ¶ 12: Admitted.

13. On April 26, 2024, Defendant—through an attorney—submitted Decedent's July 16, 2015 will for probate in Polk County, Midlands.

A. Defendant's Response to ¶ 13: Admitted.

FIRST CAUSE OF ACTION: SLAYER STATUTE PROCEEDING

14. Plaintiff repeats the allegations of the foregoing paragraphs as if fully set forth herein.

A. Defendant's Response to ¶ 14: Defendant repeats the responses of the foregoing paragraphs as if fully set forth herein.

15. MRS 41B.200(a) provides that any person "who was a culpable actor in the death of another shall not receive any part of the decedent's estate."

A. Defendant's Response to ¶ 15: Admitted.

16. MRS 41B.200(c) provides that "[a]ny person who would inherit upon the triggering of MRS 41B.200(a) may bring forth a Slayer Statute proceeding in the appropriate circuit court under this section against any person who would inherit absent triggering of that section."

A. Defendant's Response to ¶ 16: Admitted.

17. Because of Decedent's July 16, 2015 will, Defendant is a "person who would inherit absent the triggering of" MRS 41B.200(a).

A. Defendant's Response to ¶ 17: Admitted.

18. As the only other beneficiary of Decedent's will other than Defendant, Plaintiff is a "person who would inherit upon the triggering of MRS 41B.200(a)."

A. Defendant's Response to ¶ 18: Admitted.

19. The Circuit Court of Polk County, Midlands is the appropriate circuit court for this action under MRS 41B.200(c).

A. Defendant's Response to ¶ 19: Admitted.

20. Defendant was a culpable actor in the death of Decedent.

A. Defendant's Response to ¶ 20: Denied.

21. Plaintiff is entitled to a judgment declaring that Defendant is ineligible to inherit any portion of Decedent's estate.

A. Defendant's Response to ¶ 21: Denied.

22. Plaintiff is entitled to a judgment declaring that Plaintiff is the sole party entitled to inherit Decedent's estate.

A. Defendant's Response to ¶ 21: Denied.

PRAYER FOR RELIEF

THEREFORE, Defendant respectfully requests that the Court dismiss Plaintiff's Complaint in its entirety.

Respectfully submitted,

Curtis Herbert

Pema, Herbert, and Davis LLP
Attorneys for Defendant

AVAILABLE LAW

(The statute and cases listed below are the only legal authorities that may be cited in trial)

Midlands Revised Statute (“MRS”) 41B.100 *Inheritance.*

- (a) If a person with a valid will dies, that person’s estate shall be distributed as specified in the most recently executed valid will. The appropriate jurisdiction to probate the valid will shall be where the person’s primary residence is located.
- (b) If a person dies without a valid will, that person’s estate will pass via the rules of intestate succession. The person’s estate will automatically pass by operation of law to any living spouse. If the decedent had no living spouse, the estate will be distributed equally to any then-living people according to the following order of priority: (1) children (biological or adopted); (2) grandchildren (or their descendants); (3) parents; (4) siblings (or their descendants); and (5) cousins (or their descendants).

MRS 41B.200 *Slayer Statute.*

- (a) Notwithstanding MRS 41B.100, a person who was a culpable actor in the death of another shall not receive any part of the decedent’s estate. If the person was named in an otherwise valid will or would inherit via the rules of intestate succession, the person will be deemed by operation of law to have disclaimed any inheritance.
- (b) The provisions of MRS 41B.200(a) may only be triggered by (1) a relevant conviction; or (2) a judgment obtained in an action brought under MRS 41B.200(c).
- (c) Any person who would inherit upon the triggering of MRS 41B.200(a) may bring forth a Slayer Statute proceeding in the appropriate circuit court under this section against any person who would inherit absent the triggering of that section. The defendant is entitled to a trial by jury, and the plaintiff bears the burden of proving that the defendant was a culpable actor in the death of the decedent by a preponderance of the evidence. If the jury finds for the plaintiff, the court must enter a judgment declaring the defendant ineligible to receive any part of the decedent’s estate.

MRS 41B.300 *Execution of Wills.*

- (a) Execution of Wills. A will shall be in writing; signed by the testator; and signed by at least two individuals, each of whom witnessed the signing of the will.
- (b) Self-Proved Will. A will may be simultaneously executed, attested, and made self-proved by acknowledgement thereof by the testator and affidavits of the witnesses, each made before a notary public authorized to administer oaths under the laws of the state in which execution occurs and evidenced by the notary’s certificate, under official seal.
- (c) Holographic Wills. A will that does not comply with subsection (a) is valid as a holographic will, whether or not witnessed, if the signature and material portions of the document are in the testator’s handwriting.

MIDLANDS CASE LAW

(All cases listed below are from the Supreme Court of Midlands)

Wills, Trusts, and Slayer Statute

***Jones v. Narendra* (1935)**

A person's heirs (by will or intestate) are not determined until a person dies. For that reason, a person who makes a will has complete liberty to change or revoke that will until the person dies. A revoked will has no legal effect and is treated as if it never existed. An unexecuted will likewise has no legal effect.

***Brock v. Blom* (1965)**

For purposes of MRS 41B.200(b), a relevant conviction is any conviction in a U.S. criminal court proving beyond a reasonable doubt that the person was involved in or responsible for the death of the decedent. Such convictions include murder, manslaughter, conspiracy to commit murder (where the victim did die), and aiding and abetting any of the aforementioned crimes. Absent a relevant conviction, the only way to trigger the provisions of MRS 41B.200(a) is through a Slayer Statute proceeding under MRS 41B.200(c).

***Maloney v. Soucar* (1974)**

Because a Slayer Statute proceeding is a civil proceeding with a lower burden of proof than a criminal trial, an acquittal, hung jury, or lack of criminal charges against the defendant does not preclude a Slayer Statute proceeding. Additionally, evidence of acquittal, hung jury, or lack of criminal charges against the defendant is inadmissible as misleading under MRE 403 given the differing burdens of proof.

***Caltry v. Bridgeman* (1985)**

The key question in a Slayer Statute proceeding is whether the defendant was a "culpable actor" in the death of the decedent. There are three ways to establish that the defendant was a culpable actor: (1) the defendant knowingly caused the death of the decedent; (2) the defendant purposefully caused the death of the decedent; or (3) the defendant facilitated the death of the decedent. In a Slayer Statute proceeding, a plaintiff is free to pursue any or all theories of culpability.

***Salter v. Kidwai* (1992)**

A person acts "knowingly" when they do something that they are practically certain will cause a particular outcome. A person acts "purposefully" when they do something with the expectation that their actions will cause a certain result. In a Slayer Statute proceeding where the plaintiff is attempting to establish the defendant knowingly or purposefully killed the decedent, a plaintiff is not required to show the defendant killed the decedent because the defendant wanted to obtain the decedent's money or property. The Slayer Statute renders people ineligible to inherit because of what they *did*, not why they did it. That said, a person's motive (or lack of motive) to take a particular action is likely relevant for other purposes.

***Bearinger v. Rajan* (2009)**

The defendant need not be the decedent's actual killer in order to be a culpable actor in the death of the decedent. The defendant can also be a culpable actor if they facilitated the death of the decedent. A defendant facilitates the death of the decedent when the defendant knowingly or purposefully aids, abets, commands, counsels, encourages, hires, induces, procures, or solicits another person (or persons) to knowingly or purposefully kill the decedent.

***Martinez v. Martinez* (2015)**

Where the plaintiff alleges that the defendant facilitated the death of the decedent, it is not necessary for the plaintiff to establish the identity of the person or persons who worked with the defendant in order to prevail in a Slayer Statute proceeding. So long as the plaintiff establishes the defendant facilitated the death of the decedent, the plaintiff can prevail. That said, evidence of the person or persons who worked with the defendant—including identity and motive—is still nonetheless relevant in a Slayer Statute proceeding.

Burden of Proof

***Jeff v. Wario's Toolkit* (1974)**

Absent some special rule to the contrary, a plaintiff in a civil case must establish all the elements of their claim by a preponderance of the evidence (*i.e.*, establish that all elements are *more likely than not* true).

***Haug v. Sanders* (2002)**

The fact finder may rely on both direct and circumstantial evidence. Direct evidence is testimony by a witness about what that witness personally did, saw, or heard. Circumstantial evidence is indirect evidence from which the fact finder may infer that another fact is true. Neither type of evidence should be given categorically more weight than the other.

Preliminary Questions

***Zomerfeld v. Noto* (2012)**

Pursuant to MRE 104(a), when evaluating the admissibility of evidence, a trial court is permitted to rely on both admissible and inadmissible evidence. The use of underlying inadmissible evidence does not make that inadmissible evidence admissible. Instead, the Court is merely permitted to consider the underlying inadmissible evidence in order to assess the admissibility of the offered evidence. In a jury trial, the jury may not always be privy to the underlying facts used to determine what evidence is admissible, but the court may hear it. Previous upheld examples of this in Midlands include using character evidence to make a ruling on hearsay exceptions, using hearsay to make a ruling on character evidence, and using hearsay to decide whether an expert has adequate foundation to testify.

***Mehta v. Wesley* (2015)**

Pursuant to MRE 104(a), courts may consider custodial documents, such as clerks' certifications or affidavits of records keepers, when determining the admissibility of other evidence without regard for the admissibility of the custodial document itself. The custodial document typically only addresses preliminary matters of admissibility and is not entered into evidence, and thus the Court is not bound by the rules of evidence when considering it. However, if a party wishes to enter the custodial document itself into evidence, the proper foundation must be laid to establish its admissibility.

Framing the Issue for Trial

***Thomas v. Davis* (2001)**

The purpose of the pleadings is to frame the issues for trial and permit the parties to frame their presentations accordingly. This later function is especially important because Midlands, unlike most jurisdictions, does not permit the plaintiff to call rebuttal witnesses or the defendant to alter its decision about which witnesses to call after hearing the plaintiff's evidence. Accordingly, it is highly inappropriate for a party that has alleged or denied something in its complaint or answer to seek to prevent its adversary from presenting otherwise admissible evidence that relates to that thing by asserting that it is no longer interested in alleging or contesting that particular thing. Parties may, of course, choose which evidence they wish to present and which arguments they wish to emphasize, but the time for amending one's pleadings is well before the court convenes for purposes of trial.

***Verbaarschott v. Lee* (2005)**

A factual allegation in a complaint that is admitted by the defendant in its answer should not be excluded at trial as irrelevant or moot if that information would be useful to the jury in evaluating other aspects of the case that remain in dispute.

Credibility

***Shakur v. Wallace* (1994)**

It is up to the fact finder to determine the credibility of each witness's testimony. A fact finder, whether jury or judge, may choose to credit all, some, or none of a witness's testimony and may credit one part of a witness's testimony without crediting others. At all times, the fact finder may consider the witness's interest in the outcome of the case. However, it is not appropriate for a testifying witness to determine the credibility or otherwise opine on the credibility of another witness. Such a determination or opinion by a testifying witness is not relevant under the MRE.

***Graham v. Duckworth* (2024)**

The Court's finding in *Shakur v. Wallace* (1994) should be narrowly construed. It specifically bars asking a testifying witness whether another witness is telling the truth or lying. It does not prevent related inquiries, such as asking whether another witness's testimony is inconsistent with the testifying witness's testimony or asking the testifying witness whether they are aware or unaware of any reason why another witness is telling the truth and / or lying. Moreover, nothing here bars an attorney asking a testifying witness whether they themselves lied or are lying.

Authentication

***Filteau v. Wanek* (1992)**

The application of various rules of evidence sometimes turns on who made a particular statement. As long as the proponent of the statement produces evidence that would permit a reasonable jury to find, by a preponderance of the evidence, that a given person made a particular statement, the court must assume for purposes of assessing its admissibility that the statement was made by that person.

***Ginger v. Heisman* (2015)**

Emails or text messages are properly authenticated when the proponent has produced evidence, either direct or circumstantial, that would allow a reasonable jury to determine the author of the message. The fact that an email, text message, or other electronic communication is listed as coming from an address or number that is either known or purports to belong to a particular person is sufficient to lay foundation that the communication was sent by the person in order to determine its admissibility, at least absent particularized reasons to believe that the communication may have been sent by someone else.

***State v. Sinclair* (2016)**

A comparison of handwriting samples may be done by lay jurors on their own or with the aid of witness testimony. Either direct or circumstantial evidence may support a jury's conclusion regarding handwriting. Attorneys during closing arguments may also comment on the similarity (or lack of similarity) of handwriting samples, even without the aid of witness testimony. Jurors may give such evidence and conclusions the weight they believe appropriate in concluding the ultimate issue in any particular case.

Hearsay

***Simpson v. Rose* (1992)**

A verbal act is a statement offered to establish something of independent legal significance or effect, rather than the truth of the matter asserted in the statement. Statements which by their existence impose legal responsibilities and grant legal rights upon the parties thereto are verbal acts and are admissible as non-hearsay. For example, a contract executed by both parties would be admissible to establish the terms thereof.

***Farrant v. Westaway* (1994)**

Identification is a permissible non-hearsay purpose for a statement. Where a statement is not being used for the truth of the matter asserted but is instead being used to identify a particular object, the statement is being used for identification. For example, if a license plate is being used to identify a particular car, the statement on the license plate is admissible as non-hearsay.

***Knox v. Revoir* (1995)**

MRE 801(d)(2) governs statements "offered against an opposing party." This rule does not require the proponent of the evidence to offer the statement "against the party's interests" in order to qualify as an exemption to hearsay under MRE 801(d)(2)—that language is notably only found in MRE 804(b)(3). If the drafters of the MRE had wanted 801(d)(2) to only apply if the statement was "against the party's interest," they would have drafted the rule as such.

***Zedell v. Hussain* (1998)**

MRE 803(4) does not apply to statements made by a defendant to a medical or psychological expert retained as part of litigation. The reasoning behind MRE 803(4) is that declarants have an incentive to be truthful to their doctors. However, for doctors retained as part of litigation, no such incentive necessarily exists. Instead, a defendant may have an incentive to tell a doctor retained as part of litigation whatever furthers the defendant's position, regardless of the truth. And since the reasoning behind MRE 803(4) does not apply, neither does the hearsay exception.

***Dolly v. Ringo* (2010)**

Unlike most other evidentiary rules, MRE 801(d)(2) may be invoked in only one direction. Under that rule, the plaintiff may offer statements by the defendant, and the defendant may offer statements by the plaintiff. But MRE 801(d)(2) does not permit the plaintiff to offer statements by the plaintiff or the defendant to offer statements by the defendant, even if the opposing party has already elicited out-of-court statements by the party during a preceding examination, subject to MRE 106.

***Seferian v. Morales* (2010)**

In a matter of first impression, this Court is tasked with deciding, for hearsay purposes in a Slayer Statute proceeding, how to treat out-of-court statements made by third parties who conspired with a defendant who facilitated the decedent's death. On one hand, it makes sense for such statements to be admitted for similar reasoning as MRE 801(d)(2)(E). On the other hand, the standard of proof to admit a statement under MRE 801(d)(2)(E) or similar rules is by a preponderance of the evidence—the same standard as a Slayer Statute proceeding generally—meaning statements would only be admissible if the plaintiff has already met its burden. Ultimately, the Court cannot come up with another standard of proof to admit such statements and therefore rules such statements are not admissible under MRE 801(d)(2)(E). Such statements, however, may still be admissible under MRE 803 and MRE 804 as well as for non-hearsay reasons.

***America's Best Cookie v. International House of Waffles* (2011)**

The Court recognizes that practices differ in other jurisdictions. But in Midlands, the definition of "hearsay" includes out-of-court statements by a witness who is on the stand or by another person who has or will be testifying in a particular trial.

***Kaplan v. Sikora* (2013)**

Pursuant to MRE 801(d)(2)(D), a statement that would otherwise be hearsay is admissible against a party if: (1) the declarant is the party's agent or employee; (2) the statement concerns a matter that is within the scope of the agency or employment relationship; and (3) the statement was made while the agency or employment relationship existed.

***Chambers v. By the Book Publishing, Ltd.* (2015)**

The hearsay rule is only implicated where an out-of-court statement is being used for the truth of the matter asserted. If it only matters whether the out-of-court statement was made (not whether it was true), then the hearsay rule is not implicated.

***McKanna v. Malburg* (2019)**

Although the Midlands Rules of Evidence (“MRE”) mirror the Federal Rules of Evidence, there are differences. For example, the Federal Rules of Evidence updated its criteria for the ancient document hearsay exception while the MRE did not. As always, the MRE governs.

***Rogers v. Mars* (2020)**

In a Slayer Statute proceeding, the decedent is not considered either the plaintiff or the defendant. Therefore, MRE 801(d)(2) does not apply to statements made by the decedent. Statements by the decedent, however, may be otherwise admissible, such as under MRE 803 or MRE 804.

***Petrillo v. Martini and Peony Estates* (2021)**

Labels that are placed on commercially sold products for purposes of identifying the product and / or the contents thereof should not be excluded as hearsay. While Midlands has no general residual hearsay exception, commercial labels are relied upon by the public and are subject to legal requirements to ensure their accuracy and completeness. Thus, the reliability concerns that underlie the hearsay rule are not present with labels that are placed on commercially sold products.

***State v. B.F. De la Porta* (2024)**

Defendant offered statements of the investigating agent (“I know that you did this. You’re a mastermind and this is exactly the type of job that you would pull . . . and now you’re gonna be mine”) to show bias in the investigation. The State objected to hearsay, arguing the “truth value”—that which the Defense wished the jury to infer from the statement—was that the Agent was out to get the Defendant and that was the purpose for which the Defense was entering it.

Held: To be inadmissible as hearsay, an out-of-court statement must be (a) an assertion of fact (b) offered to establish the truth of that asserted fact. No part of the rule against hearsay concerns itself with the “truth value” of an out-of-court statement beyond the fact asserted in the statement. The statement here contains several assertions of fact—that the investigating agent knew the Defendant was involved; that the Defendant was a mastermind and that the heist was of the sort the Defendant would commit; and that the Defendant would be his. Because the Defense disputed these assertions, it cannot be reasonably argued that any part of the Agent’s statement was offered to prove the truth of the matter(s) asserted. As such, the statement is definitionally not hearsay.

Character Evidence

***Krent v. Lions, Inc.* (2009)**

Occasionally, the defendant will seek to establish that another party is to blame by showing that third party’s bad character. For example, in a murder trial, the defendant may try to introduce evidence that another suspect has a criminal record. Many legal scholars call this “reverse character evidence.” Ordinarily, such evidence would be inadmissible because it is being used to show action in conformity therewith. However, we decline to say that reverse character evidence is automatically inadmissible. Because the person whose bad character is being introduced is not a party to the case and therefore not subject to criminal or civil penalties as a result of trial, much of the justification behind MRE 404(a) does not apply to reverse character evidence. In our view, there are instances where it is appropriate to introduce this reverse character evidence and other instances where it may not be. Accordingly, we leave it to trial courts to resolve the admissibility of reverse character evidence by balancing its relevance against its prejudicial effect.

***Estate of Hamilton v. Walton* (2009)**

Testimony about a psychological condition does not constitute “[e]vidence of a person’s *character or character trait*,” the only evidence excluded by MRE 404(a)(1). The fact that a person suffers from a medically recognized psychological disorder is not character evidence any more than the fact that a person has a physical condition that would make it easier or harder for them to perform a given act.

***Claypoole v. Yoo* (2010)**

Expanding on the Court’s reasoning and holding in last year’s *Estate of Hamilton v. Walton* (2009), in a Slayer Statute proceeding, evidence showing that the defendant’s psychological profile does not match the psychological profile of a hypothetical culpable actor does not constitute “[e]vidence of a person’s character or character trait,” the only evidence excluded by MRE 404(a)(1). Additionally, if the defense offers evidence that the defendant’s psychological profile does not match the psychological profile of a hypothetical culpable actor and / or the defense calls an expert who reached an opinion on such an issue, the plaintiff may provide evidence to show the defendant fits the psychological profile; such evidence also does not constitute character evidence.

***Pattison v. He* (2011)**

MRE 609 does not categorically exclude evidence of a witness’s prior criminal conviction punishable by less than one year of imprisonment, especially when the offense was a crime of dishonesty. Such evidence may still be admissible, subject to the MRE, on a case-by-case basis.

Vicarious Liability

***Park v. Duran* (2015)**

Parents may be held vicariously liable for the actions of their minor children.

Experts

***Davis v. Adams* (1993)**

Trial judges must ensure that any scientific testimony or evidence admitted is not only relevant but reliable. In determining reliability, judges should consider only the methods employed and the data relied upon, not the conclusions themselves. The proponent of the evidence has the burden of proving each section of MRE 702 by a preponderance of the evidence.

***Tarot Readers Association of Midlands v. Merrell Dow* (1994)**

In assessing reliability under MRE 702(c), judges should consider whether the theory or technique has been or can be tested, whether it has been subjected to peer review and publication, whether it has a known error rate, or whether it has gained widespread acceptance within the field. These factors, while relevant, are not necessarily dispositive. For example, lack of publication does not automatically foreclose admission; sometimes well-grounded but innovative theories will not have been published. There is no definitive checklist. Judges must make such assessments based on the totality of the circumstances.

***Richards v. Mississippi BBQ* (1997)**

MRE 703 does not permit experts to testify or present a chart in a manner that simply summarizes inadmissible hearsay without first relating that hearsay to some specialized knowledge on the expert's part. The Court must distinguish experts relying on otherwise inadmissible hearsay to form scientific conclusions from conduits who merely repeat what they are told. The testimony of the former is admissible; that of the latter is not. At the same time, statements that would otherwise be admissible are not inadmissible simply because they are offered by or through an expert witness.

***Kane Software Co. v. Mars Investigations* (1998)**

Midlands does not permit parties to use their experts as weapons in a trial by ambush or unfair surprise. Expert reports that are exchanged prior to trial must contain a complete statement of all opinions the expert will testify to and the basis and reasons for them, the facts or data considered by the expert in forming their opinions, and the expert's qualifications. Experts are strictly prohibited from testifying on direct and redirect examination about any opinions or conclusions not stated in their report, and such testimony must be excluded upon a timely objection from opposing counsel. For example, an expert may not testify on direct or redirect examination that they formed a conclusion based on evidence that came out during trial that the expert did not previously review. However, if an expert is asked during cross examination about matters not contained in their report, the expert may freely answer the question as long as the answer is responsive.

When an objection is made under *Kane Software*, the trial court should ask the party offering the expert testimony to refer the trial court to where the proposed testimony is contained or otherwise referenced in the expert's disclosure to ensure that the record is clear.

***Yu-Oh Industries v. Beckstein Alekri Inc.* (2000)**

Appellants argue that the trial court improperly excluded testimony from the defense expert on the basis that certain testimony amounted to "trial by ambush" under the precedent set by *Kane Software Co. v. Mars Investigations* (1998). Appellants admit that the defense expert was attempting to testify to certain underlying facts that were not expressly disclosed in the expert report and that such facts contributed to the expert's conclusions, but they argue that the conclusion itself was disclosed and thus it was unnecessary for every underlying detail to be disclosed. We hold that the Appellants' argument has merit. Experts should not be expected to include in their reports every basic scientific fact known to lay people and known realities that support their conclusion. Similarly, experts should not be expected to include in their reports every underlying fact from a specific document so long as the experts explicitly disclosed that they relied upon that document in forming their opinions and that document was made available to the other party through discovery. Such requirements would lead to expert reports that are hundreds, if not thousands, of pages long. For example, an accident reconstructionist need not explain Newton's laws of motion in their report. However, if an expert wishes to testify that they believe the indentations on a vehicle's door means that the vehicle collided with a streetlamp at 45 MPH, then measurements, equations, and other relevant facts that form the basis for that specific conclusion must be disclosed in the expert's report. Reversed and remanded to the trial court for reconsideration consistent with this decision.

***Nelson v. Dunn* (2001)**

On rare occasions, an expert may prepare an affidavit or other sworn statement in lieu of an expert report. In such instances, the lack of an expert report does not automatically prohibit the expert from testifying to their opinions and conclusions on direct or redirect examination. Instead, prior to trial, the court should determine whether the affidavit or sworn statement contains a complete statement of all opinions the expert will testify to and the basis and reasons for them, the facts or data considered by the expert in forming their opinions, and the expert's qualifications. If the affidavit meets these requirements, the expert shall be permitted to testify on direct or redirect examination about any opinions or conclusions stated or incorporated in their affidavit or sworn statement. Any such affidavit or sworn statement is still subject to *Kane Software Co. v. Mars Investigations* (1998) and *Yu-Oh Industries v. Beckstein Alekri Inc.* (2000).

***Skipper v. Arnold* (2002)**

Although a murder prosecution and a Slayer Statute proceeding share many parallels, a Slayer Statute proceeding is still ultimately a civil proceeding. Therefore, where rules governing criminal trials differ from rules governing civil trials, the rules governing civil trials apply. For example, MRE 704(b) does not apply to a Slayer Statute proceeding. Indeed, subject to MRE 702, it is appropriate in a Slayer Statute proceeding for an expert to opine on the defendant's mental state, including whether the defendant fits or does not fit the profile of a culpable actor.

***Jeffries v. Polk County Police Department* (2007)**

Generally, law enforcement officers are not "experts" subject to MRE 702 or this Court's holding in *Tarot Readers Association of Midlands v. Merrell Dow* (1994) and its progeny. However, law enforcement officers may have specialized training, skills, and experience beyond the average citizen as contemplated in MRE 701 and may testify based on such specialized knowledge. Insofar as a law enforcement officer is asked to provide an opinion based on that officer's general training, skills, and experience as a law enforcement officer (e.g., whether the officer followed standard protocol in collecting evidence), the admissibility thresholds of MRE 702 and *Tarot Readers* do not apply. Rather, the admissibility of a law enforcement officer's non-expert opinion is subject to the standards of MRE 701 and any other applicable rule of evidence.

***Moore v. Parker-Noblitt* (2009)**

The holding in *Jeffries v. Polk County Police Department* (2007) also applies to licensed private investigators and other such non-law enforcement investigators who possess specialized training, skills, and experience. It also applies to other professionals, such as firefighters and nurses.

***Patel v. Rulli* (2017)**

It was not an abuse of discretion for the trial court to allow the forensic pathologist to testify to the cause and manner of death even though the pathologist was not tendered as an expert prior to providing her testimony. Unlike other jurisdictions, Midlands does not require a party to "tender an expert" before eliciting an expert opinion. Whether MRE 702 foundational requirements have been satisfied is an evidentiary determination that rests within the sound discretion of the trial court.

***Samson v. Wagner* (2018)**

The trial court properly permitted plaintiff's expert to testify. While plaintiff's expert had never previously testified as an expert at trial, the trial court correctly found that the expert's opinion still met all elements of MRE 702. An expert's opinion may be sufficiently reliable even if that expert has never testified in court before. On the other hand, the fact that an expert has testified many times at trial will not make an unreliable opinion admissible.

***Omnidirectional Solutions v. Little Bird Word LLC* (2023)**

It was never the intention of this Court for its holding in *Tarot Readers Association of Midlands v. Merrell Dow* (1994) and its progeny to create a rigid and unyielding standard for expert opinions. So long as the expert can sufficiently explain their expertise, training, and method for review, *Tarot Readers Assoc.* shall not be used by trial courts to prohibit otherwise credible and admissible opinions simply because there is not a known error rate or prior peer review of the expert's analysis. Such questions and potential challenges of credibility are better left to cross examination.

Depositions and Discovery Responses

***Cain v. Abel* (2015)**

Interrogatories are written questions and answers exchanged by the parties during the discovery stage of a civil case. One party sends a list of questions, and the other party answers them. Since such discovery responses are statements that "the party manifested that it adopted or believed to be true" (MRE 801(d)(2)(B)), those answers are not hearsay if offered by the opposing party, though other evidentiary objections may still apply.

***Snead v. Stone* (2016)**

Because interrogatory responses are created and exchanged during discovery, they are not automatically part of the trial record. Instead, as with a substantive stipulation, a party wishing to make an interrogatory answer part of the trial record must seek the court's leave to read that interrogatory question and response (or part of question and response) onto the record.

***Midlands Television Studios v. Kosack* (2019)**

In lieu of submitting an entire deposition into evidence, a party may instead elect to read excerpts of a deposition onto the record. The excerpt must include the full question(s) asked and the full answer(s) given, unless both sides agree to specific redactions. Any excerpt read onto the record is still subject to the Midlands Rules of Evidence. Should a party elect to read excerpts of a deposition onto the record, that party cannot also submit the deposition itself into evidence.

***Rosen v. Groff* (2020)**

In Midlands, substantive objections are not appropriate during a deposition. As a result, failure to object to a question during a deposition does not preclude a party from objecting to the deposition (or an excerpt under *Midlands Television Studios v. Kosack*) being offered at trial.

***Pathan v. White* (2024)**

Depositions are distinct from affidavits. Whereas witnesses are required to include all relevant and pertinent information in an affidavit, the only obligation a witness has during a deposition (other than telling the truth) is to answer the questions posed to the witness. If a deposing attorney fails to ask a relevant question during the deposition, it is not the witness's obligation to provide that information.

Witnesses Must Be Able to Respond to Cross Examination

***Moore v. Campbell* (2014)**

Civil case arising from alleged assault. The plaintiff was called as a witness and testified fully on direct examination. On cross examination, however, the plaintiff failed to respond to some questions, purportedly because of a condition arising from the assault. *Held*: The judgment for the plaintiff must be reversed. The reason why the witness failed to respond to the questions on cross examination is immaterial. If a witness becomes unable or unwilling to respond to otherwise proper questions on cross examination, the trial court must strike the witness's testimony in its entirety.

Privilege Against Self-Incrimination Inapplicable in Civil Cases

***McDonald v. Tiamiyu* (2015)**

The privilege against compulsory self-incrimination protected by both the United States and Midlands Constitutions is inapplicable to civil cases, including Slayer Statute proceedings. A party who is still subject to a risk of prosecution may, of course, decline to testify. But, unlike in criminal cases, the fact finder in a civil case is permitted to draw an adverse inference from a person's decision not to testify or refusal to do so, and the opposing party is likewise free to comment on such failure.

Alternative Suspect(s)

***Borealis Industries v. Ellen Nora Hobbs* (2001)**

Plaintiff sued defendant for computer fraud, claiming that she initiated a malware attack that ultimately resulted in the loss of millions of dollars. At trial, defendant argued that she was not liable because someone else conducted the malware attack. Plaintiff argues that defendant should have been precluded from raising an alternative suspect argument because defendant did not plead any affirmative defenses. *Held*: Defendant does not need to plead an affirmative defense to argue an alternative suspect theory. Defenses and affirmative defenses are different. Whereas affirmative defenses involve admitting the acts in question but claiming a legal justification for those acts, pure defenses deny committing the acts entirely. An alternative suspect theory is a pure defense, not an affirmative defense. As a consequence, defendant is free to argue an alternative suspect theory when disputing a claim without needing to raise an affirmative defense.

IN THE CIRCUIT COURT OF POLK COUNTY, MIDLANDS

Shannon Shahid,

Plaintiff,

v.

Taylor Hopson,

Defendant.

Case No. CV 24-401985

Action filed: May 3, 2024

Judge Richard M. Calkins

**Defendant Taylor Hopson's Responses to
Plaintiff's Interrogatories**

Defendant Taylor Hopson ("Hopson"), represented by counsel, hereby responds to Plaintiff Shannon Shahid's ("Shahid") Interrogatories as follows:

Interrogatory #1: Identify any records, maps, papers, documents, recordings, data, photographs, tangible objects, emails, text messages, or written communication that might be relevant.

Response to Interrogatory #1: Without waiving any evidentiary objections, Defendant states they are aware of no responsive documents other than the numbered exhibits.

Interrogatory #2: Other than the items identified in Response to Interrogatory #1, identify any other documents or items that Defendant contemplates using at trial.

Response to Interrogatory #2: Other than the numbered exhibits, Defendant may use demonstrative aids. Defendant may also use testifying witnesses' affidavits, reports, or depositions for impeachment purposes or to refresh their recollections.

Interrogatory #3: Identify all witnesses who may provide expert testimony for Defendant, including all qualifications and any conclusions.

Response to Interrogatory #3: Dana Haskins and Alex Silva may provide expert testimony for the Defendant. No other witnesses for the Defendant will provide expert testimony. All of Haskins's qualifications and conclusions are contained in Haskins's CV and report. All of Silva's qualifications and conclusions are contained in Silva's affidavit.

Interrogatory #4: Identify all who Defendant contends are responsible for Avery Bancroft's death.

Response to Interrogatory #4: Defendant objects to this Interrogatory as burden shifting. Subject to and without waiving its objection, Defendant states that no witness called by the Defendant was involved in or otherwise responsible for Avery Bancroft's death.

Interrogatory #5: Identify any additional evidence that Defendant has not yet produced to Plaintiff.

Response to Interrogatory #5: Defendant does not possess any additional evidence relating to this case that has not already been produced to Plaintiff.

Respectfully submitted,

Abigail Davis

Pema, Herbert, and Davis LLP
Attorneys for Defendant

IN THE CIRCUIT COURT OF POLK COUNTY, MIDLANDS

Shannon Shahid,

Plaintiff,

v.

Taylor Hopson,

Defendant.

Case No. CV 24-401985

Action filed: May 3, 2024

Judge Richard M. Calkins

**Plaintiff Shannon Shahid's Responses to
Defendant's Interrogatories**

Plaintiff Shannon Shahid ("Shahid"), represented by counsel, hereby responds to Defendant Taylor Hopson's ("Hopson") Interrogatories as follows:

Interrogatory #1: Identify any records, maps, papers, documents, recordings, data, photographs, tangible objects, emails, text messages, or written communication that might be relevant.

Response to Interrogatory #1: Without waiving any evidentiary objections, Plaintiff states they are aware of no responsive documents other than the numbered exhibits.

Interrogatory #2: Other than the items identified in Response to Interrogatory #1, identify any other documents or items that Plaintiff contemplates using at trial.

Response to Interrogatory #2: Aside from the numbered exhibits, Plaintiff may use testifying witnesses' affidavits, reports, or depositions for impeachment or to refresh recollections. Plaintiff may also use demonstrative aids.

Interrogatory #3: Identify all witnesses who may provide expert testimony for Plaintiff, including all qualifications and any conclusions.

Response to Interrogatory #3: Hillary Edmund may provide expert testimony for Plaintiff. Edmund's qualifications and conclusions are contained in Edmund's CV and report.

Interrogatory #4: Identify all who Plaintiff contends are responsible for Avery Bancroft's death.

Response to Interrogatory #4: Hopson, working alone or with another person or persons, is responsible for Avery Bancroft's death. Plaintiff does not contend that any witnesses called by Plaintiff were involved in or otherwise responsible for Bancroft's death.

Interrogatory #5: Identify any additional evidence that Plaintiff has not yet produced to Defendant.

Response to Interrogatory #5: Plaintiff does not possess any additional evidence relating to this case that has not already been produced to Defendant.

Respectfully submitted,

Ethan Marx

Sun, Dubnoff, and Marx LLP
Attorneys for Plaintiff

IN THE CIRCUIT COURT OF POLK COUNTY, MIDLANDS

Shannon Shahid,

Plaintiff,

v.

Taylor Hopson,

Defendant.

Case No. CV 24-401985

Action filed: May 3, 2024

Judge Richard M. Calkins

Stipulations

1. For the convenience of the parties, witnesses, court, and jury, all potential exhibits have been pre-labeled and pre-numbered. Those numbers will be used for all purposes at trial, regardless of which party first offers the exhibit or the order in which the exhibits are offered.
2. Both parties fully and timely complied with their discovery obligations. No pertinent evidence or information was withheld during discovery, and the parties agree that no documents other than the numbered exhibits are relevant. This stipulation does not bar relevance or other objections to any numbered exhibits. This stipulation also does not address demonstrative aids that may be used during trial and will not be admitted into evidence.
3. All parties and witnesses are at least of normal intelligence, and none has or ever has had a mental condition that would impact a person's perception, memory, or ability to respond to questions on cross examination. This stipulation does not prevent crossing a witness to attack their perception or memory (or lack thereof).
4. All notice requirements of MRE 902(11) and 902(12) have been satisfied for all exhibits.
5. The parties and witnesses waive all objections arising under the U.S. Constitution. Both parties also waive all objections arising under attorney-client, doctor-patient, or spousal privilege.
6. Exhibits 6, 7, 10, 11, 12, 18, 20, 21, 37, and 42 are pre-admitted. Both parties further stipulate that all pre-admitted exhibits may be used (or referred to) during opening statements.
7. All hearsay objections have been waived to Exhibits 22, 23, 24, 31, and 35. Nothing in this stipulation speaks to the authenticity of those exhibits.
8. Exhibit 30 is a screenshot taken from Avery Bancroft's phone by the Australian Federal Police on April 25, 2024. Further metadata analysis confirmed that Exhibit 30 was created and last modified at 4:57am on April 25, 2024.
9. If Ashley Connel is testifying, all objections have been waived to Exhibit 5, and both parties agree that no additional foundation is necessary for admission. Additionally, Ashley Connel may testify to or otherwise discuss the contents of Exhibit 5.
10. If Dr. Hillary Edmund is testifying, all objections have been waived to Exhibit 19a, and both parties agree that no additional foundation is necessary for admission. If Dr. Edmund is testifying, Exhibit 19a may be entered at any time after the conclusion of opening statements.

11. If Dr. Hillary Edmund is not testifying, Exhibit 19b is pre-admitted. If pre-admitted, Exhibit 19b may be used (or referred to) during opening statements. Further, Exhibit 41 is the same type and brand of rodenticide as mentioned in Exhibit 19b.
12. The documents labeled “Defendant Taylor Hopson’s Responses to Plaintiff’s Interrogatories” and “Plaintiff Shannon Shahid’s Responses to Defendant’s Interrogatories” are authentic, and no further testimony is needed to establish that fact. Further, Taylor Hopson is familiar with the document labeled “Defendant Taylor Hopson’s Responses to Plaintiff’s Interrogatories” and affirms all of the information contained therein is true, accurate, and complete to the best of Hopson’s knowledge as of the day of trial.
13. During the depositions of Jordan Nathanson and Taylor Hopson, all deponents and parties to this action were represented by counsel. All signatures on the depositions are authentic and of the people they purport to be. The parties further stipulate that the documents labeled “Deposition of Jordan Nathanson” and “Deposition of Taylor Hopson” are authentic, and no further testimony is needed to establish that fact.
14. From the end of their respective depositions to the beginning of trial, neither Jordan Nathanson nor Taylor Hopson has seen, heard, or otherwise learned anything that would cause either of them to change the answers they provided to the questions asked during their respective depositions.
15. Both parties agree that Avery Bancroft in no way committed or expressed or implicitly threatened bodily harm, physical violence, or sexual assault against Taylor Hopson or any other passenger (or staff member) of Train 1985 of the Mid-Riverina Express.
16. On April 25, 2024, Harley Kim deposited \$7,500 in cash (USD) into their bank account.
17. All digital clocks on board Train 1985 of the Mid-Riverina Express were accurate at all times.
18. Train 1985 of the Mid-Riverina Express had security cameras covering all entrances and exits into and out of the Platinum Section. Both parties agree that—until the Australian Federal Police and paramedics arrived after Avery Bancroft was already dead—only the following individuals were present in the Platinum Section between April 22, 2024 and April 25, 2024 (inclusive): Avery Bancroft, Kirby Doolittle, Ashley Connel, Bailey Connel, Taylor Hopson, Kelly Doos, Harley Kim, Alex Silva, Dana Haskins, Hillary Edmund, Jordan Nathanson, Rory Shelton, and the following employees: Farnsworth, Fritsch, Mothersbaugh, Zhang, and Strathmore. Both parties further agree that there are no security cameras within the Platinum Section and that none of the available security footage is relevant.
19. Both parties agree that Shannon Shahid has never been to Australia.
20. Taylor Hopson and Shannon Shahid are biological half-siblings. Hopson is the older sibling. Their shared parent is Avery Bancroft, and they have no other siblings other than one another. Bancroft had no other children other than Hopson and Shahid.
21. Avery Bancroft’s death was not the result of suicide or an attempt of suicide.
22. At the time of his death, Avery Bancroft’s estate was worth approximately \$404 million USD.

23. Following Avery Bancroft's death, the Australian Federal Police searched the Platinum Section of Train 1985 of the Mid-Riverina Express. They found the following Exhibits in Cabin 1: 6, 16b, 20, 22, 30, 34b, 35, and 37. They found Exhibits 16c, 34a, and 42 in Cabin 3. They found Exhibit 31 in a trash can in the lounge. Staff for the Mid-Riverina Express provided the Australian Federal Police with copies of Exhibits 10, 11, and 12.
24. Both parties agree that there are no chain of custody issues with any of the numbered exhibits.
25. Plaintiff does not contend that any of the witnesses called by Plaintiff were involved in or otherwise responsible for the death of Avery Bancroft. This stipulation does not bar Defense from arguing that one or more witnesses called by Plaintiff were involved in or otherwise responsible for the death of Avery Bancroft.
26. Defense does not contend that any of the witnesses called by Defense were involved in or otherwise responsible for the death of Avery Bancroft. This stipulation does not bar Plaintiff from arguing that one or more witnesses called by Defense were involved in or otherwise responsible for the death of Avery Bancroft.
27. Both parties agree that no employee of the Mid-Riverina Express—including but not limited to Farnsworth, Fritsch, Mothersbaugh, Zhang, and Strathmore—was involved in or otherwise responsible for the death of Avery Bancroft.
28. The jury instructions in this case are based on the recommended jury instructions from the Midlands Jury Instruction templates drafted by the Supreme Court of Midlands. Both parties have reviewed and agree that the jury instructions in this case are an accurate statement of the law. Both parties have waived all objections to the jury instructions and special verdict form.
29. Both parties agree that this trial is not bifurcated. If Plaintiff prevails in this case and the Defendant is found liable, Shannon Shahid will inherit the entirety of Avery Bancroft's estate. If Plaintiff does not prevail and the Defendant is found not liable, Taylor Hopson and Shannon Shahid will inherit Avery Bancroft's estate pursuant to Avery Bancroft's July 16, 2015 will.
30. Through no fault of either party, the following witness(es) shall be deemed to be unavailable for purposes of MRE 804: _____.

IN THE CIRCUIT COURT OF POLK COUNTY, MIDLANDS

Shannon Shahid,

Plaintiff,

v.

Taylor Hopson,

Defendant.

Case No. CV 24-401985

Action filed: May 3, 2024

Judge Richard M. Calkins

Pretrial Order

Dated: August 15, 2024

1. **Motions to Compel.** Both parties have moved to compel the other side to further clarify their discovery responses. Plaintiff has asked for clarification on whether Defendant seeks to blame the death of Avery Bancroft on another person or persons and, if so, the identity of said person or persons. Defense has asked for clarification on whether Plaintiff blames solely Defendant Taylor Hopson for Bancroft's death or whether Plaintiff is alleging that Defendant Hopson worked with others to cause Bancroft's death. Both motions are **DENIED**. Regarding Plaintiff's motion, as Defense carries no burden in a Slayer Statute proceeding, Defense is not obligated to affirmatively blame another person or persons and therefore does not need to specify at this time which person or persons (if any) Defense may choose to blame; such information will naturally come out during trial. Regarding Defense's motion, as Plaintiff need only allege and prove that Defendant Hopson was a "culpable actor" in Bancroft's death—which can be established either by Defendant Hopson knowingly and purposefully causing Bancroft's death or facilitating Bancroft's death with the assistance of others—Plaintiff likewise does not need to specify at this time whether Plaintiff intends to blame only Defendant Hopson or Defendant Hopson along with others; such information will also naturally come out during trial.

That said, although both motions were denied, both parties will be bound to representations made to the Court. During the hearing on the motions to compel, Plaintiff conceded that Plaintiff shall not argue or otherwise suggest that any testifying witnesses called by Plaintiff were involved in or otherwise responsible for Bancroft's death. Similarly, Defense conceded that Defense shall not argue or otherwise suggest that any testifying witnesses called by Defense were involved in or otherwise responsible for Bancroft's death. These concessions shall be binding on the parties. Nothing in this order, however, shall prevent Plaintiff from alleging one or more testifying witnesses called by the Defense was involved in or otherwise responsible for Bancroft's death nor shall this order prevent Defense from alleging one or more testifying witnesses called by Plaintiff was involved in or otherwise responsible for Bancroft's death.

2. **Arguments re: Accident.** Plaintiff has moved to exclude any argument that Defendant Taylor Hopson is not liable because Defendant Hopson accidentally caused Avery Bancroft's death. That motion is **GRANTED**. Such an argument would qualify as an affirmative defense, and Defendant Hopson has not pleaded any affirmative defenses. Therefore, Defendant Hopson is barred from pursuing an affirmative defense of accident—or any affirmative defense at all—at trial.

3. **Expert Testimony of Dr. Edmund and Dr. Haskins.** Defense has moved to exclude all expert testimony of Dr. Hillary Edmund as improper expert testimony on the grounds that a lay witness cannot also serve as an expert witness in the same case. Plaintiff has cross-moved to exclude all expert testimony of Dr. Dana Haskins as improper expert testimony on the same grounds. The Court disagrees with both motions. Midlands recognizes “hybrid experts,” witnesses with sufficient knowledge and experience to testify as both a lay and expert witness in the same case. The Court finds that both Dr. Edmund and Dr. Haskins possess sufficient training, experience, and skills to offer expert opinions related to their respective fields, and the fact that they can also serve as lay witnesses in this case does not disqualify them from offering expert testimony. Therefore, both motions are **DENIED**. However, any expert testimony offered by Dr. Edmund and Dr. Haskins is still subject to the foundational requirements of MRE 702, relevant Midlands law, and any other applicable evidentiary rules under the Midlands Rules of Evidence.

4. **Expert Testimony of Alex Silva.** Plaintiff also moved to exclude any expert testimony of Alex Silva as improper testimony because (1) Silva is also a lay witness in this case; and (2) Silva did not prepare an expert report for this case. As for Silva also being a lay witness in this case, the Court has already rejected that argument and rejects it again here. There is nothing that categorically precludes a lay witness from also providing expert testimony. As for Silva’s failure to prepare an expert report, Midlands case law is clear that failing to prepare an expert report does not automatically bar a witness from offering expert testimony. *See Nelson v. Dunn* (2001). This is because in Midlands, we do not technically have “experts” but merely “expert testimony.” Thus, the Court must decide whether any affidavit or other sworn statement by the witness sufficiently discloses a complete statement of all opinions the expert could testify to and the basis and reasons for them. In this case, the Court finds that Silva’s affidavit contains sufficient information. The Court also finds that Silva possesses sufficient training, experience, and skills to offer expert opinions related to their fields. Therefore, the motion is **DENIED**. However, just as with Dr. Edmund and Dr. Haskins, any expert testimony offered by Silva is still subject to the foundational requirements of MRE 702, relevant Midlands law, and any other applicable evidentiary rules under the Midlands Rules of Evidence.

5. **Post-Incident Photos.** Defense has moved under MRE 403 to exclude any post-incident photos that depict any part of Avery Bancroft’s body. That motion is **GRANTED**. No such photos will appear on the exhibit list. Defense may not have it both ways, however. In particular, Defense is cautioned that any argument based on the lack of such photos will open the door to Plaintiff informing the jury that such photos exist and were not presented only because Defense moved to exclude them. To clarify, the Court does not rule on the admissibility or use of a single pre-incident photo of Avery Bancroft (Exhibit 1).

6. **Testimony and Statements by Bailey Connel.** Both parties have objected to various statements made by Bailey Connel on the grounds that Bailey Connel was less than 18 years old at the time such statements were made. Those motions are **DENIED**. Nothing in the Midlands Rules of Evidence provides for the exclusion of a statement based solely on the age of the person making it. Moreover, neither side filed a motion challenging Bailey Connel’s competency to be deposed and have waived any right to do so now. The Court likewise finds no reason to exclude any out-of-court statements made by Bailey Connel solely on account of Bailey Connel’s age at the time of making the statement. This ruling does not, however, apply to grounds for exclusion other than age.

7. **Holographic Will.** Defense has moved to exclude the admission of—or any mention of—Exhibit 8, which appears to be a holographic (or handwritten) will. That motion is **DENIED**. Under MRS 41B.300, a will is valid notwithstanding the lack of witnesses if the will is written and executed in the testator’s own hand. And although Exhibit 8 has no legal effect (*i.e.*, even if it’s an authentic document authored by the Decedent, it was never signed and therefore never executed), it may still be relevant nonetheless as evidence of the Decedent’s intent to change his will. That said, this ruling does not relieve Plaintiff of its burden of establishing that Exhibit 8 was in fact written by the Decedent. Nothing in this order speaks to the authenticity or legitimacy of Exhibit 8.

8. **File Materials Under Seal.** Defense has moved to file the report of Dr. Dana Haskins and all appendices under seal. Defense retained Dr. Haskins as an expert to perform a psychological evaluation of Defendant Taylor Hopson. Defense acknowledges that Dr. Haskins’s report must be furnished to both the Court and Plaintiff, but Defense contends that Dr. Haskins’s report contains materials that should not be disclosed to the public—namely, the results of Defendant’s psychological evaluation, including responses to self-assessment questions, which Defendant contends are protected by the Health Insurance Portability and Accountability Act (HIPAA).

The motion is **GRANTED IN PART**. Dr. Haskins’s report—which the Court has reviewed *in camera*—does not contain any sealable material except for the appendices. Accordingly, the Court grants Defense’s motion with respect to the report’s appendices, which shall be provisionally filed under seal. The remainder of Dr. Haskins’s report shall be filed on the public docket. That said, although the Court finds that the Defendant has a privacy interest in the result of the self-assessment tests, fairness and the substantial public interest in open court proceedings require a balance to be struck: if Defense calls Dr. Haskins, Defendant will be deemed to have waived any asserted privacy interest in the appendix materials, the Court will lift the seal on the appendices, and Plaintiff may address those materials in open court throughout trial.

IN THE CIRCUIT COURT OF POLK COUNTY, MIDLANDS

Shannon Shahid,

Plaintiff,

v.

Taylor Hopson,

Defendant.

Case No. CV 24-401985

Action filed: May 3, 2024

Judge Richard M. Calkins

Jury Instructions

1. It is your duty to determine the facts and to determine them from the evidence produced in open court. You are to apply the law to the facts and in this way decide the case. Neither sympathy nor prejudice should influence you. Your verdict must be based on evidence and not on speculation, guess, or conjecture.
2. From time to time, it has been the duty of the Court to rule on the admissibility of evidence. You should not concern yourselves with the reasons for these rulings. You should disregard questions and exhibits which were withdrawn or to which objections were sustained. Any evidence that was received for a limited purpose should not be considered for any purpose other than that stated by the Court. You should disregard testimony and exhibits which the Court has refused or stricken.
3. The parties to this case have stipulated to certain facts, and the Defense has admitted to other facts in the answer to the complaint. Such stipulations and admissions relieve the parties of any obligation to provide evidence regarding the truth of the fact stipulated or admitted, and you must treat such facts as conclusively established for the purposes of this case.
4. The evidence that you are to consider consists of testimony of the witnesses and the exhibits offered and received. You should consider all the evidence in the light of your own observations and experience in life. Neither these instructions nor any ruling or remark I have made should suggest any opinion as to the facts or what your verdict should be.
5. Evidence may be either direct or circumstantial evidence. Direct evidence is testimony about what a witness personally saw, heard, or did. Circumstantial evidence is testimony about one or more facts that logically lead you to believe the truth of another fact. You should consider both direct and circumstantial evidence in reaching your verdict. You may decide the facts in this case based upon circumstantial evidence alone.
6. Arguments, statements, and remarks of counsel are intended to help you in understanding the evidence and applying the law, but they are not evidence. If any argument, statement, or remark has no basis in the evidence, then you should disregard that argument, statement, or remark. However, there is one exception to this rule: an admission of a fact by counsel is binding on their client.
7. Only you are the judges of the witnesses' credibility and the weight to give their testimony. You may consider the witnesses' ability to observe; their memory; their manner while testifying; any interest, bias, or prejudice they may have; and the reasonableness of their testimony in the light of all the other evidence in the case.

8. Plaintiff has brought this action against the Defendant under Section 41B.200 of the Midlands Revised Statutes. This provision states that a person who is a culpable actor in the death of another person may not inherit any money or property from the decedent.
9. This is a civil case, not a criminal case. The Plaintiff is Shannon Shahid. The Defendant is Taylor Hopson. The Plaintiff's burden of proof is a preponderance of the evidence. A preponderance of the evidence simply means more likely than not. So, the basic question for you today is whether Plaintiff proved that it is more likely than not that the Defendant was a culpable actor in the death of Avery Bancroft.
10. Under Midlands law, a person is a culpable actor if (1) they knowingly or purposefully caused the death of the decedent; or (2) they facilitated the death of the decedent.
11. A person acts "knowingly" when they do something that they are practically certain will cause a particular outcome.
12. A person acts "purposefully" when they do something with the expectation that their actions will cause a certain result.
13. A person "facilitates" the death of another when they knowingly or purposefully aid, abet, command, counsel, encourage, hire, induce, procure, or solicit another person (or persons) to knowingly or purposefully kill the decedent.
14. Under Midlands law, it is not necessary for Plaintiff to show that the Defendant killed Avery Bancroft for any specific or particular purpose. Put another way, motive is not an element of the claim. Plaintiff's burden is to show that the Defendant was a culpable actor in Bancroft's death.
15. If you conclude Plaintiff showed that it is more likely than not that the Defendant was a culpable actor in Avery Bancroft's death, your verdict must be for the Plaintiff. If you conclude Plaintiff did not show that it is more likely than not that the Defendant was a culpable actor in Avery Bancroft's death, your verdict must be for the Defendant.

IN THE CIRCUIT COURT OF POLK COUNTY, MIDLANDS

Shannon Shahid,

Plaintiff,

v.

Taylor Hopson,

Defendant.

Case No. CV 24-401985

Action filed: May 3, 2024

Judge Richard M. Calkins

Special Verdict Form

For Questions #1, #2, and #3, answer YES or NO as to whether the Jury unanimously finds that Plaintiff has proven each of the following to be more likely true than not:

1. **Has Plaintiff proven that Defendant was a culpable actor in Avery Bancroft's death by knowingly causing Bancroft's death?**

YES___

NO___

2. **Has Plaintiff proven that Defendant was a culpable actor in Avery Bancroft's death by purposefully causing Bancroft's death?**

YES___

NO___

3. **Has Plaintiff proven that Defendant was a culpable actor in Avery Bancroft's death by facilitating Bancroft's death?**

YES___

NO___

If you answer "Yes" to any of the above (Question #1, Question #2, or Question #3), proceed to Question #4 and check "Liable."

If you answer "No" to all of the above (Question #1, Question #2, and Question #3), proceed to Question #4 and check "Not Liable."

4. **What verdict has the Jury reached with respect to this matter?**

LIABLE___

NOT LIABLE___

AFFIDAVIT OF KIRBY DOOLITTLE

1 After being duly sworn upon oath, Kirby Doolittle hereby states as follows: I am over 18 and
2 competent to make this affidavit. I am testifying voluntarily and was not subpoenaed or compelled
3 to testify.

4 My name is Kirby Doolittle, and I consider myself a jack of all trades. After graduating
5 from Midlands State with degrees in Social Media Marketing and Hospitality, I worked for TBD
6 Magazine, but it folded after all those wrongful termination lawsuits (I even remember testifying
7 in one of them—that trial felt like it lasted an entire year). After losing my job at TBD, I eventually
8 landed a job at Peony Estates, a local winery, but I also lost that job after Peony Estates got into
9 its own legal trouble. Since then, I have been jumping from job to job. Sports, media,
10 entertainment, security, food service—you name an industry, and I’ve probably held a job in it.
11 But every job seemed to come with some misfortune happening to the company. Honestly, at this
12 point, I feel like I must be cursed.

13 My luck finally changed (or so I thought) on Halloween 2022. That day, I was working as
14 a security guard for a charity gala when I ran into Avery Bancroft admiring some of the paintings
15 on display. I knew Avery was the head of Bancroft Estates, one of the largest entertainment
16 companies in Midlands. I overheard Avery complaining that his personal assistant had just quit
17 that day. I immediately introduced myself, and by the end of the conversation, I was Avery’s new
18 personal assistant! The only question Avery had was whether I was comfortable talking with
19 insurance adjusters, and lo and behold, I was on the phone the next day with the insurance company
20 after some of Avery’s artwork was stolen. It was like Avery was psychic or something. I later
21 learned that one of Avery’s children, Shannon Shahid, is a fortune teller, so I guess it’s genetic.

22 Looking back, I probably should have asked about salary and benefits before taking the
23 job. I guess I was so convinced that this was a once-in-a-lifetime opportunity that it didn’t matter.
24 When I first started as Avery’s personal assistant, I was just doing everything he needed me to do
25 (like talking to the insurance company). If Avery needed lunch, I grabbed it. If he wanted a new
26 car, I picked it out. If he had to post (another) public apology online, I drafted it. Calling it a 24/7
27 job would be an understatement.

28 However, the job fundamentally changed after the Black Bear Casino—a casino owned by
29 Avery and Bancroft Estates—burned down on December 17, 2022. Although the fire department

30 cleared Avery of wrongdoing, the public didn't. Avery wasn't an uncontroversial figure before
31 that, but it felt like he had become public enemy number one overnight. He probably only avoided
32 getting arrested and prosecuted because he was friends with both the Chief of Police and the
33 District Attorney (they had a weekly poker game through all of 2022). Avery was pretty much
34 untouchable by the Midlands authorities. That said, the bad publicity must have become too much
35 for Avery. On December 31, 2022, he told me that he was planning to leave Midlands behind and
36 travel for the foreseeable future with me in tow. Part of me thought I should call it quits right then
37 and there (after all, in the social media world, reputation is everything), but when Avery Bancroft
38 offers to fund your international travel, you say yes. We left the next day.

39 We spent all of 2023 traveling. We would jump from place to place, never spending more
40 than a few weeks in each location. But as 2023 progressed, Avery started to let his guard down.
41 Around December 2023, after visiting dozens of countries, Avery and I found ourselves in eastern
42 Australia. Avery apparently loved it because we stuck around for months (enough for tabloids to
43 report Bancroft sightings in Australia). We moved from city to city and frequently changed our
44 lodgings, but still stayed within eastern Australia. I was so relieved we were finally staying in the
45 same area—scheduling calls while constantly changing time zones was getting to me.

46 In late January 2024, Avery told me to book passage on the Mid-Riverina Express so he
47 could visit western Australia. The earliest available booking was for April 22-25, 2024, and I
48 purchased our tickets on February 1, 2024. Avery and I then resumed country hopping until we
49 got close to our departure date. We returned to Australia (Sydney specifically) on April 21, 2024
50 and boarded the Mid-Riverina Express the next day.

51 On April 22, 2024, Avery and I boarded the Mid-Riverina Express at 5:05pm (according
52 to the onboard digital clock). We were both assigned to Cabin 1, which was the largest cabin on
53 board. Avery and I discussed work until I left for the pre-dinner reception in the dining car. On my
54 way to the dining car, I ran into—of all people—Taylor Hopson, Avery's oldest child and
55 apparently one of the other passengers on board. I was a bit surprised to see Taylor on board. First,
56 Taylor never told me they were joining us. Second, Avery and Taylor aren't exactly close. I don't
57 think a week would go by without the two of them arguing about something over speakerphone. It
58 got particularly nasty around December 2023. Avery was telling Taylor to join him abroad for the
59 holidays, but Taylor was adamant about staying in Midlands until December 17. When Avery
60 scoffed at that, Taylor started screaming. I overheard everything (again, on speakerphone).

61 According to Taylor, December 17 was the anniversary of Taylor's mother's death (Martha
62 Hopson). Taylor also called Avery a heartless monster before hanging up. That said, about a month
63 before our trip on the Mid-Riverina Express, in March 2024, Taylor called me expressing that they
64 wanted to reconcile with Avery. I figured this trip was Taylor's attempt at doing so.

65 Anyway, Taylor and I made it to the dining car where there was a small reception followed
66 by the Welcome Dinner, and I started talking with some of the other passengers. By sheer
67 coincidence, it seemed like a lot of people from Midlands were also on board. I can't remember
68 everyone I spoke to during the reception, but I do remember speaking with Rory Shelton. Rory
69 said that they had free space in their cabin (Cabin 8) because the other person assigned to that
70 cabin—Casey French—never showed. I mentioned that I wasn't looking forward to sharing a cabin
71 with my boss Avery Bancroft (he was high maintenance and snored incredibly loudly). As soon
72 as I mentioned Avery's name, Rory offered to let me stay in Cabin 8. I had never met Rory before
73 in my life, but Rory seemed trustworthy. So, I moved my belongings to Cabin 8. But I didn't end
74 up staying with Rory. While unpacking, an employee (the nametag just had their last name, which
75 I think was Zhang) told me that the train had rearranged room assignments, and I ended up sharing
76 Cabin 8 with private investigator Jordan Nathanson.

77 I finished unpacking in time for the Welcome Dinner. We had assigned seats. Avery and I
78 sat with Ashley Connel and their young child Bailey. Bailey was the most talkative of us, and
79 Avery, Ashley, and I mostly sat in silence except when answering Bailey's many, many questions.
80 After Ashley and Bailey left early (it was Bailey's bedtime), Taylor sat at our table to speak with
81 Avery. Not one to eavesdrop, I started walking over to the bartender (Fritsch, according to their
82 nametag) to grab a drink. On my way to the bar, I walked by Kelly Doos, Taylor's traveling
83 companion. I tried to wave hello, but Kelly was just staring daggers directly in Avery's direction.
84 I figured I'd get that drink, but before I could even take a sip, I heard shouting coming from Avery
85 and Taylor's table. When I looked over, Avery was storming away, leaving most of his dinner
86 uneaten. I went over to the table and started packing up the food to bring to Avery's cabin. When
87 I was packing the food, Taylor paid me no attention, but I could hear Taylor muttering, "People
88 need to pay for their choices," or something like that.

89 I explored a bit more of the train on April 23, 2024. I was grabbing breakfast with Avery
90 in the dining car when I saw Harley Kim sitting a couple tables away from me. Harley and I were
91 long-time patrons at Chuggie's bar, a world-famous bar in Midlands, until it burned down in 2020.

92 The two of us used to be drinking buddies, but I hadn't seen Harley since I left Midlands. I excused
93 myself from the table with Avery and went to sit with Harley. Also at the table was Alex Silva,
94 another passenger. Although it was about 6:30am according to the onboard digital clock, I noticed
95 a strong smell of alcohol from someone at the table. I couldn't tell if it was coming from Harley
96 or Alex, but the scent was unmistakable. Nevertheless, I ordered a few rounds of Bloody Marys
97 for the table. I can't remember how many drinks I had that morning, but after about 90 minutes of
98 chatting with Harley, I felt buzzed. Alex's eyes were bloodshot, and if I remember right, Harley
99 was perfectly fine. It's certainly possible Harley didn't drink anything. I drank alcohol, Alex
100 definitely drank alcohol, but I don't remember seeing Harley drink any of the rounds I ordered. I
101 wouldn't have minded staying there longer, but Avery and I were supposed to visit the Silver City
102 that morning (one of the Mid-Riverina Express's excursions). So, I excused myself from the table
103 and stumbled my way to Avery's cabin to grab some of his things for the excursion.

104 As I opened the door to Avery's cabin, I heard immediate shuffling inside the room and
105 found Taylor and Kelly inside. I asked Taylor and Kelly what they were doing, and Taylor told
106 me they must have mixed up rooms. As they left the room, Kelly turned around and asked me why
107 on Earth I was working for someone like Avery, but before I could answer, Kelly followed up by
108 saying that "there is still time to be on the right side of history." Taylor didn't say anything but
109 nodded along to everything Kelly was saying. Honestly, I was too tipsy to deal with any of this,
110 so I just brushed it off and proceeded to get ready for the excursion to the Silver City. While getting
111 ready, I noticed Avery's lockbox was out of place and there appeared to be scratches on its lock
112 that I don't remember seeing before. I swore it was in its correct spot when I picked Avery up for
113 breakfast, but since I was already running late, I just put it back in its correct spot and dashed out.

114 The excursion to the Silver City was fine, though the sunlight gave me a bit of a headache.
115 Pretty much everyone in the Platinum Section attended the excursion except for Alex Silva, Rory
116 Shelton, and two other passengers (Dana Haskins and Hillary Edmund). It was largely a walking
117 tour. I was one of the slowest in the group, so the only passengers close to me were Taylor and
118 Kelly, both of whom mostly kept to themselves in the back of the group. The two were mostly
119 whispering to one another, so I can't tell you everything they said, but I was still close enough to
120 overhear some of their conversation. I remember Kelly saying, "It's not enough." Taylor then
121 responded, "It will be once I'm finished here. We'll have everything we'll ever need." Kelly then
122 whispered something I couldn't hear, to which Taylor said, "Patience. It's a dish best served cold

for a reason.” The excursion ended shortly after that, and we returned to the Mid-Riverina Express. That afternoon, we had the choice of one of two excursions: (1) touring the South Australian Museum; or (2) shopping in Hahndorf. Six of us—me, Avery, Ashley and Bailey Connel, Alex Silva, and Jordan Nathanson—opted for the museum.

The next day, on April 24, 2024, I woke up to someone knocking loudly on my cabin door. It was Avery. He wanted me to do a full financial audit for all debts owed to him (any loans Avery had given out, IOUs people gave Avery, etc.) and come up with a plan for how to quickly collect all of those debts. According to the onboard digital clock in my cabin, it was only 4:30am, so I asked if I could get to it later. Avery said no, and that he wanted it as soon as possible. Avery added, “If you have a problem taking orders, I’ll find another assistant. You wouldn’t be the first assistant I’ve tossed aside when they proved worthless.” I apologized and said I would start working on it immediately. I grabbed my laptop and camped out in the lounge for a couple hours before Rory Shelton dropped by. I don’t know why Rory was in the lounge area, but it was nice to chat with Rory. Rory asked me a lot about what it was like working with Avery and about Avery’s schedule. Rory mentioned being a big fan of Avery’s, and based on our chat, it seemed like Rory had done their research on Avery. After Rory left, Kelly Doos (no Taylor this time) dropped by, asking why I was working at such an early hour. I was too tired to make something up, so I just told Kelly the truth: Avery wanted me to identify all of the money owed to Avery and figure out how to collect it. I thought Kelly would hurl another insult about working for Avery, but Kelly turned slightly pale and immediately headed back towards their cabin.

Realizing I wasn’t getting any work done in the lounge, I headed back to my cabin. Jordan Nathanson, my roommate, was inside, and we ended up chatting for a long time. Around 4:00pm, the train made a two-and-a-half hour stop at Nullarbor Plain. I probably should have worked, but I figured I’d procrastinate more by stretching my legs. Avery even decided to stay on board, so I was free. I ended up joining Ashley and Bailey Connel and Dana Haskins to explore the area (some of the other passengers opted for a hike, but that was too much for me), and I think I made the right choice. The four of us managed to find this tucked-away oasis, where we just relaxed. I even got a picture for my private Instagram (one where I post under a pseudonym). This was my first opportunity to talk with Dana, and I was able to talk with Ashley and Bailey without Avery around, which seemed to put Ashley more at ease. Ashley confided, “I don’t know how you put up with Bancroft. Seriously, the world would be better off without him in it.” I tried to brush off the

comment since a lot of people think that about Avery. But then Dana asked, “Is he really the monster the news makes him out to be?” I tried to explain how much Avery had done for me over the years, but neither Ashley nor Dana seemed very receptive (Bailey was nodding along, though). Near the end of the conversation, Dana added, “Given how controversial he is, it’s a shock no one’s tried to kill him yet.” Dana and Ashley laughed a bit and then Dana turned to me and said, “Relax, Kirby, I’m only kidding. It’s not like I have any skin in the game.” We changed topics, but when we got back to the train, I saw Dana head straight over to Taylor. I didn’t even know they were close like that. The two started whispering. I couldn’t make out anything, but Dana pointed in my direction a few times during Dana’s hushed conversation with Taylor.

It was about 6:30pm when we got back from exploring, and I realized I was way behind on the project Avery had assigned me—I’m too talkative for my own good. I grabbed a quick dinner with Avery in the dining car before buckling down in my cabin. During dinner, Avery mentioned that he was planning to leave the Mid-Riverina Express earlier than planned. Instead of riding it all the way to Perth, Avery wanted me and him to hop off early during the supply stop the next morning (Thursday, April 25, 2024). As soon as Avery said this, I heard a glass break behind us (I don’t know who broke it). As I turned around, I saw every other passenger (every Platinum Section passenger was there) looking at us in silence. I don’t know if everyone got quiet because of the broken glass, or because of Avery (Avery was talking loudly enough for everyone to hear him). I offered to clean up the broken glass, and as I walked by Taylor and Kelly, I swear I overheard Taylor whispering something like, “He can’t leave early. That’ll ruin everything.”

I stayed up until about 4:00am on April 25, 2024 working on Avery’s auditing project. I mostly felt bad for Jordan because the light was clearly keeping them awake, but they never complained, which I appreciated. When I finished the project, I figured I would try to get it to Avery as soon as possible since he was so snippy with me all day. I walked over to his cabin and knocked (quietly) on the door, but there was no response. I wasn’t surprised. Avery often took sleeping pills to go to sleep, and they knocked him out like a light. I was just about to leave when I thought I heard shuffling in the cabin (it sounded similar to when I found Taylor and Kelly in Avery’s cabin earlier in the trip), so I called, “Avery?” At first, I heard no response, so I tried again a little bit louder. This time, I heard a voice loudly whisper, “Go away!” The voice definitely came from inside Cabin 1. At the time, I figured it was Avery, so I just shrugged and headed back to my cabin. But, looking back, it almost definitely wasn’t Avery because he’s never that terse (Avery

185 talks a lot). Unfortunately, since they only said two words, I can't tell you who it was or anything
186 about their voice, just that it wasn't Avery who told me to go away.

187 I guess I was still antsy about the project because I barely slept an hour. I woke up around
188 5:00am that morning. I could smell Chef Farnsworth cooking that day's breakfast. I walked to
189 Avery's cabin and noticed that the door was slightly ajar, but it was closed when I was there earlier.
190 I figured Avery made an early morning coffee run, so I opened the door and walked in. I'll never
191 forget what I saw that morning. Avery was passed out on the floor of his cabin, but he still had a
192 pulse (I checked). I ran into the hallway shouting for help. Dr. Hillary Edmund, another passenger,
193 came running into the train compartment. I led Dr. Edmund into Avery's room, and Dr. Edmund
194 started examining Avery. As Dr. Edmund started to examine Avery, I thought I heard Dr. Edmund
195 say, "Well, that was fast," but I could have imagined it. It was a very chaotic situation.

196 A few other passengers also ran into the room, including Alex Silva, who began assisting
197 Dr. Edmund. I don't remember seeing Taylor, even though Taylor was only two doors down and
198 would have obviously heard me calling for help for Avery. Dr. Edmund said that Avery had a heart
199 attack and began performing CPR. I thought it was working at first. I saw Avery manage to say a
200 few words to Dr. Edmund (Avery was so quiet, I couldn't hear what he said). But unfortunately,
201 Avery's health again declined, which seemed to surprise Dr. Edmund. I heard Dr. Edmund mutter
202 about poison maybe. Shortly thereafter, Dr. Edmund declared Avery's time of death.

203 I couldn't believe it. One of the train employees (I was in too much shock to see their
204 nametag) sent most of us back to our cabins. I—along with Dr. Edmund and Jordan Nathanson—
205 was allowed to stay with Avery's body until the authorities arrived to investigate Avery's death.
206 After the authorities came and took Avery's body, we made it to Perth. I stayed for a bit to help
207 arrange transporting Avery's body back to Midlands because neither of Avery's kids (Taylor or
208 Taylor's half-sibling Shannon Shahid) bothered. Though, to be fair, at least Shannon had the
209 excuse of being in Midlands at the time. I returned to Midlands on May 1, 2024, though Avery's
210 body managed to arrive back to Midlands before I did.

211 After Avery died, Taylor became interim CEO of Bancroft Estates effective May 2, 2024.
212 On Taylor's first day, May 2, 2024, Taylor called me into their office and told me I was being let
213 go. I was caught completely off guard. I had known Taylor for years by that point, and Taylor had
214 been nothing but kind to me in the past. Taylor would always call to ask me how I was doing and
215 would even ask where I (and Avery) were traveling. Now that Avery was gone, it seemed like

216 Taylor had become a whole different person. I said that I'd be willing to work in another position
217 just to stay at Bancroft Estates, but Taylor said no. Taylor said, "You're done, Doolittle. You've
218 outlived your usefulness. Plus, Avery trusted you, which is more than enough reason for me not
219 to." I responded that Avery was generally a decent person, to which Taylor simply said, "The only
220 decent thing he's ever done was die, certainly the only birthday gift I've gotten from him in years."
221 Taylor's comment sent me over the edge. I was upset that Taylor would be so cavalier about
222 Avery's death, and the argument escalated from there. Emotions were running so high that I barely
223 remember what we said to each other, but I do recall that, at some point during the argument,
224 Taylor shouted, "Stay out of my way! I've done too much to lose now!" Shortly after that, I was
225 escorted out of Bancroft Estates by building security.

226 I still can't believe Avery is gone. Anytime my phone rings, part of me still expects to hear
227 his voice on the other end. Look, the guy had his rough edges, but we had gotten close after over
228 a year of traveling together. I looked up to Avery. He was someone I could confide in. Sure, there
229 were some days that I hated my job, but who doesn't have complaints about their job? On his best
230 days, Avery was less of a boss and more of a father figure. And most importantly, when I was an
231 underemployed temporary security guard at some random gala in Santo Ivo, Avery took a chance
232 on me. That's something I can never repay now that he's gone. But maybe I can repay him in some
233 small way through my testimony.

234 I am familiar with the following—and only the following—exhibits:

235 Exhibit 1 is a photo of Avery Bancroft. Avery was often in the limelight, and I've seen
236 hundreds of photos taken of Avery. In fact, I'm pretty sure I'm the one who took this photo.

237 Exhibit 2 is Jordan Nathanson's brochure. Jordan gave me a copy when we were
238 roommates on the Mid-Riverina Express. Everything in the brochure matches what Jordan told me
239 about Jordan's job during that afternoon we spent chatting.

240 Exhibit 6 is Avery's will. Avery kept a copy in a small lockbox that we would take
241 traveling. He kept copies of all of his important documents and items in that lockbox. As for the
242 will, like I said, Avery and Taylor would argue about it a lot. Whenever Avery became heated, I
243 would ask if Avery was sure whether Taylor should stay in the will, and Avery would nod each
244 time. But the last time we had that conversation (around February 2024), Avery did say, "if Taylor
245 crosses me one more time, that kid is going to lose their spot in the will." I asked if I should contact

Avery's lawyers about that, Avery said, "Spare the lawyers; if I need to update the will, I'll just do it by hand." Also, in full disclosure, I recognize one of the witnesses on Avery's will: Cory Hyde. Cory is my uncle, and back in 2015, Cory was Avery's personal assistant. He's currently in prison for crimes he allegedly committed on Avery's behalf (he's eligible for parole in 2030), and Avery fired him the day he was arrested. I love my Uncle Cory, and I did partly blame Avery for what happened to Uncle Cory since he was working for Avery. I never disclosed to Avery Bancroft or anyone at Bancroft Estates that I was related to or even knew Cory Hyde. Given Cory's criminal troubles and how his employment with Avery ended, I didn't want anyone to know.

Exhibit 7 contains schedules of Avery's assets. From my time as Avery's personal assistant, all of the information in Exhibit 7 looks correct and accurate.

Exhibit 9 is an Instagram post I made on my main account on February 1, 2024. Pictured are my and Avery's tickets for the Mid-Riverina Express. In retrospect, it might not have been the best call since a lot of media sites started reporting that Avery might be heading to Australia, but on the bright side, my post ended up going viral. I think it's actually my most viral post on my main account. I've had some success when posting under a pseudonym, which I frequently did so as to not draw attention to Avery.

Exhibit 10 is a brochure for the Mid-Riverina Express. Exhibit 11 is the layout of the Platinum Section. Exhibit 12 contains the trip itinerary and cabin assignments; the staff aboard the train generated it during the Welcome Dinner. To my knowledge, everything in Exhibits 10-12 is true and accurate except for the schedule for April 25, 2024 because of Avery's passing.

Exhibit 16 are pictures of my keys. Exhibit 16a is a picture of my keys from April 20, 2024 (before embarking on the Mid-Riverina Express). I can easily tell that those are my keys because of the Chuggie's keychain (limited edition), the "KD" keychain (my initials), and the small old-fashioned key (which you need to open Avery's lockbox). Admittedly, I did seem to misplace my keys at some point aboard the Mid-Riverina Express because I couldn't find them. I eventually found them in Avery's cabin on April 25, 2024. Exhibit 16b is how I found them in Avery's cabin. Finally, Exhibit 16c is just a picture of what looks like my Chuggie's keychain.

Exhibit 17 is a picture of Avery's medallion. Avery told me that he got it as a gift from a loved one who had since died. In the years I had known Avery, I had only seen Avery not wearing his medallion once: the day he died, April 25, 2024.

Exhibit 18 is Avery's death certificate. Exhibit 19 is Avery's autopsy. I was sent copies of both since I was still listed as Avery's personal assistant at the time.

Exhibit 20 is Avery's medical record from a visit to his doctor in October 2022. This was before I became Avery's personal assistant, but Avery kept a copy in his lockbox. So, I have seen this document a lot over the years. It was also one of my responsibilities to make sure Avery watched his potassium intake. For example, when the Mid-Riverina Express would serve banana-based desserts, I would make sure Avery avoided those just in case.

Exhibit 21 is the front page of the December 18, 2023 edition of the Midlands Courier Gazette covering the one-year anniversary of the Black Bear Casino fire. Avery would sometimes ask for a copy of this for whatever reason, so I kept a scan of it in my work files just in case.

Exhibit 22 is a bank statement for one of Avery's accounts. As Avery's personal assistant, I can confirm that everything in this bank statement is accurate. Avery used to send Taylor a regular allowance until he stopped doing that and started making anonymous donations to a nonprofit instead (don't know why; that would have been an Avery question). As for Shannon, Avery sent Shannon money every October (Shannon's birth month). As for that \$50 in March 2023, Shannon called Avery and me asking for \$50,000 for some "legal issues regarding permits." Avery sent \$50 to make a point. Finally, I see Rory Shelton pops up on here, but I don't know anything about that.

Exhibit 23 is the complaint that Avery filed against Ashley Connel and the hosts of the Midlands Review with Paras and Frost. They said some unkind things, and Avery had his lawyers file a defamation lawsuit to shut them up. He didn't expect to win, but he said that making them waste money fighting the litigation would make it worth it. He also said something about Midlands not having an "anti-slap" law or something, but I don't know what he was talking about. What I do know is that the lawsuit didn't really make sense. Avery was suing because Ashley Connel (and the other two) said Avery wasn't a billionaire, but Avery wasn't (see Exhibit 7). And I'm no lawyer, but I'm pretty sure you can't sue someone for defamation when you're telling the truth. Anyway, I heard that the lawsuit was dismissed shortly after Avery's death.

Exhibit 25a is an email chain between me and Taylor. As I mentioned, in March 2024, Taylor reached out wanting to reconcile with their father. In that same call, I let slip that Avery and I were planning a trip aboard the Mid-Riverina Express. Taylor mentioned that it sounded like an amazing trip and asked me to send over the details, including when Avery and I were planning

306 to go. This email chain includes what I passed along. Attached to my email was a copy of Exhibit
307 10. In Taylor's response, Taylor said that they would let me know if they were going to join me
308 and Avery on the Mid-Riverina Express, but I only found out when I saw Taylor on board.

309 Exhibits 29a-c are transcripts of voice memos that Avery left me while aboard the Mid-
310 Riverina Express. Voice memos are how Avery handled business. He would make voice memos
311 and send them to me. As part of my job, I kept the voice memos and generated written versions
312 using transcription software. Shannon's lawyers asked me to generate Exhibits 29a-c. I prepared
313 an accompanying declaration (Exhibit 29d), which is true and accurate. As for the transcripts'
314 content, starting with Exhibit 29a, it looks like Avery first asked me to compile his debtor list on
315 April 23, 2024, explaining why he showed up at my door so early the next morning. I probably
316 just skimmed this voice memo because I also don't remember talking to Chef Farnsworth about
317 dessert. As for who might have been at Avery's door, I just know it wasn't me. As for Exhibit 29b,
318 I don't know what Avery was planning to leave the victims of the Black Bear Casino fire or which
319 passenger confronted Avery. Regarding Taylor's bed being made, Avery frequently said that
320 Taylor had been a disappointment for decades, so I figured he was referencing that. As for
321 Exhibit 29c, I don't know what Avery was planning or what he discussed with Taylor. However,
322 I imagine it had something to do with Avery's business or will if he wanted to swing by a lawyer.

323 Exhibit 34b is a popped lens from a pair of sunglasses. It's identical to a popped lens that
324 I saw in Avery's cabin on April 25, 2024 that the police collected after they arrived. I don't know
325 where it came from. Avery hated sunglasses and didn't own a single pair. I also didn't bring any
326 sunglasses with me either aboard the Mid-Riverina Express.

327 Exhibit 35 is an excerpt from the working copy of Avery's memoir (which I guess won't
328 be finished now). Avery was reviewing the draft while we were on the Mid-Riverina Express. He
329 preferred to review hardcopy. Normally, he kept the full draft in his lockbox, but this specific page
330 was outside the lockbox for some reason. It was sitting on the table in Avery's cabin pretty much
331 the entire journey. As for the "secrets" mentioned in the excerpt, I don't have any details. Like
332 Avery wrote, the plan was to release them in May 2024, so we hadn't discussed the specifics yet.

333 Exhibit 38 is a birthday card. I saw it twice during the trip. I saw it the first time in Taylor's
334 hand when I found Taylor and Kelly in Bancroft's cabin. I only saw the outside of the card at that
335 time (it was a fun design), and not much else. I got a closer look after exploring with Ashley,
336 Bailey, and Dana. Curious about what Dana and Taylor were talking about, I dropped by Taylor's

337 cabin to ask what was up. Taylor said it was nothing, and that's when I saw the card again. I asked
338 Taylor if I could take a look. Taylor seemed to hesitate but eventually said yes. That's when I saw
339 the inside. It was an old card. It was dated April 25, 2004, and Taylor confirmed that it was from
340 Taylor's fifteenth birthday back in 2004 and that Taylor kept it this whole time. Despite it being
341 old, I recognized the handwriting. It was Bancroft's. I really wanted to know why Taylor brought
342 the card, but I could tell Taylor didn't want to talk about it. So, I gave the card back and let it go.

343 Exhibit 41b is a box of rodenticide. It looks like the type of rodenticide kept in the storage
344 area of the Mid-Riverina Express. At some point during the trip, I visited Rory Shelton, who
345 somehow ended up in the crew cabin for the duration of the trip. To get there, you have to walk
346 through the storage area, which is when I noticed the rodenticide. It was placed on one of the
347 middle shelves, so pretty much every passenger except Bailey Connel would be able to reach it.
348 Exhibit 41a looks to be a printout of the outside packaging for the box of rodenticide.

349 Exhibit 42 is a handwritten note. I'm pretty sure Avery wrote this. First, it's in purple,
350 which is Avery's signature color (he carries a purple pen everywhere). Second, the paper used
351 matches the legal pad Avery typically used to write on. Third, I spent over a year working and
352 traveling with Avery; I can recognize his handwriting. And this is Avery's handwriting.

353 As stated, I am familiar with the following handwritten exhibits: Exhibits 38 and 42. I am
354 aware there are other handwritten exhibits: Exhibits 8 and 39. I have never seen Exhibit 8 or
355 Exhibit 39 before. But if shown those exhibits, I will be able to compare them against the
356 handwritten exhibits I am familiar with in order to opine whether or not the handwritings are
357 similar.

358 I swear or affirm the truthfulness of everything stated in this affidavit. Before giving this
359 statement, I was told I should include everything that I know may be relevant to my testimony,
360 and I followed those instructions. I know that I can and must update this affidavit if anything new
361 occurs to me until the moment before opening statements begin in this case.

Signed:

Subscribed and Sworn to me on this 4th day of May 2024:

Kirby Doolittle



Alex Grace
Notary Public

AFFIDAVIT OF HILLARY EDMUND, M.D.

1 After being duly sworn upon oath, Hillary Edmund hereby states as follows: I am over 18 and
2 competent to make this affidavit. I am testifying voluntarily and was not subpoenaed or compelled
3 to testify.

4 My name is Hillary Edmund. I am a board-certified physician in pulmonary medicine.
5 Growing up, I was an avid mountain climber, though climbing ended up on the backburner when
6 I went to med school. But once I finished residency, I couldn't wait to get back to it. I volunteered
7 as a physician with the Himalayan Rescue Clinic in Nepal. Treating patients and local Sherpas in
8 the Himalayas was the perfect way to combine climbing and medicine. I even met my now
9 spouse—Merritt Gilbertson—while on the job. The two of us later relocated to Midlands. Merritt
10 became a trial court judge, and I opened my own private practice: Edmund Pulmonary Associates.
11 The practice was largely successful, and I had a steady stream of clients and positive reviews.

12 But things went downhill for me and Merritt in 2021. Merritt decided to run for a newly
13 vacant seat on the Midlands State Supreme Court. Merritt was more than qualified, but
14 unfortunately, Merritt was running against Ryan Sullivan, the former District Attorney for
15 Breckinridge County, Midlands. Merritt ran their campaign with integrity and honesty—and I love
16 Merritt all the more for it. Sullivan, on the other hand, was the complete opposite. Sullivan had
17 super PACs supporting her campaign. The largest one was run by Avery Bancroft, one of the
18 richest people in Midlands. Bancroft's super PAC turned the race into a nasty, mud-slinging
19 bloodbath, except Merritt wasn't throwing any mud. It seemed like every morning there was a
20 brand-new attack ad splashed across BNN, courtesy of Bancroft's super PAC. The attack ads
21 included calling Merritt "a puppet for special interests," "a liar who couldn't even tell the truth to
22 save their own life," and "a corrupt judge who has made a mockery of the Midlands justice
23 system." The worst lie—and most damaging to Merritt's reputation—came a couple months before
24 the election. Bancroft's super PAC funded a whole new slew of ads accusing Merritt of accepting
25 bribes to influence Merritt's rulings as a judge. There was obviously zero evidence to support that
26 claim since Merritt is one of the most kind-hearted, fair, and compassionate people I know. Merritt
27 would never do such a thing. But the Midlands voters elected Sullivan, and Merritt has all but
28 retreated from public life. I have never seen Merritt so depressed, and seeing it now still breaks
29 my heart. I squarely blame Bancroft and Sullivan for Merritt's pain.

30 Merritt wasn't the only one in Bancroft's crosshairs during the election. My practice also
31 got dragged through the mud. One of the ads bankrolled by Bancroft's super PAC claimed I "stole
32 money from the government" and "cheated the people of Midlands" by underreporting income on
33 my taxes (a.k.a. tax fraud). This led to a lengthy investigation by the IRS, which added fuel to the
34 fire as Bancroft-funded ads claimed I "cooked the books" and "embezzled funds from my own
35 practice." In the end, the IRS did find discrepancies in my tax filings. None of it was intentional,
36 but I must have made a mistake when preparing them (I'm a doctor, not an accountant). I pleaded
37 guilty to misdemeanor tax evasion and had to pay a \$2,500 fine in addition to paying the back
38 taxes I owed (also \$2,500). I paid it immediately, and the issue was settled.

39 Unfortunately, the reputational damage persisted. Once I became the target of the smear
40 campaign, I lost most of my patients from my practice. I hoped things would blow over, but after
41 the misdemeanor, my number of patients just kept dropping. I eventually was forced to dissolve
42 my practice in August 2022. After that, I tried to find work at a nearby hospital or other practices
43 in Midlands, but no one wanted to hire someone on Justice Sullivan's bad side for fear of reprisal.
44 Finally, after about 18 months of unemployment, I got a call from Summit Peaks Expeditions, a
45 mountaineering company in western Australia. They were offering me an on-site job interview, all
46 expenses paid. I agreed. I took a flight to Sydney, which arrived April 22, 2024. That same day, I
47 boarded the Mid-Riverina Express, which would take me from Sydney to Perth. If I had known
48 what was going to happen during the journey, I would have skipped the interview altogether. But,
49 as the saying goes, hindsight is 20/20.

50 I boarded the Mid-Riverina Express around 4:30pm and headed to my cabin (Cabin 7).
51 That evening, there was a Welcome Dinner for all of the passengers in the Platinum Section. There
52 was assigned seating, and I found myself seated with Alex Silva, Dana Haskins, and Harley Kim.
53 Coincidentally, Kim was the only stranger. I had met Silva years ago on a mountaineering
54 expedition with Everest Expeditions where I was one of the medical consultants. I remember
55 treating Silva, so I was glad to see Silva doing well. As for Haskins, we ran in the same professional
56 circles. I remember the two of us attending the same conference for the Midlands Association of
57 Expert Witnesses a couple years ago. With Kim being the only stranger, I struck up a conversation
58 with Kim. Kim turned out to be a photojournalist on assignment in Australia. Kim said they knew
59 a lot about Midlands, though, and that they were especially familiar with Avery Bancroft and the
60 Black Bear Casino (Bancroft's casino). I was confused why Kim brought up Bancroft of all people.

61 I asked Kim why they were on the Mid-Riverina Express, but Kim just became very flustered and
62 changed the subject. I thought it was weird, but I didn't want to pry. So, I spent the rest of dinner
63 talking with Haskins.

64 After dinner, I glanced around the dining car and recognized a couple other passengers.
65 First, I recognized Rory Shelton, someone else I had treated on a previous expedition (either
66 Antarctica or Northern Canada; I just remember it was one of the colder ones). I treated Shelton
67 for frostbite, but if I remember correctly, it was slightly self-inflicted because Shelton had
68 forgotten to wear appropriate winter boots. Next, I noticed a different familiar face, "the Devil of
69 Midlands City" himself, Avery Bancroft. Seeing Bancroft without a care in the world—completely
70 oblivious to the havoc he had wreaked on our lives—was absolutely infuriating for me. I tried to
71 put it in the back of my mind (after all, holding onto anger is like drinking poison and expecting
72 the other person to die and whatnot), but I couldn't help shooting glances over at Bancroft the
73 entire rest of the evening. Bancroft didn't acknowledge me.

74 Later on, I paced around a bit before retiring to my cabin around 10:30pm (according to
75 the onboard digital clock). While I was walking past Cabin 3, I overheard two people whispering.
76 I think they had forgotten to close their door, so it was left slightly ajar. I didn't recognize either
77 of the voices, I definitely hadn't heard either of them before. I didn't hear the whole conversation,
78 but I heard the first person angrily whisper, "I told you we need to keep this quiet. If anyone finds
79 out about the plan, it'll all be for nothing." Then, the second person whispered back, "You think I
80 don't know that? I've taken care of everything on my end, but you need to control your father.
81 He's been asking too many questions." Then, the first person responded, "I'm doing my best, but
82 you know how Avery is. He's getting suspicious." Realizing this was meant to be a private
83 conversation, I made a hasty exit to my cabin.

84 The next morning (April 23, 2024), still feeling a bit jet lagged, I slept in and skipped
85 breakfast. There was a morning excursion to the Silver City that I also ended up skipping, but I
86 wasn't the only one. A little after 10:00am (while people were still gone for the Silver City
87 excursion), I started to hear yelling coming from the lounge. Curious, I went to investigate. But by
88 the time I got there, it looked like things had settled. I saw Strathmore (one of the train employees)
89 trying to calm down Silva while Haskins was storming away. As they passed by me, I heard
90 Haskins muttering, "Can't Alex see we're all on the same side? I'm going to find Taylor."

91 That afternoon, I joined the excursion to Hahndorf, along with Kim, Haskins, Shelton,
92 Taylor Hopson (I wondered whether this was the same “Taylor” that Haskins mentioned earlier),
93 and (who I later learned was) Kelly Doos. Towards the end of the excursion, we were given free
94 time to shop. I remember passing by a small craft store (Scher’s Tool & Craft) when I saw Shelton
95 walking out of it with a bag in their hand. I tried to flag them down, but Shelton quickly mumbled
96 something and hurried away. It seemed like they were in a rush to get somewhere, although I have
97 no clue where since we were on the same trip. Anyway, the craft shop seemed interesting enough,
98 so I browsed inside for a while. I noticed two other passengers in the store, Taylor Hopson and
99 Kelly Doos. Taylor was speaking to an employee. Taylor was holding a bottle in Taylor’s hand,
100 but I couldn’t see exactly what it was. I overheard the employee say the product was one of the
101 shop’s bestsellers and that it was incredibly potent. Taylor then asked, “is there anything stronger
102 in the back?” The employee hesitated and said Taylor could try a local pharmacy, but Taylor shook
103 their head and angrily said, “No. I already checked; that’d take too long!” It was at this point that
104 Taylor noticed me and appeared startled. Taylor quickly placed the bottle back on the shelf. I can’t
105 be sure exactly what Taylor had been holding, but I think the label had a banana on it (or something
106 banana-like)?

107 Taylor asked me what I was doing in the store and seemed upset with me. I told Taylor that
108 I was just browsing since I had time to kill. Taylor and I then chatted for a bit. I learned that Taylor
109 was Bancroft’s child, and I’ll admit that immediately soured my opinion of Taylor. Bancroft
110 Estates—Bancroft’s business which helped fund those attack ads against Merritt and me—is a
111 family business, so I know Taylor had a hand in those attack ads (well, believe, but same
112 difference). After all, there’s no way the apple fell far from the poisonous tree; the ultra-wealthy
113 are not like us. Anyway, after a bit, Taylor waved over Kelly Doos (this is when I both learned
114 who Doos was and that Doos was seeing Taylor romantically) to join our conversation. As we kept
115 talking, Taylor seemed more and more nervous. Taylor kept glancing around the store and
116 checking their watch. Out of nowhere, Taylor said Taylor and Doos had to leave, and Taylor
117 dragged Doos out of the store. The whole interaction struck me as really odd, although maybe
118 Taylor was just a shy person (or couldn’t handle the guilt). I also couldn’t help thinking that
119 Taylor’s voice sounded familiar, but I couldn’t quite place from where. I browsed the store for
120 about fifteen minutes after that. I ended up leaving without buying anything and boarded the train
121 again around 6:30pm. Through the train window, I could see Taylor (and Harley Kim) running in
122 the direction of Scher’s Tool & Craft for some reason right before we departed Hahndorf.

123 The next morning (April 24, 2024), I arrived in the dining car for breakfast at 7:30am. I
124 was drinking my coffee and checking the daily news on BNN when, much to my surprise, Avery
125 Bancroft took a seat at my table across from me. Bancroft then said, “I’m really sorry for that
126 whole Sullivan thing, truly. She pulled the strings, and I should have pulled my funding. But
127 sometimes, that’s just the way these things go.” I told Bancroft that I appreciated his apology,
128 although that may not have been completely true. I didn’t know if Bancroft was being sincere, and
129 he had permanently damaged my and Merritt’s reputations. Bancroft’s apology felt inadequate,
130 almost insulting, but at the end of the day, a half-hearted apology is better than none at all.

131 After that awkward start to our conversation, I saw Bancroft take out a plastic container
132 and a prescription bottle and place them on the table. Bancroft joked, “I guess you could call this
133 karma?” I asked Bancroft what he meant, and Bancroft told me that he had been diagnosed with
134 Chronic Kidney Disease (CKD). I’ll admit I felt bad for Bancroft. History aside, CKD is no joke.
135 I asked Bancroft how advanced his CKD was, and Bancroft told me that he was recently diagnosed
136 with Stage III CKD (so recent, apparently, that I was the first person that Bancroft had told outside
137 of his immediate family) and that he had to watch his potassium intake since too much potassium
138 could be deadly (which is sadly true). Bancroft handed me the prescription bottle and asked if I
139 could open it for him. I saw that the prescription bottle was for Lisinopril, an ACE inhibitor.
140 According to the bottle, Bancroft was supposed to take one 10mg Lisinopril tablet daily. After
141 opening the bottle, I saw Bancroft measure about twenty grams of powder from the first container
142 that looked distinctly like Veltassa (it was also labeled “Veltassa”). Bancroft mixed the Veltassa
143 with water, drank the mixture, and then subsequently took a Lisinopril tablet. I told Bancroft that
144 I was sorry to hear about his diagnosis, and I wished him all the best in his treatment. Suddenly, a
145 voice behind me angrily whispered, “With the money he’s wasting? You’d better hope for the
146 best.” In that moment, it reminded me of the first person’s voice I had overheard two nights earlier.
147 Obviously, two days had passed, but I’m pretty sure it was the same voice.

148 I turned around and saw that it was Taylor Hopson (which might be why Taylor’s voice
149 also sounded familiar when we spoke the day before). Bancroft introduced Taylor as one of
150 Bancroft’s children. I didn’t know how long Taylor had been standing there or how much of our
151 conversation Taylor had overheard. Taylor certainly sounded frustrated though. Taylor said they
152 were having trouble sleeping and asked Bancroft if Bancroft had any Ambien. Bancroft handed
153 Taylor a bottle from Bancroft’s bag. Sensing the tension, I tried to bring some levity. I picked up

154 a couple spoons and said, “That’s not a spoon . . . this is a spoon!” Thankfully, it worked. Taylor
155 laughed (for maybe the first time) and said, “I love that movie. Who was the actor again? Oh, I’ll
156 just look it up.” Taylor then walked away. But Taylor wasn’t the only one who enjoyed my
157 impression. At the table right next to us, I heard Ashley Connel and one of the train employees
158 (Zhang, I think) also laughing. I guess they both could overhear my entire conversation with
159 Bancroft and later Bancroft and Taylor. I recall that there were other passengers in the dining car
160 as well. It’s entirely possible they also overheard my conversations (we were loud enough), but I
161 don’t know for sure.

162 After Taylor left, Bancroft just shook his head and said, “I don’t know what I’m going to
163 do with that kid.” I asked Bancroft what he meant by that, and Bancroft said, “Taylor’s always
164 been a bit of a freeloader. Never quite found their way in life, unlike their sibling Shannon. And
165 I’ve tried almost everything.” Bancroft shared that it had been a constant source of tension in the
166 family. I told Bancroft that I was sure Taylor would learn to stand on their own two feet soon
167 enough. Bancroft just laughed and said, “Oh, I’m going to make sure of it.” I didn’t know what
168 Bancroft meant by that, but before I could ask, I heard the door to the dining car slam shut. I didn’t
169 hear it slam when Taylor had walked away, so I wasn’t sure if it was Taylor or someone else.

170 Later that afternoon, when we stopped at the Nullarbor Plain, I opted for a hike with Doos,
171 Silva, and Kim. Silva accompanied me for most of the hike while Doos and Kim forged ahead of
172 us. In fact, the only thing I remember Doos said was that they were lamenting that they didn’t pack
173 a hoodie for the cool Australian evenings unlike Taylor who had brought their orange hoodie
174 (which I recall seeing Taylor wearing at some point earlier in the trip). I learned that Silva worked
175 for the State of Midlands, so we briefly chatted for a bit about Justice Sullivan. At some point, the
176 conversation turned to Bancroft. I was surprised that Silva seemed to hold a bigger grudge against
177 Bancroft than me. According to Silva, Bancroft allegedly burned down Bancroft’s Black Bear
178 Casino for the insurance money. Bancroft was never arrested for it, but Silva said that they were
179 positive Bancroft was responsible and that Silva lost close friends and colleagues in that fire. Silva
180 even got choked up as they were describing what happened. Silva told me that they hoped Bancroft
181 “meets an equally painful end after what Bancroft did.” I asked what Silva meant by that, but Silva
182 just said they didn’t want to talk about it anymore, only adding that they “hoped to one day shake
183 the hand of the person who brings justice to the victims of the Black Bear Casino fire.”

184 Around 11:00pm, I left the post-dinner reception to relax in the lounge. While there, I heard
185 another suspicious conversation (I seemed to be hearing a lot of those for some reason) from one
186 of the nearby cabins. But this time, it was a full-on screaming match. I was the only one in the near
187 vicinity. The voices were unmistakable. It was Bancroft and Taylor screaming at each other.
188 Bancroft shouted, “I’ve had enough of this, Taylor. You need to learn to stand on your own two
189 feet!” Taylor shouted back, “You can’t do this to me! After the casino fire? You owe me!” They
190 kept going back and forth hurling insults at each other, with Bancroft calling Taylor a “do-nothing
191 freeloader,” and Taylor calling Bancroft a “coldhearted old man on death’s door.” I don’t know
192 how that conversation ended since I hurried back to my cabin to avoid the Bancroft family drama.

193 The morning of April 25, 2024, I woke up a little after 5:00am to a voice screaming in the
194 hallway that someone needed help. I immediately jumped out of bed and ran towards the screams,
195 where I found Bancroft’s assistant Kirby Doolittle. Doolittle—who clearly appeared distressed—
196 led me to Cabin 1 (Bancroft’s cabin). When I entered the cabin, Bancroft was lying on the floor
197 and appeared unconscious. Now, under normal circumstances, I would have viewed it as a personal
198 conflict to treat Bancroft given our history. But it wasn’t normal circumstances; it was an
199 emergency. And honestly, when I saw Bancroft lying on the floor, our history was the last thing
200 on my mind. All I saw was a person who needed help, so I jumped into action. I examined Bancroft,
201 and he appeared to be experiencing cardiac arrest. With assistance from Silva (who arrived after I
202 did), I administered CPR. For a brief moment, Bancroft regained consciousness and said, “Et tu,
203 Taylor,” before becoming unconscious again. I administered CPR for approximately 30 minutes,
204 but unfortunately, Bancroft did not make it. I called Bancroft’s time of death at 5:42am. A crowd
205 had formed by the cabin door, so it was a bit chaotic. I remember seeing Haskins walk into the
206 room, see Bancroft’s now dead body, and say, “This isn’t how it was supposed to be.” Silva, who
207 had been helping me, got up and shook Taylor’s hand (who must have come into the cabin while
208 I was treating Bancroft). Strathmore ushered most of the passengers back to their cabins. I—along
209 with Strathmore, Doolittle, and Jordan Nathanson—stayed with Bancroft’s body until the police
210 and paramedics arrived.

211 I ultimately didn’t get the job with Summit Peaks Expeditions, but I did get a position with
212 a mountaineering company out of Mendoza, Argentina. While packing my bags in Midlands to
213 head to Argentina, I was asked by the plaintiff in this case to provide an expert report, wherein I
214 included greater detail on my treatment of Bancroft and my analysis regarding his death.

215 I am familiar with the following—and only the following—exhibits:

216 Exhibit 1 is a photo of Avery Bancroft.

217 Exhibit 3 is my CV. Everything in it is accurate.

218 Exhibit 9 is an Instagram post I remember seeing in February 2024.

219 Exhibit 10 is a brochure for the Mid-Riverina Express. Exhibit 11 is the layout of the
220 Platinum Section. Exhibit 12 contains the trip itinerary and cabin assignments; the staff aboard the
221 train generated it during the Welcome Dinner. To my knowledge, everything in Exhibits 10-12 is
222 true and accurate except for the schedule for April 25, 2024 because of Bancroft's passing.

223 Exhibit 16a is a photo of a set of keys. I saw Taylor with an identical set of keys during my
224 conversation with Taylor and Doos in Hahndorf.

225 Exhibit 17 is a photo of Bancroft's medallion (I can tell by the wear and tear). I saw
226 Bancroft wearing it when we spoke on April 24, 2024, but it was missing when I treated him.

227 Exhibits 18-20 are Bancroft's medical documents that I discuss in more detail in my report.
228 In short, Exhibit 18 is Bancroft's death certificate, Exhibit 19a is Bancroft's autopsy, and
229 Exhibit 20 is a medical record for Bancroft dated October 9, 2022.

230 Exhibit 30 is a draft note found on Bancroft's phone the day he died. Bancroft's phone was
231 lying next to him, and when Silva and I opened the phone (no passcode), this is what we saw.

232 Exhibit 34b is a loose sunglass lens I saw on the floor of Bancroft's cabin on April 25,
233 2024. It matches the type of sunglasses I saw on sale at Scher's Tool & Craft. When Taylor waved
234 over Doos to join our conversation, Doos was standing next to the sunglasses rack.

235 Exhibit 40 is a label for concentrated banana extract (Exhibit 40a is a printout of the label
236 while Exhibit 40b is the label on a bottle). The banana on this label resembles the banana or
237 banana-like object I saw on the bottle that Taylor was handling at Scher's Tool & Craft, though,
238 to be clear, I never saw Taylor actually purchase anything at Scher's Tool & Craft. Reading the
239 label, I can see that this is a potassium supplement. I remember Ashley Connel asking me where
240 to purchase a potassium supplement before the Hahndorf excursion. When I told Ashley that they
241 might be able to buy some in Hahndorf, Ashley said, "Shame. Bailey wants to go to the museum.
242 Maybe I'll ask one of my friends to pick some up for me." I don't know if Ashley asked anyone
243 to get the supplement. Ashley didn't ask me.

244 Exhibit 42 is a handwritten note by Avery Bancroft. I saw him write it during our breakfast
245 on April 24, 2024 after Taylor walked away. Bancroft had brought a legal pad and purple pen with
246 him to the dining car, and those are what he used to write Exhibit 42. He did seem to be taking his
247 time as if carefully selecting his words for the note.

248 As stated, I'm familiar with the following handwritten exhibits: Exhibit 42. I am aware
249 there are other handwritten exhibits: Exhibits 8, 38, and 39. I have never seen Exhibit 8, Exhibit
250 38, or Exhibit 39 before. But if shown those exhibits, I will be able to compare them against the
251 handwritten exhibit I'm familiar with in order to opine whether or not the handwritings are similar.

252 I swear or affirm the truthfulness of everything stated in this affidavit. Before giving this
253 statement, I was told I should include either in this affidavit or my expert report everything that I
254 know may be relevant to my testimony, and I followed those instructions. I know that I can and
255 must update this affidavit if anything new occurs to me until the moment before opening statements
256 begin in this case.

Signed:

Subscribed and Sworn to me on this 31st day of July 2024:

Hillary Edmund, M.D.



D.P. Dehnert
Notary Public

Expert Report of Hillary Edmund, M.D.

Treatment and Diagnosis of Patient Avery Bancroft

Date of Treatment: April 25, 2024

A. INTRODUCTION

1 My name is Hillary Edmund. I am a board-certified physician in pulmonary medicine. I was asked by
2 the plaintiff to provide an expert report in this case, as I treated Avery Bancroft on the day of his
3 death. Since I was already preparing a sworn affidavit for this case, preparing this report was an easy
4 lift. Therefore, I waived my typical \$750/hour rate and sought no compensation for my 20 hours
5 spent preparing this report. However, if called to testify, the plaintiff shall reimburse me for travel
6 expenses as I am currently located in Mendoza, Argentina—including airfare and four-day hotel
7 stay—and shall provide a daily \$250 food and beverage stipend for my four-day stay.

8 My pre-existing affiliation with Avery Bancroft would typically warrant my recusal from treating
9 him, and in any other case, I would have done so. Ideally, an independent physician would have been
10 available to treat Bancroft the morning of April 25, 2024. However, given the emergency situation
11 (as disclosed in my affidavit), I had no choice but to examine and treat Bancroft myself. Regardless,
12 that did not impact my treatment, diagnosis, or the conclusions I have set forth herein.

13 In this report, I will recount my treatment and examination of Avery Bancroft as well as any
14 conclusions I reached in this case. All conclusions were reached to a reasonable degree of scientific
15 and medical certainty, and all the methods I employed in this case (all widely accepted and considered
16 the gold standard) were executed reliably and in accordance with standard medical practice.

17 As I conducted my review of Bancroft's case, I examined the following documents and materials:
18 Exhibits 18, 19a, 20, and 40. I provided my CV to both parties (Exhibit 3), which is completely
19 accurate. Additionally, I also prepared an affidavit for this case since I was present on the Mid-
20 Riverina Express prior to Bancroft's death. Regardless, I have included any and all firsthand
21 observations informing my medical treatment and diagnosis of Bancroft in this report.

22 As part of my review, I contacted Dr. Rose Bernhardt, Bancroft's primary physician who originally
23 diagnosed Bancroft's Chronic Kidney Disease (CKD). Dr. Bernhardt confirmed that she had not seen
24 Bancroft since October 2022 and that, to her knowledge, Bancroft was meeting with international
25 doctors off the books to manage his CKD. As a result, Bancroft's documented medical history is
26 sparse, and I largely relied upon the documents I reviewed and my personal knowledge of Bancroft.

B. EDUCATION AND EXPERIENCE

27 I am a medical doctor with expertise in pulmonology, the branch of medicine that focuses on treating
28 diseases of the respiratory system. I received my bachelor's degree in Biochemistry from Colorado
29 College and then received my medical degree from Stritch School of Medicine. Following medical
30 school, I received my medical license and completed a three-year internship in internal medicine,
31 followed by a two-year residency specializing in pulmonary medicine at the University of Alaska
32 Hospitals. After completing my residency, I was board certified by the American College of Internal
33 Medicine and became a Fellow of the American College of Pulmonary Medicine.

Prior to completing my fellowship, I served as a volunteer physician at the Himalayan Rescue Association Clinic in Periche Village, Nepal. The nature of that work required me to quickly and accurately diagnose my patients, especially given the limited medical resources on mountaineering treks. Through that work, I treated countless patients with cardiac and renal issues (*i.e.*, those relating to the heart and kidneys). I was immensely gratified by my work in the Himalayas, especially as an amateur climber myself. I even met my spouse, Merritt Gilbertson, on a climbing expedition.

I eventually formed my own private practice in Midlands. During that time, I served as a medical consultant for some mountaineering excursions, but the bulk of my work came from treating patients in my practice. I have also published several peer-reviewed articles, including my personal favorite, “10 Ways to Keep It Hot When It’s So Cold” in *Glamour Magazine*. I have testified as an expert in court before—14 times for the plaintiff and 15 for the defense—typically in negligence cases assessing whether or not proper medical precautions were taken on mountaineering expeditions.

In the interest of full disclosure, I will note that in August 2022, I was forced to dissolve my medical practice. My practice was caught in the crossfire of a local political campaign, and due to some bad press regarding alleged tax evasion, I lost a fair amount of clients. Over time, I lost enough clients that it was no longer financially feasible to keep my practice open, so I was forced to close it. Though I still maintain all licenses and certifications required to practice medicine in the State of Midlands, I am not employed by any hospital or private practice at present.

C. PATIENT MEDICAL BACKGROUND

I included additional detail on my interactions with Bancroft in my affidavit, but I will include any information pertinent to his medical condition here to provide context for my analysis.

On the morning of Wednesday, April 24, 2024, at approximately 7:30am, Bancroft and I engaged in a conversation in the dining car of the train. During our conversation, I observed Bancroft ingest Veltassa (patiromer powder). I can’t be certain exactly what dosage of Veltassa that Bancroft took; Veltassa is a medication that comes in powdered form and must be mixed into water before ingestion. I believe I saw Bancroft scoop and mix approximately 20 grams (or one tablespoon) of Veltassa into water, which is, generally speaking, a very high dosage. Bancroft did not verbally confirm his dosage with me, and Bancroft’s primary care physician confirmed that a subsequent doctor must have prescribed Bancroft Veltassa (meaning no available documentation). However, it is common practice to prescribe 20g of Veltassa to be taken orally once a day. I observed Bancroft taking Veltassa and then ingesting one 10mg Lisinopril tablet (an ACE inhibitor). Bancroft did show me his prescription bottle for Lisinopril, and I was able to confirm that Bancroft had been prescribed one 10mg tablet per day per the label. Veltassa and Lisinopril are frequently used together to treat CKD. Bancroft also informed me that he had recently been diagnosed with Stage III CKD and that only Bancroft’s immediate family knew. I shared my sympathies. Bancroft did not provide any additional information regarding his condition other than the fact that he had been advised to avoid potassium-rich foods.

D. CHRONIC KIDNEY DISEASE OVERVIEW

In order to understand Bancroft’s condition, I’ve included a summarized explanation of Chronic Kidney Disease (CKD) and how it impacts the body.

First, it's important to understand the crucial role our kidneys play in the human body. The primary purpose of our kidneys is to clean our blood. Typically, as blood moves through the body, it picks up excess substances (*e.g.*, salts and fluids) and waste. Healthy kidneys are able to filter those toxins from the bloodstream in the form of urine, thus maintaining homeostasis in the body. However, diseased kidneys are unable to perform that function reliably. As a result, those toxins continue to travel in the bloodstream and gradually accumulate in the body over time. The accumulation of toxins can eventually disrupt homeostasis and lead to severe health issues. That's why it's crucial that our kidneys are able to perform effectively.

The process by which the kidneys "clean" the blood is known as glomerular filtration. For a typical healthy adult patient, we expect the kidneys to filter blood at a rate of 100 to 120 milliliters per minute (mL/min). That rate is referred to as the glomerular filtration rate (GFR). GFR expectedly decreases with age, so older patients may have lower rates than normal, but their GFR generally should still exceed 60 mL/min.

In some cases, patients may experience especially low glomerular filtration rates, which this is a sign that their kidneys' ability to filter waste may be impaired. In some cases, the level of impairment can fall to a level that the patient can be diagnosed with CKD. Kidney disease is usually classified in stages:

Stages of Chronic Kidney Disease	GFR	Kidney Function
Stage I: <i>Kidney function is slightly reduced, but still able to perform their functions effectively</i>	≥ 90 mL/min	90-100%
Stage II: <i>Kidney function is mildly reduced, but can still filter blood adequately</i>	60 to 89 mL/min	89-60%
Stage III: <i>Kidney function is moderately reduced and symptoms of kidney disease may start to appear, such as fatigue, swelling, and changes in urine output</i>	30 to 59 mL/min	59-30%
Stage IV: <i>Kidney function is severely reduced and there is a high risk of complications; dialysis and/or preparation for a kidney transplant may begin</i>	15 to 29 mL/min	29-15%
Stage V: <i>End stage kidney disease (EKSD), or kidney failure; the kidneys are no longer able to function effectively and dialysis or a kidney transplant is necessary for the patient to live</i>	≤ 14 mL/min	$\leq 14\%$

For patients with healthy kidneys, the GFR is high enough to steadily eliminate potassium from the bloodstream and maintain homeostasis. However, when kidney function is severely impaired, potassium instead accumulates in the bloodstream over time. In those patients, the GFR isn't sufficient to maintain homeostasis. As a result, patients can experience hyperkalemia (high potassium

levels). Hyperkalemia can lead to irregular heartbeats, fatigue, muscle weakness, and in severe cases, cardiac arrest. I've provided a chart including the potassium concentrations we would expect to see at various levels of hyperkalemia for context.

Potassium Level (mmol/L)	Classification	Implication
3.5-5.0	Normal	Healthy potassium levels
5.0-5.5	Mild Hyperkalemia	Slightly elevated; often asymptomatic, may present with general fatigue or weakness
5.5-6.0	Moderate Hyperkalemia	Elevated; may cause symptoms like muscle weakness, irregular heartbeats, nausea or vomiting, tingling or numbness
6.0-6.5	Severe Hyperkalemia	High risk of serious symptoms, may require immediate treatment; symptoms include severe muscle weakness or paralysis, shortness of breath, chest pains
6.5-7.0	Very Severe Hyperkalemia	Significant risk of cardiac arrhythmias and cardiac arrest, profound muscle weakness, severe shortness of breath, severe chest pains
>7.0	Critical Hyperkalemia	Extreme risk of life-threatening conditions including cardiac arrest; immediate medical intervention required

Typically, late-stage CKD (Stage IV and V) places patients at very high risk for dangerous electrolyte imbalances, especially in potassium levels. As for patients with early-stage CKD, the GFR is high enough to steadily eliminate most potassium levels but will be too low to deal with excessively high levels of potassium. To avoid hyperkalemia, CKD patients are placed on treatment regimens that include: (1) medications to assist in lowering excess levels of potassium in the body; (2) frequent exercise; and (3) restricted diets designed to minimize the intake of potassium to prevent chemical imbalances in the body. CKD patients may be advised to limit or eliminate the following potassium-rich foods from their diet: bananas, oranges, potatoes, tomatoes, spinach, avocados, and nuts.¹

It's worth noting that even if a patient adheres perfectly to their treatment plan, complications can still arise. CKD requires careful management and treatment in order to ensure the best prognosis. It's especially important that patients with CKD regularly consult with their physicians and diligently monitor their condition in order to tailor their treatment plans accordingly.

¹ Generally, potassium-rich substances include anything that exceeds 10-12% of an individual's daily intake.

E. ASSESSMENT OF BANCROFT'S CHRONIC KIDNEY DISEASE

Bancroft informed me that he had been diagnosed with Stage III CKD. According to Bancroft's medical record from October 9, 2022, Dr. Bernhardt diagnosed Bancroft with CKD in October 2021, which was confirmed by an independent specialist in February 2022. However, neither that record nor Dr. Bernhardt stated how quickly Bancroft's CKD had been progressing or exactly when Bancroft was diagnosed with Stage III CKD specifically. Without knowing how long Bancroft had been experiencing Stage III CKD, it's difficult to say exactly where Bancroft's GFR might have fallen within the Stage III range (*i.e.*, how close Bancroft was to Stage IV). That would be useful to know because it not only would tell us what Bancroft's precise level of kidney function was, but it would also tell us how severely at-risk Bancroft was for experiencing complications like hyperkalemia. Nevertheless, a Stage III diagnosis in and of itself indicates that Bancroft was, at the very least, experiencing compromised kidney function while aboard the Mid-Riverina Express from April 22-25, 2024.

Most Stage III CKD patients are at some risk for developing hyperkalemia. However, I found additional evidence suggesting that those risks could have been heightened for Bancroft. Veltassa—a medication I witnessed Bancroft taking—is specifically meant to reduce excess potassium levels and is usually prescribed to CKD patients who are already struggling with elevated potassium levels. In some cases, those patients may already be struggling with mild hyperkalemia. I don't know exactly how elevated Bancroft's potassium levels may have been, but in my opinion, if Bancroft was taking Veltassa, any ingestion of potassium could be dangerous to him. Although Dr. Bernhardt warned Bancroft about excess potassium, I'm not aware if Bancroft was instructed to eliminate potassium from his diet entirely by his subsequent physician(s). Moreover, general information regarding CKD—including that it may cause high potassium levels (hyperkalemia) and that excess potassium intake may be dangerous to CKD patients—can easily be found online.

F. PATIENT ENCOUNTER ON APRIL 25, 2024

On the morning of Thursday, April 25, 2024, I had been asleep in my cabin (Cabin 7) until I heard someone loudly shouting in the hallway of the train that there was an emergency. The time was a little after 5:00am according to the onboard digital clock. I immediately exited my cabin and followed the yelling to Kirby Doolittle, Avery Bancroft's assistant. Doolittle led me to Bancroft's cabin (Cabin 1). Bancroft was lying on the floor and appeared to be unconscious. I attempted to speak to Bancroft, but Bancroft was non-responsive.² I listened to Bancroft's chest, and his breathing was extremely shallow. I checked Bancroft's pulse; it was thready, irregular, and nearly undetectable. Bancroft's skin was pale and cool to the touch, indicating reduced blood flow and poor perfusion, all signs of severe circulatory distress. Bancroft's symptoms suggested to me that Bancroft was experiencing cardiac arrest. I suspected that the onset of his cardiac arrest may have had something to do with his CKD, which is not uncommon if a CKD patient becomes very severely hyperkalemic. Regardless, the correct step forward was to treat Bancroft's cardiac arrest first, and then assess further treatment once his condition had stabilized.

² Throughout my entire treatment of Bancroft, he only made one brief statement, which I detail in my affidavit.

I requested a train staff member (Strathmore) locate a first aid kit and an automated external defibrillator (AED) for Bancroft. Strathmore provided me with a basic first aid kit, but no AED was available. I began administering CPR with assistance from Alex Silva, who had since arrived at Bancroft's cabin. I also did periodic checks for return of spontaneous circulation (ROSC). Despite continuous CPR efforts, Bancroft's condition failed to improve, and Bancroft's pulse and breathing both ceased. After approximately 30 minutes of continuous CPR and the absence of ROSC, I pronounced Bancroft dead at 5:42am. I—along with Strathmore, Doolittle, and Jordan Nathanson—remained with Bancroft's body until police and EMTs arrived at 6:26am.

G. SUMMARY OF AUTOPSY FINDINGS

In considering Bancroft's cause of death, my first instinct was some sort of complication due to his CKD. Bancroft had Stage III CKD, which would make him susceptible to hyperkalemia. Sudden exacerbations in Bancroft's condition certainly could have contributed to his death, especially sudden elevations in Bancroft's potassium levels. As referenced above, hyperkalemia can cause significant cardiovascular issues. That's because potassium regulates the electrical signals of the myocardium (the heart muscle's middle layer). Excess potassium disrupts those electrical signals; the greater the excess, the greater the risk of severe cardiovascular issues including cardiac arrest. The symptoms I observed on April 25, 2024 were all consistent with hyperkalemia-induced cardiac arrest.³

As the physician who declared time of death, I was provided a courtesy copy of Bancroft's autopsy, which confirmed my suspicions. According to the autopsy, the coroner performed a post-mortem serum blood draw which measured Bancroft's potassium levels. After death, the kidneys cease to function, meaning that the post-mortem serum blood draw accurately tells us what Bancroft's potassium levels were at 5:42am on April 25, 2024. The autopsy states that Bancroft's potassium level was 6.8 mmol/L. That level falls within the range of very severe hyperkalemia, and it certainly places Bancroft at risk for experiencing cardiac arrest.⁴

H. ONSET OF BANCROFT'S VERY SEVERE HYPERKALEMIA

Prior to his experiencing severe cardiovascular issues the morning of April 25, 2024, Bancroft did not present with any signs of very severe hyperkalemia that I observed. Based on my personal observations, Bancroft appeared to be asymptomatic on April 22-24, 2024. I did not notice any severe muscle weakness or trouble breathing, and Bancroft did not state that he was experiencing chest pains. This suggests that Bancroft's baseline potassium level at worst was likely moderately hyperkalemic, if not lower than that. If Bancroft's baseline potassium level had been higher than moderate hyperkalemia, there almost certainly would have been visible signs of muscle fatigue, severe trouble walking, or even paralysis. That said, the best way to determine a person's baseline potassium level is through a series of serum blood draws, which I don't have for Bancroft. So, I cannot say with certainty that Bancroft's baseline potassium level was moderately hyperkalemic or lower,

³ Although I cannot fully rule out the possibility of a natural, non-hyperkalemia-induced cardiac arrest given the symptoms of both are quite similar, it is simply too coincidental for a patient to have both very severe hyperkalemia and a cardiac arrest without the two being related in some fashion.

⁴ The autopsy also noted a high concentration of Ambien, at 250 ng/mL. That's between 1.5 to 2 times as much as the therapeutic dosage of Ambien. At that level, it can cause severe side effects such as sedation.

but that is what is likely based on my observations and the science. Nevertheless, without those series of serum blood draws, I cannot rule out the, albeit unlikely, possibility that Bancroft's hyperkalemia-induced cardiac arrest was a natural consequence of Bancroft's worsening CKD resulting in a significantly high baseline potassium level that was severely hyperkalemic.

It wasn't until the morning of April 25, 2024 that I witnessed Bancroft showing any signs of very severe hyperkalemia. That means that Bancroft somehow became very severely hyperkalemic at some point between April 24, 2024 and Bancroft's death on April 25, 2024. The body does not naturally produce potassium, so it would have almost certainly entered his body through ingestion. There are trace amounts of potassium in many foods we consume. However, it's unlikely that ingesting those foods alone would have warranted such a large spike in potassium levels. Moreover, I saw Bancroft ingest Veltassa on April 24, 2024, which would have kept his potassium level low.

The most likely explanation for Bancroft's sudden rise in potassium levels is that Bancroft ingested something with an extremely high concentration of potassium, thus causing him to become very severely hyperkalemic. I can't fathom any reason why Bancroft would knowingly ingest such a high concentration of potassium, especially knowing the incredible risks that it would pose to his health. That said, it's entirely possible Bancroft ingested it unknowingly. I cannot conclude exactly what potassium-rich substance Bancroft ingested nor the circumstances under which Bancroft did so (*e.g.*, whether it was eaten, drunk, mixed into something). As part of my review, I was provided a label for concentrated banana extract (see Exhibit 40). While I cannot conclude that this extract was in fact what caused Bancroft's very severe hyperkalemia (indeed, a number of potassium-rich foods, drinks, and substances may have contributed or caused Bancroft's sudden rise in potassium levels), I can conclude that this extract could have caused it. Based on the amount of potassium in this extract, had Bancroft ingested this, this would have spiked Bancroft's potassium levels and the resulting symptom progression would be consistent with what I observed and then later saw in the autopsy results. Interestingly, this extract would only be a problem because of Bancroft's Stage III CKD. If Bancroft didn't have CKD, an extract like this would have had minimal effect on him.

As for when Bancroft may have ingested the potassium that led to his death, it is difficult to pinpoint exactly when ingestion occurred, which is why the coroner provided a general window of time for potential ingestion. However, by working backwards, we can actually narrow that window down even more. We know that Bancroft began experiencing life-threatening cardiovascular symptoms around 5:00am on April 25, 2024. We also know that, based on the post-mortem serum blood draw, Bancroft was very severely hyperkalemic.⁵ Generally, once a patient becomes very severely hyperkalemic, it takes—on average—90 to 120 minutes for them to experience life-threatening cardiovascular symptoms, depending on their individual GFR rates and pre-existing potassium levels.⁶ Taking that into account, Bancroft likely ingested the potassium-rich substance (be it the

⁵ We also know that Bancroft was either very severely hyperkalemic or critically hyperkalemic leading up to his death. Since the body doesn't naturally produce potassium and Bancroft's Stage III CKD meant his body should have been eliminating some of the excess potassium, it means Bancroft's potassium level spike may have been higher.

⁶ This range is taken from a landmark 2011 peer-reviewed study conducted by Johns Hopkins University, "*Examining the Effects of Hyperkalemia on Cardiovascular Health*." The study was conducted on a sample size of 8,500 moderate to very

concentrated banana extract or something else) approximately 90-120 minutes earlier, or between 3:00am and 3:30am, before entering a state of very severe hyperkalemia.

The above window-of-ingestion analysis does carry one key assumption: Bancroft's baseline potassium level. As previously noted, it is not possible to determine Bancroft's baseline potassium level, so an assumption was necessary. For purposes of determining the 3:00am to 3:30am window, I assumed that Bancroft's baseline potassium level was moderately hyperkalemic. Given Bancroft's Stage III CKD and his Veltassa prescription, that is the most likely scenario. However, if Bancroft had a different baseline potassium level, that might shift the window of ingestion. For example, in the unlikely scenario Bancroft somehow had a lower baseline potassium level, that would shift the window of ingestion earlier (*i.e.*, earlier than 3:00am). Conversely, if Bancroft had a higher baseline potassium level—for example, his CKD has progressed to Stage IV—that would shift the window of ingestion later (*i.e.*, later than 3:30am).

I. SUMMARY OF CONCLUSIONS

I can conclude to a reasonable degree of scientific and medical certainty that Bancroft suffered cardiac arrest after becoming hyperkalemic. Specifically, I believe: (1) Bancroft most likely became very severely or critically hyperkalemic between 3:00am and 3:30am on April 25, 2024; (2) said hyperkalemia was most likely caused by Bancroft consuming some potassium-rich substance during that window of time; and (3) as a direct result of his hyperkalemia, Bancroft subsequently experienced cardiac arrest and died.

J. CERTIFICATION

I understand that I am certifying this report under oath. Every fact contained herein is correct to the best of my knowledge and memory, and all conclusions stated here have been reached to a reasonable degree of scientific certainty unless noted otherwise. This report contains all conclusions I have drawn in this case, all facts I personally remember from my expert analysis, and all exhibits with which I am familiar that I used to come to my conclusions. I understand that if I make any new conclusions, remember any new facts, or otherwise alter my opinion in this case, I have an obligation to update this report accordingly. I know that this obligation continues until the moment before opening statements begin in this case, and that I may not testify to facts or conclusions at trial unless they are already contained or referenced in this report (or my affidavit).

Original Submission Date: 07/31/2024

/s/ Hillary Edmund, M.D.

severely hyperkalemic patients whose symptoms were monitored over the course of four years. Of the patients that became very severely hyperkalemic, 65% experienced cardiac arrest within 90 to 120 minutes.

IN THE CIRCUIT COURT OF POLK COUNTY, MIDLANDS

Shannon Shahid,

Plaintiff,

v.

Taylor Hopson,

Defendant.

Case No. CV 24-401985

Action filed: May 3, 2024

Judge Richard M. Calkins

Deposition of Jordan Nathanson

Taken: June 10, 2024

Examination by Njomëza Pema, for Defendant. Witness represented by Ainsley Meyer of Meyer & Emmerson PA. In attendance is Karen Sun for Plaintiff.

The deponent herein, after having been first duly sworn, testified as follows:

1 Q. Please state your name for the record.

2 A. Jordan Nathanson.

3 Q. Is there any reason you cannot give accurate testimony today?

4 A. No.

5 Q. What do you do for a living?

6 A. I'm the founder of Nathanson Investigations, an office of private investigators here in
7 Midlands. We consult with families, individuals, and sometimes the police to uncover or solve
8 personal and criminal matters. But I'm not much of a desk-job person, so I like to do a lot of
9 field work. When I'm conducting an investigation, I'm in my element.

10 Q. What's your educational background?

11 A. I have a B.S. in psychology and biochemistry from Bowling Green State University. I also
12 have a master's degree in biochemistry from Michigan State.

13 Q. And your professional background?

14 A. Prior to founding Nathanson Investigations, I spent years working for the Federal Bureau of
15 Investigation in its Behavioral Analysis Unit, or BAU. During that time, I worked on hundreds
16 of cases involving crimes of murder, larceny, domestic terrorism. You name it, I've seen it. I
17 then decided to open a private office which gave me the opportunity to be a little more selective
18 with the cases I chose to accept.

19 Q. Is that how you got involved in today's case?

20 A. Yes and no. I wasn't originally retained specifically for this matter, if that's what you mean.
21 But work is how I ended up on the Mid-Riverina Express.

- 22 **Q.** How did your work lead you to the Mid-Riverina Express?
- 23 **A.** I was in Sydney, Australia for a case. It was a rather fascinating mystery. It ultimately led me
24 to the Sydney Opera House, where I had to . . . I digress. I wrapped up my case in Sydney on
25 Monday, April 22, 2024. I was planning to fly back to Midlands, and I was just about to board
26 as all flights were on time for once when I got a call from J.C. Longstreet.
- 27 **Q.** Who's J.C. Longstreet?
- 28 **A.** A Midlands business tycoon and a former client.
- 29 **Q.** What was the phone call about?
- 30 **A.** A potential case. Apparently, one of J.C.'s business associates was murdered inside a locked
31 room in Perth, Australia. J.C. learned I was on the same continent and wanted to hire me to
32 investigate.
- 33 **Q.** So, this job for J.C. Longstreet is how you ended up on the Mid-Riverina Express?
- 34 **A.** Precisely. I didn't have any other active cases, and I was somewhat in the neighborhood. So,
35 I agreed. I suggested flying to Perth, but J.C. said it would take a few days to convince the
36 local authorities to accept my help. Instead, J.C. recommended that I take the Mid-Riverina
37 Express so that I would arrive in Perth in a few days.
- 38 **Q.** Why the Mid-Riverina Express specifically?
- 39 **A.** It's one of J.C.'s companies. You'd have to ask J.C. why a Midlands businessperson owns an
40 Australian rail company, but it wouldn't be the weirdest thing I know about J.C.
- 41 **Q.** When was your trip on the Mid-Riverina Express?
- 42 **A.** That same day. The Mid-Riverina Express was scheduled to depart Sydney on Monday, April
43 22, 2024 and arrive in Perth on Thursday, April 25, 2024. So, I left the airport and headed
44 straight to the train station. Thankfully, I had no checked luggage.
- 45 **Q.** What happened when you got to the train station?
- 46 **A.** I was greeted by Strathmore, one of J.C.'s employees working on the Mid-Riverina Express.
47 Strathmore was super friendly and super helpful. I arrived just a few minutes before the train
48 was scheduled to depart, so Strathmore quickly helped me on board. Once on board,
49 Strathmore explained that I would be staying in Cabin 8 of the Platinum Section.
- 50 **Q.** What's the Platinum Section?
- 51 **A.** It's the high-end, more luxury section of the train. More amenities, private tours, things like
52 that. It's even isolated from the rest of the train.
- 53 **Q.** Why were you in the Platinum Section?
- 54 **A.** I asked the same question. Luxury is nice, but I would have been fine with standard fare. But
55 Strathmore explained that the whole train had been fully booked since mid-February. Luckily,
56 one passenger in the Platinum Section—someone named Casey French—never showed up.
57 So, Strathmore was able to put me into Casey French's original cabin, Cabin 8.

- 58 **Q.** What did you do once you were on board?
- 59 **A.** I went to Cabin 8 and started to unpack. While unpacking, I met Kirby Doolittle, the other
60 passenger staying in Cabin 8. We briefly talked, and then the two of us headed to the dining
61 car for the Welcome Dinner, which was this formal dinner for all of the passengers in the
62 Platinum Section.
- 63 **Q.** Which passengers were at the Welcome Dinner?
- 64 **A.** All of them. At my table was myself, Rory Shelton, Taylor Hopson, and Kelly Doos. The table
65 in front of us had Kirby Doolittle, Avery Bancroft, Ashley Connel, and Bailey Connel. And
66 the table behind us had Harley Kim, Alex Silva, Dr. Dana Haskins, and Dr. Hillary Edmund.
- 67 **Q.** I want to highlight a few of those names. Did you know Avery Bancroft from before this trip?
- 68 **A.** Only by reputation. I mean, I heard the rumors that he burned down the Black Bear Casino for
69 an insurance payout and that, years before that, he tried to bribe a member of the Midlands
70 Gambling Commission. But I had never met the man in person before or saw anything that
71 substantiated those rumors.
- 72 **Q.** How about Taylor Hopson and Kelly Doos?
- 73 **A.** Also by reputation only. I knew Hopson was Bancroft's eldest child, but Hopson did a good
74 job of staying out of the press unlike their father. As for Doos, I knew they were a social media
75 influencer since I had seen some of their videos. That's why I also knew Hopson and Doos
76 were dating because Hopson appeared in some of Doos's videos.
- 77 **Q.** How was the Welcome Dinner?
- 78 **A.** Fine. During the dinner, I mostly spoke with Doos, who had a lot of questions about my work
79 and how I was able to figure out who committed a crime. I remember Doos asking if there was
80 anything in particular a criminal did that got them caught or helped them evade capture. To be
81 fair, I get those questions a lot. People seem to think I'm a detective out of a murder mystery.
- 82 **Q.** And after the Welcome Dinner?
- 83 **A.** There was a post-dinner reception where many of the passengers mingled. I know Ashley and
84 Bailey Connel left early. Ashley announced to the room that Bailey was tired. I stayed around
85 for a bit talking with some of the other passengers before retiring to my cabin for the night.
- 86 **Q.** Let's turn to April 23, 2024 then. How did that day begin for you?
- 87 **A.** With breakfast. Chef Farnsworth makes an excellent eggs benedict, and the other passengers
88 made for interesting company. Pretty much everyone was from Midlands, which was either an
89 enormous coincidence or someone was up to something. Since I wasn't on that case, though,
90 I let it go. After breakfast, the train stopped for an excursion at the Silver City. Most of the
91 passengers partook in the excursion.
- 92 **Q.** Who was missing from the Silver City excursion?
- 93 **A.** Alex Silva, Dr. Dana Haskins, Dr. Hillary Edmund, and Rory Shelton. Also, most of the
94 employees like Strathmore stayed on board. The only employee who joined us was Zhang,
95 who led the tour.

- 96 Q. When did the group on the Silver City excursion return to the train?
- 97 A. The train departed at 11:30am Australian local time according to the onboard digital clock,
98 and we arrived maybe a few minutes before that.
- 99 Q. Where did you go after you returned to the train?
- 100 A. There was another excursion that afternoon. So, I just stayed at the bar swapping stories with
101 Fritsch the bartender until then while sipping on coffee.
- 102 Q. What was the excursion in the afternoon?
- 103 A. We had a choice. We could either tour the South Australian Museum or tour and shop in
104 Hahndorf. I didn't feel like shopping, so I opted to tour the South Australian Museum. Avery
105 Bancroft, Kirby Doolittle, Ashley and Bailey Connel, and Alex Silva also toured the South
106 Australian Museum. The other six passengers went to Hahndorf.
- 107 Q. What did the tour of the South Australian Museum entail?
- 108 A. Standard walking tour. One of the train employees, Mothersbaugh, led us around the museum
109 and answered any questions we had. But it ended up mostly being a conversation between
110 Bancroft and Mothersbaugh.
- 111 Q. What do you mean by that?
- 112 A. Apparently, Mothersbaugh's mother worked at one of the law firms that represented Bancroft,
113 possibly a named partner. If I had to guess, they were Bancroft's wills and estate lawyers
114 because Bancroft brought up his will. Specifically, he was asking Mothersbaugh when their
115 mother was returning from vacation because Bancroft was planning to update his will.
- 116 Q. Did Bancroft explain how he was planning to update his will?
- 117 A. No. He just said that he'd been thinking a lot about his legacy and thought his current will
118 could be improved. He said that he thought his wealth could be better utilized in the event of
119 his death. No specifics were mentioned, and I would have heard any specifics because Bancroft
120 wasn't exactly being quiet. Bancroft was speaking loudly enough that everyone in the group
121 could hear him.
- 122 Q. How did the rest of the group respond to what Bancroft was saying?
- 123 A. Kirby's eyes widened a bit, although I think they were mostly surprised that their boss was
124 discussing legal matters with no regard for privilege. As for the others, I don't recall much of
125 a reaction, but I do recall Ashley Connel making a phone call shortly after Bancroft made those
126 statements. But Ashley only spoke in whispers during their phone call, so I don't know what
127 that was about, what Ashley said, or who Ashley was talking to.
- 128 Q. Anything else of note while at the South Australian Museum?
- 129 A. Not really. Bancroft and Mothersbaugh talked a bit more about Mothersbaugh's mother, but
130 then Mothersbaugh brought the focus back to the tour. We wrapped up the tour and headed
131 back to the train.

- 132 Q. Had the passengers who went to Hahndorf already returned to the train?
- 133 A. No, we got there first, which made sense. The train station was in Hahndorf, so the museum
134 passengers had to travel a bit more, meaning we needed the larger buffer. I saw the Hahndorf
135 passengers arrive from my cabin window. I saw Doos, Dr. Haskins, Dr. Edmund, and Shelton
136 all arrive around 6:45pm. Kim showed up around 6:55pm. Hopson, though, cut it extremely
137 close and hopped onto the train just a minute or so before we departed.
- 138 Q. What happened after everyone was back on board?
- 139 A. Dinner followed by the post-dinner reception. Like the night before, I stuck around for some
140 of the post-dinner reception before retiring for the night.
- 141 Q. Turning to Wednesday, April 24, 2024: how did that day begin?
- 142 A. Breakfast again. But unlike the day before, there was no morning excursion. So, we pretty
143 much had most of the day to ourselves. I spent the day exploring the Platinum Section, talking
144 with my fellow passengers, and talking with the train employees as well.
- 145 Q. How about in the afternoon?
- 146 A. Around 4:00pm, the train made a two-and-a-half hour stop at the Nullarbor Plain. Most of the
147 passengers took the opportunity to leave the train and explore the local surroundings. I was
148 content with staying on board. I wasn't the only one. Bancroft, Hopson, and Shelton also
149 stayed on board during our stop at the Nullarbor Plain.
- 150 Q. What did you do during the train stop?
- 151 A. I mostly kept to myself in my cabin, but during the stop, I heard what sounded like shouting.
152 I decided to investigate. In the hallway, I came across Hopson storming away from Cabin 1,
153 which was Bancroft's cabin. Shelton was with Hopson, and it looked like Shelton was trying
154 to console Hopson. I deduced that Hopson and Bancroft got into an argument, Hopson stormed
155 away, and Shelton—having either overheard the argument or having run into Hopson after the
156 fact—wanted to cheer up Hopson. Seeing the situation had seemingly resolved itself, I turned
157 around to head back to my cabin.
- 158 Q. Did you go back to your cabin?
- 159 A. No. Just as I turned around, I heard someone behind me call, "Detective." I turned around, and
160 it was Bancroft. He said he wanted to talk. I figured why not, so I joined him in his cabin. He
161 poured me a glass of Kiara Moonshine, and we got to talking.
- 162 Q. What did Bancroft want to talk about?
- 163 A. He wanted to hire me. He told me that he was worried that someone was after him, so he
164 wanted to hire me to figure out who would want to do him harm.
- 165 Q. How did you respond?
- 166 A. I'll admit, I was interested. Bancroft has deep pockets. But it would have been a fool's errand
167 to figure out who wanted to hurt Bancroft. He's one of the most controversial figures in
168 Midlands. Almost everyone probably has a reason to want him dead. And even though I find
169 the rumors against Bancroft unsubstantiated, there are plenty of people who wholeheartedly
170 believe them. To find out who would want to harm Bancroft would have been like trying to
171 find a needle in a needlestack. So, I declined the offer.

172 Q. How did Bancroft respond to your declining?

173 A. He offered me \$5 million to take the job. But I held firm. I told him thanks, but no thanks.
174 However, seeing how scared Bancroft seemed, I offered him one piece of advice free of charge.
175 I told him that, in most cases, it's those closest to you that are the most likely perpetrators.
176 Bancroft simply said, "That's what I was afraid of." I added that he might want to change up
177 his schedule if he thinks the person knows his schedule, to which Bancroft said, "Good call.
178 There's a supply stop tomorrow morning before we get to Perth. It might be good for me to
179 get out then." He then thanked me for my time. And as I was leaving, I saw Bancroft pull out
180 a legal pad and start writing something down.

181 Q. What happened after your conversation with Bancroft?

182 A. I went back to my cabin and stayed there until dinner, at which point I went to the dining car
183 and rejoined the other Platinum Section passengers, including those that had left the train to
184 explore the Nullarbor Plain.

185 Q. How did dinner go?

186 A. To be perfectly honest, it was a bit of a blur. I remember going to dinner. I talked with some
187 of the other passengers. I remember talking with Hopson at one point. Someone then offered
188 me a drink, but I cannot remember who it was. What I remember is getting really groggy, so I
189 excused myself and went to my cabin.

190 Q. Do you know what happened?

191 A. Not exactly. It felt like I had taken sleeping pills, but the only thing I had that night was dinner
192 and that drink I was offered. I'm assuming someone spiked that drink with sleeping pills to
193 get me out of the way.

194 Q. Get you out of the way for what?

195 A. Killing Bancroft, probably. It makes sense. You probably don't want a private detective
196 sniffing around if you're trying to kill a person.

197 Q. And to be clear, you don't know who may have spiked your drink or gave you that drink?

198 A. No and no. The last person I remember talking to that night is Hopson, but I have no clear
199 memory of who gave me that drink.

200 Q. Do you know what time you fell asleep?

201 A. Yes. Even though I pretty much passed out, I remember the onboard digital clock read
202 10:29pm as I fell asleep.

203 Q. And when did you wake up?

204 A. 6:00am the next day, April 25, 2024.

205 Q. How did you wake up that day?

206 A. Strathmore shook me awake. I still felt groggy, but I was able to focus. I asked Strathmore
207 what was wrong, and Strathmore told me that Bancroft was dead.

208 Q. How did you respond?

209 A. I was a little shocked. I mean, one second, I'm asleep, and the next, the man claiming someone
210 was after him is dead.

211 Q. What did you do?

212 A. I asked Strathmore if I could look at the crime scene. Strathmore said that as long as I didn't
213 touch anything, I should be able to. Strathmore took me to the scene, which was Cabin 1.
214 Bancroft was lying on the ground dead. Most other passengers were being dispersed by the
215 other train employees. I examined the scene until the local authorities arrived. When the
216 authorities arrived, they relocated all of the other passengers except me, Hopson, and Doos to
217 the Gold Section. They took Hopson and Doos in for questioning, and they allowed me to stay
218 in the Platinum Section so that I could examine the scene under their supervision.

219 Q. Did you conduct an investigation?

220 A. Not an official one, no. However, I did examine the evidence. And between the evidence I
221 examined and my observations during the trip—some of which I have previously discussed
222 during this deposition and some of which I have not—I have a personal opinion on what
223 happened.

224 Q. What type of observations have you not already discussed during this deposition?

225 A. All sorts. Whenever I wasn't on an excursion, at a meal or reception, or in my cabin, I was
226 exploring the train. I spoke with other passengers. I observed other passengers. I even overheard
227 conversations between other passengers. Things like that. However, even during the
228 excursions, meals, receptions, or while in my cabin, I made several observations in addition to
229 what I've already discussed. Happy to go into detail if you would like.

230 Q. We'll save most of that for trial. Now, I just want to confirm what observations you recall
231 between after dinner on April 24, 2024 and until you woke up on 6:00am on April 25, 2024?

232 A. Other than falling asleep at 10:29pm, absolutely nothing. My memory is foggy starting toward
233 the end of dinner, and the next thing I clearly remember was Strathmore shaking me awake.

234 Q. Alright, circling back to something else you said, what is your personal opinion on what
235 happened in this case?

236 A. Taylor Hopson was involved in the death of their father.

237 Q. Involved how?

238 A. There's evidence that Hopson directly killed their father. But there is also evidence that
239 Hopson worked with one or more other people to kill Bancroft.

240 Q. And who might that one or more other people be?

241 A. The other passengers in the Platinum Section. With two exceptions, every passenger in the
242 Platinum Section had an ax to grind with Avery Bancroft.

243 Q. Who are the two exceptions?

244 A. Well, me, given my lack of history with Avery Bancroft. And Bailey Connel. Given the
245 sophistication, there is no way Bailey could have done it. Additionally, Bailey is the only
246 passenger that I never heard say a negative thing about Bancroft.

- 247 Q. How about Shannon Shahid? Could Shahid be involved?
- 248 A. Highly unlikely. Shannon wasn't on board, and to my knowledge, Shannon has never even
249 been to Australia. It's a bit difficult to kill someone when you're half a world away.
- 250 Q. Let's talk about why you might say that. You know Shannon Shahid?
- 251 A. I do.
- 252 Q. How do you know Shahid?
- 253 A. Shannon has been a client of mine. Regular, in fact. I do maybe three to four matters for
254 Shannon each year. You'd be surprised how useful a private detective might be for a psychic,
255 or maybe you're not surprised.
- 256 Q. Did Shannon Shahid contact you about this case?
- 257 A. Yes, after Shannon filed this lawsuit, Shannon called me, told me that they knew that I was on
258 the Mid-Riverina Express, and said that they wanted to hire me for this case.
- 259 Q. How did they know you were on the Mid-Riverina Express?
- 260 A. I'm sure Shannon would say it's because of their psychic power, but I don't believe in that. If
261 I had to guess, someone blabbed to Shannon that I was on board. Most likely, Ashley Connel.
- 262 Q. Did Shannon hire you for this case?
- 263 A. Yes, Shannon reached out. And given my first-hand observations followed by examining
264 various exhibits as part of my investigation, it made sense for me to take the case. I determined
265 that I could bring valuable insights to help sort out what happened in this case.
- 266 Q. What's your fee?
- 267 A. A contingency fee. If Shannon prevails, I get 0.1% of the total value of what Shannon inherits.
268 If Shannon does not prevail, I shall receive nothing.
- 269 Q. Finally, let's run through the exhibits. Of Exhibits 1-42, which are you familiar with?
- 270 A. I'm familiar with Exhibits 1-2, 6-7, 10-15, 16a, 16c, 17-27, 29-31, 34a and 34b, 35, and 37-
271 42. I'm not familiar with any of the other exhibits.
- 272 Q. What's Exhibit 1?
- 273 A. Exhibit 1 is a photo of Avery Bancroft.
- 274 Q. Exhibit 2?
- 275 A. Exhibit 2 is my brochure advertising my services.
- 276 Q. Exhibits 6 and 7?
- 277 A. Exhibit 6 is Bancroft's will. Exhibit 7 contains schedules of Bancroft's assets.
- 278 Q. Exhibits 10, 11, and 12?
- 279 A. Exhibit 10 is a brochure for the Mid-Riverina Express. Exhibit 11 is the layout of the Platinum
280 Section. Exhibit 12 contains the trip itinerary and cabin assignments; the staff aboard the train
281 generated it during the Welcome Dinner. To my knowledge, everything in Exhibits 10-12 is
282 true and accurate except for the schedule for April 25, 2024 because of Bancroft's death.

283 Q. Exhibits 13 and 14?

284 A. Exhibit 13 is a transcript of Hopson's interrogation on April 25, 2024 while Exhibit 14 is a
285 transcript of Doos's interrogation on April 25, 2024.

286 Q. Exhibit 15?

287 A. Exhibit 15 is a transcript of a portion of Hopson's interview from the May 8, 2024 episode of
288 the Midlands Review with Paras and Frost. I listened to the episode. I recognized Hopson's
289 voice, and I can confirm that the transcript is accurate.

290 Q. Exhibits 16a and 16c?

291 A. Exhibit 16a is a picture of Doolittle's keys. I recognize them as I saw them with Doolittle
292 during our first day on the Mid-Riverina Express. Exhibit 16c is a picture of a Chuggie's
293 keychain, which looks identical to the one on Doolittle's keys. I saw a Chuggie's keychain on
294 the floor of Cabin 3 when I examined the Platinum Section the afternoon of April 25, 2024.

295 Q. Exhibit 17?

296 A. Exhibit 17 is a picture of Bancroft's medallion. I saw Bancroft wearing it when we spoke face
297 to face on April 24, 2024, but Bancroft's medallion was missing from his dead body on April
298 25, 2024. I noticed bruising on the back of Bancroft's neck, which would be consistent with
299 someone yanking Bancroft's medallion off his neck.

300 Q. Exhibits 18 and 19?

301 A. Exhibit 18 is Bancroft's death certificate while Exhibit 19 is Bancroft's autopsy.

302 Q. Exhibit 20?

303 A. Exhibit 20 is a medical record for Bancroft dated October 9, 2022.

304 Q. Exhibit 21?

305 A. Exhibit 21 is the front page of the December 18, 2023 edition of the Midlands Courier Gazette.
306 I remember reading this front page the original date it was published.

307 Q. Exhibit 22?

308 A. Exhibit 22 is a bank statement for one of Bancroft's bank accounts.

309 Q. Exhibit 23?

310 A. Exhibit 23 is a complaint filed in a lawsuit by Bancroft against, among others, Ashley Connel.
311 I remember reading about this lawsuit in the news when it was first filed. Honestly, it probably
312 ended up being the Streisand Effect. Having listened to the broadcast in question, I think the
313 lawsuit was a lot of hot air, especially since Exhibit 7 shows they were telling the truth.
314 Bancroft was no billionaire. Though, it sounds like the lawsuit has since been dismissed.

315 Q. Exhibit 24?

316 A. Exhibit 24 appears to be Dr. Dana Haskins's resignation letter from a previous job.

317 Q. Exhibit 25?

318 A. These are emails dated March 17, 2024. Exhibit 25a is an email chain between Hopson and
319 Doolittle while Exhibit 25b is an email chain between Hopson and Doos.

320 Q. Exhibit 26a?

321 A. Exhibit 26a is a report of text messages sent between Hopson and Doos during the days of our
322 trip aboard the Mid-Riverina Express.

323 Q. Exhibits 27?

324 A. Exhibit 27 is an email Shannon Shahid sent me on February 3, 2024. I completely forgot about
325 this email by the time I was on the Mid-Riverina Express. I only remembered this email again
326 when I was asked by the attorneys in this litigation to search my emails for any correspondence
327 regarding the Mid-Riverina Express.

328 Q. Exhibit 29?

329 A. Exhibits 29a-c are transcripts of voice memos created by Bancroft while Exhibit 29d is a
330 declaration by Kirby Doolittle, Bancroft's personal assistant, concerning the voice memos.

331 Q. Exhibit 30?

332 A. Exhibit 30 was a note found on Bancroft's phone the morning of April 25, 2024. I was there
333 when Dr. Edmund and Alex Silva opened the phone. It had no passcode. When they opened
334 the phone, it opened to this note.

335 Q. Exhibit 31?

336 A. Exhibit 31 is a receipt from Scher's Tool & Craft. I found this in the trash can in the lounge of
337 the Platinum Section.

338 Q. Exhibits 34a and 34b?

339 A. Exhibit 34a is a pair of sunglasses with a missing lens. I found Exhibit 34a hidden under the
340 mattress in Cabin 3. I also saw Hopson wearing a similar pair of sunglasses—albeit with both
341 lenses—when Hopson was running back from Hahndorf. Exhibit 34b looks to be the missing
342 lens from Exhibit 34a. I was told by the Australian authorities that Exhibit 34b was found in
343 Cabin 1, but I was not there when it was recovered.

344 Q. Exhibit 35?

345 A. Exhibit 35 appears to be an excerpt of a memoir that Bancroft was working on before his death.
346 I saw this page (and only this page) just sitting on the table in Bancroft's cabin. When Bancroft
347 mentioned having enemies to me, I imagine he was picturing some of the people he discussed
348 on this page.

349 Q. Exhibit 37?

350 A. Exhibit 37 is an unsigned note that Bancroft received. When Bancroft asked for my help, he
351 showed me a letter that was slipped under his door, which was Exhibit 37. Bancroft told me
352 that he didn't tell anyone else about this letter. This letter is actually why I thought someone
353 close to Bancroft was targeting him. No one goes through the trouble of magazine cut-out
354 letters these days. The only practical purpose is that the author is worried that the recipient
355 would recognize their handwriting. So, I figured it was someone whose handwriting Bancroft
356 would recognize, so a family member or close employee.

357 Q. Exhibit 38?

358 A. Exhibit 38 appears to be an old birthday card. I remember seeing Hopson with this card while
359 aboard the Mid-Riverina Express. Now having been able to take a close look at it, it appears
360 to be over 20 years old since it's dated April 25, 2004. Additionally, it appears to have been
361 for Hopson's fifteenth birthday, which tracks since Hopson told me they were born in 1989.
362 Moreover, the handwriting inside the card resembles Bancroft's.

363 Q. Exhibit 39?

364 A. Exhibit 39, to my understanding, is Alex Silva's handwritten notes from when they and
365 Dr. Edmund were attempting to treat Bancroft.

366 Q. Exhibit 40?

367 A. Exhibit 40 is a label for concentrated banana extract. Exhibit 40a is a printout of the label while
368 Exhibit 40b appears to be a bottle of the stuff.

369 Q. Exhibit 41?

370 A. Exhibit 41b a box of the type of rodenticide used on the Mid-Riverina Express. I saw this type
371 of rodenticide on the shelf of the storage area while exploring the train. Exhibit 41a is a printout
372 of the packaging.

373 Q. Exhibit 42?

374 A. This is a handwritten note authored by Avery Bancroft. During the morning of April 24, 2024,
375 I entered the dining car to see Bancroft sitting at a table drafting Exhibit 42. Bancroft seemed
376 intensely focused and taking his time to draft the note. After completing the note, Bancroft
377 said he was going to Cabin 3.

378 Q. You mentioned being familiar with Exhibits 38, 39 and 42, which are handwritten. Are you
379 aware of any other handwritten exhibits?

380 A. Yes. I know that Exhibits 8 is also handwritten, but I have never seen it before.

381 Q. If you were shown it at trial, do you think you would be able to opine whether the handwritings
382 in those exhibits are similar to the handwritings in Exhibits 38, 39, and 42?

383 A. I think I would.

384 Q. Are you aware of any hidden messages in any of the exhibits?

385 A. That's a strange question. But no, I am not aware of any hidden messages in any of the exhibits.

386 Q. Finally, have you reviewed the affidavit, expert report, or deposition of any other witness?

387 A. No.

388 Q. Nothing further.

389 I, Tyler Perry, declare under penalty of perjury that the foregoing is true and correct.

390 Tyler Perry

June 10, 2024

391 Court Reporter

Date

392 I, Jordan Nathanson, certify that I have read the foregoing transcript of my deposition, and I swear
393 it is a true, correct, and complete transcript of my deposition. I have no changes or amendments.

394 Jordan Nathanson

July 10, 2024

395 Deponent

Date

IN THE CIRCUIT COURT OF POLK COUNTY, MIDLANDS

Shannon Shahid,

Plaintiff,

v.

Taylor Hopson,

Defendant.

Case No. CV 24-401985

Action filed: May 3, 2024

Judge Richard M. Calkins

Deposition of Taylor Hopson

Taken: June 27, 2024

Examination by Karen Sun, for Plaintiff. Witness represented by Njomëza Pema.

The deponent herein, after having been first duly sworn, testified as follows:

1 Q. Please state your name, spelling your last for the record.

2 A. Taylor Hopson. H-O-P-S-O-N.

3 Q. Date of birth?

4 A. April 25, 1989.

5 Q. Is there any reason you can't provide accurate testimony today?

6 A. No.

7 Q. What was your relationship to Avery Bancroft?

8 A. Bancroft was my biological father.

9 Q. And your biological mother?

10 A. Martha Hopson. Mom passed away in 2009.

11 Q. Do you know how your parents met?

12 A. Yeah, mom used to tell me the story all the time growing up. Back in 1985, after graduating
13 high school, she started working at the Black Bear Casino. This was when it was still owned
14 by Bancroft's mother. Anyway, one day at the Black Bear Casino, mom runs into the owner's
15 son, aka Bancroft, who was a freshman in college but home for the holidays. They hit it off
16 immediately. As mom told it, they had their first date exactly a week later on Christmas Eve.

17 Q. How did it end between your mom and Bancroft?

18 A. Badly. They would date off and on for the next few years whenever Bancroft was in town.
19 Stayed that way until mom found out she was pregnant. When she told Bancroft, she found
20 out she was the other woman. Bancroft was dating someone else the entire time, someone
21 named Shirley. When push came to shove, Bancroft picked Shirley and married her instead.

22 Q. How did your mom respond to that?

23 A. She was a fighter. She largely raised me by herself, and she was great. Best mom you could
24 ever ask for. Eventually she met a guy who was more a dad to me than Bancroft ever was. But
25 even then, she still kept Bancroft on a pedestal, which annoyed me.

- 26 Q. What do you mean by that?
- 27 A. She never once said a bad thing about Bancroft. Whether I was two or twenty, she always
28 spoke positively about him and said that he was deserving of my respect. She would also just
29 make excuses for him, like we had to keep our distance to help preserve Bancroft's marriage.
- 30 Q. So, did you interact much with Bancroft when you were a child?
- 31 A. Not at first. I respected mom's wishes and kept my distance, but then mom got sick.
- 32 Q. What happened?
- 33 A. She was diagnosed with cancer in late 2003. Treatments didn't seem to be working. Doctor
34 suggested an experimental treatment, but our insurance company wouldn't cover it. So, I
35 reached out to Bancroft begging for help. I mean, his wife Shirley had died earlier that year.
36 There wasn't any marriage to preserve, so I thought it was fine. But he never responded.
- 37 Q. What happened with your mom?
- 38 A. She got the money for the treatment, but she never told me how. It was successful for a while.
39 She was in remission for almost six years. Till she wasn't. She died December 17, 2009.
- 40 Q. I'm sorry. How did that impact your relationship with Avery Bancroft?
- 41 A. Well, we really didn't have much of a relationship by that point. I had cut Bancroft out of my
42 life. At the time, I hated him for not helping mom, and part of me blamed him for her passing.
43 But my finances started to catch up with me. My mom was somehow able to cover all of my
44 expenses, no matter how large, until college. But once it was just me after she passed away, I
45 found myself drowning in debt. Eventually, I turned to Bancroft, who helped me out.
- 46 Q. How did Bancroft help you out?
- 47 A. He started sending me a monthly stipend of \$50,000 to help cover expenses. I was able to use
48 that to pay off debts and then enjoy the finer things in life.
- 49 Q. Such as?
- 50 A. Cars. Food. Wine. Travel. Things like that.
- 51 Q. What kind of car do you drive?
- 52 A. It depends on the day. These days, I have a Porsche, two Ferraris, and a Mercedes.
- 53 Q. How about food?
- 54 A. I have a personal chef, Remy Mouchard, who whips up the most delectable meals.
- 55 Q. And wine?
- 56 A. It's my gift of choice for any occasion. Probably spend up to \$10,000 a month on wine alone.
- 57 Q. Travel?
- 58 A. When I see a beautiful place on Instagram, I simply must go. And, of course, once Kelly Doos
59 entered my life, I was traveling almost nonstop once the pandemic rolled over.
- 60 Q. What's your relationship with Kelly Doos?
- 61 A. Happy to tell you, but probably easier to ask Kelly.

- 62 Q. Let's just move on and save that for trial. Of that \$50,000 monthly allowance of yours, how
63 much of it were you saving?
- 64 A. First of all, stipend, not allowance. Second, I wasn't really saving any of it. It's not like I can
65 take it with me when I'm gone. But I made sure to keep expenses close to \$50,000 per month.
66 Plus, the college years were expensive given tuition and all of that.
- 67 Q. Education was that expensive?
- 68 A. For me, it was. Between mom's medical bills and my stepdad getting laid off, I was working
69 my way through college but still had to take on a lot of loans. Earned a B.A. in political science
70 and a B.S. in psychology, with a concentration in clinical psychology, from Midlands Center
71 University, but I also had a mountain of debt. Most of those initial stipends from Bancroft
72 went towards clearing my debt.
- 73 Q. And Bancroft continued to pay you \$50,000 per month until his death?
- 74 A. Well, not exactly. He did so for years, but for some reason, he stopped sending me money after
75 April 2023. After April 2023, I hadn't received a penny from Bancroft while he was alive.
- 76 Q. Did you reduce your expenses after you stopped receiving money from Bancroft?
- 77 A. No. I figured it was a temporary setback, so I kept it going business as usual. I was able to take
78 out some loans and mortgages to balance the budget.
- 79 Q. What did you mortgage?
- 80 A. I've got a condo in downtown Midlands Center and a lake house near Calkins Campground.
81 Both fully owned. Together, they're worth about \$5 million or so.
- 82 Q. When did you buy them?
- 83 A. Oh, I didn't. Bancroft transferred them both to me to lower his tax burden back in 2021.
- 84 Q. Let's shift gears. Prior to Bancroft's death, what other money or income did you earn?
- 85 A. Other than the money Bancroft previously sent me? Nothing.
- 86 Q. Well, did you work?
- 87 A. Of course, I worked. But thanks to my monthly stipend, I was able to focus on meaningful
88 work rather than work just to earn a paycheck.
- 89 Q. What kind of work?
- 90 A. Volunteer and nonprofit. You name a cause; I've worked on it. I've helped build houses. I've
91 run donation drives. I've worked at soup kitchens. I acknowledge the privilege I have been
92 granted in life, and it's my duty to use that privilege for the betterment of the world. I would
93 do pretty much anything to make this world a better place.
- 94 Q. Are there any particular causes close to your heart?
- 95 A. Yes, I have several causes close to my heart. I do quite a lot of nonprofit work. One of several
96 causes important to me is my conservation work. I serve on a Board of Directors for Trees for
97 All, a nonprofit focused on stopping deforestation efforts around the globe to improve the
98 future. Because if we don't stop deforestation, there won't be a future at all for anyone on this
99 planet.

- 100 Q. What did Bancroft think about your nonprofit work?
- 101 A. He scoffed at it. We definitely had multiple arguments about it. Bancroft was all about business
102 and short-term profits. Bancroft would burn the world if it meant an extra penny of profit.
- 103 Q. What did you think of Bancroft's business practices?
- 104 A. Antiquated. Ineffective. Terrible. I'm not one to speak ill of the dead, but Bancroft was running
105 the company into the ground. Bancroft Estates was worth less under Bancroft than it was when
106 his mother owned the company. And he was thinking about running for office? If left to his
107 own devices, it was a matter of when Bancroft Estates would go bankrupt, not if. Thankfully,
108 I did what needed to be done to make sure that Bancroft Estates didn't further lose value.
- 109 Q. What do you mean that you did what needed to be done?
- 110 A. Well, I didn't mean . . . Look, what I meant was that, when Bancroft was unavailable, I served
111 as Bancroft's proxy in the company, for no salary might I add. My guidance helped save the
112 company. And now that Bancroft is gone, I'm serving as interim CEO, which means I finally
113 am receiving a paycheck for my work. I expect that I'll be made full CEO with full CEO
114 benefits once this lawsuit has been swept aside.
- 115 Q. Do you think Bancroft engaged in illegal or unethical business practices?
- 116 A. No need to sugarcoat it. You want to know whether I think Bancroft burned down the Black
117 Bear Casino. Look, no one wants to think that their biological father is capable of such
118 depravity, but the evidence is compelling. And a lot of people believe he did it, and that's
119 sometimes more important than the truth. But I will say that Bancroft loved that casino more
120 than anything in his life, definitely more than the people in it. But I have no horse in that race.
121 I mean, I didn't even know any of the people who died in that fire.
- 122 Q. How did you end up on the April 22-25, 2024 trip on the Mid-Riverina Express with Bancroft?
- 123 A. Part coincidence, part intentional. Kelly Doos, who is an influencer, said they wanted to film
124 content in the Australian Outback, so we had to figure out how to get there.
- 125 Q. I guess one does not simply walk into the Outback.
- 126 A. I'm sorry?
- 127 Q. Nothing. It's just a Lord of the Rings reference.
- 128 A. Ah, I've never seen the movies.
- 129 Q. You're missing out, but please continue. How did you end up on the Mid-Riverina Express?
- 130 A. Ah, yes. Kelly suggested the Mid-Riverina Express. I had never heard of it, but I remembered
131 that Bancroft's assistant, Kirby Doolittle, had posted about it. So, I called Kirby, who
132 forwarded me the details. Kirby gave me the heads up that they and Bancroft were booked for
133 the April 22-25, 2024 trip. I tried to avoid that one, but it was the only available time slot.
- 134 Q. When did you board the train?
- 135 A. On Monday, April 22, 2024. Kelly and I boarded. We were assigned to Cabin 3 in the Platinum
136 Section.

137 Q. What happened after you boarded?

138 A. Kelly left to explore the train while I was in charge of unpacking. I paid one of the
139 employees—Mothersbaugh, I think—to unpack for me. I also gave them extra to let me know
140 if they learned anything about Bancroft during the trip.

141 Q. Why?

142 A. It's good to have eyes and ears.

143 Q. What happened after that?

144 A. After unpacking, there was a Welcome Dinner, which was fine. I was at a table with Kelly and
145 two other passengers, Rory Shelton and Jordan Nathanson. After dinner, I went over to
146 Bancroft's table to talk.

147 Q. What did you talk with Bancroft about?

148 A. When I spoke to Kirby about the Mid-Riverina Express, Kirby let slip that Bancroft was
149 considering changing the will. So, I wanted to talk to him. I told him that he should cut
150 Shannon Shahid out of the will.

151 Q. Who is Shannon Shahid?

152 A. My half-sibling. Same father, different mothers. And before you ask, Shirley wasn't Shannon's
153 mother either. I always thought Shannon was a good-for-nothing leech, living off of Bancroft's
154 money and doing all these sorts of unprofitable ventures. I think Shannon is currently
155 pretending to be a psychic or something, or maybe they've moved onto a different con.

156 Q. How did Bancroft respond to you asking to cut Shannon out of the will?

157 A. He didn't take it well. He always treated Shannon nicer than me. Shannon was definitely
158 Bancroft's favorite. But yeah, Bancroft stormed off. I remember Rory confronting Bancroft
159 before he left, but Rory was slurring their words so much I don't know what they said.

160 Q. Did you see Bancroft again that day?

161 A. No. I went to bed shortly after that.

162 Q. How about the next day?

163 A. We had an excursion to the Silver City the morning of April 23, 2024. All of the Platinum
164 Section passengers except for Rory Shelton, Alex Silva, Dr. Dana Haskins, and Hillary
165 Edmund attended the excursion, so Bancroft was also there. But we didn't really interact.

166 Q. How about later in the day?

167 A. Nope. That afternoon, we either toured and shopped in Hahndorf or went to the South
168 Australian Museum. I, Kelly, Harley Kim, Dr. Dana Haskins, Hillary Edmund, and Rory
169 Shelton opted for shopping while the other six Platinum Section passengers, including
170 Bancroft, went to the museum.

171 Q. How about Wednesday, April 24, 2024? Did you interact with Bancroft on this day?

172 A. I did. That afternoon, the train stopped by the Nullarbor Plain and let the passengers out to
173 explore. While most of the passengers opted to explore, four of us stayed: me, Jordan
174 Nathanson, Rory Shelton, and Bancroft. I took this opportunity to talk with Bancroft.

175 Q. What did the two of you talk about?

176 A. Bancroft's disappointment in me. Bancroft had critiques about every part of my life, including
177 my lack of career, how I was spending money, and how I was tarnishing the Bancroft name. I
178 told Bancroft how he didn't need my help to tarnish the Bancroft name given everything he's
179 done in his life. He told me that if I didn't respect his legacy, then maybe he should make sure
180 his legacy went to someone who would. He then pulled out a legal pad and his signature purple
181 pen, but I didn't stick around to find out why. I told Bancroft I never respected him or his
182 precious legacy and stormed off. I ran into Rory, and Rory helped cheer me up.

183 Q. Did you talk to Bancroft again that day?

184 A. No, the next time I saw Bancroft was when he was at death's door.

185 Q. Let's talk about it. When was this?

186 A. Early morning on Thursday, April 25, 2024. There are digital clocks throughout the train, but
187 in the chaos, I never thought to look at one.

188 Q. What happened?

189 A. I woke up hearing a commotion coming from the direction of Bancroft's cabin. I woke Kelly
190 up and the two of us headed towards the commotion. When I got to Bancroft's cabin, Hillary
191 Edmund, who I understand is a doctor, was performing CPR. Alex Silva, another passenger,
192 was providing assistance. But then they stopped. I asked why, and they told me that Bancroft
193 was dead. Not wanting to believe it, I went to check for a pulse, but I didn't find anything.

194 Q. What did you do?

195 A. I stood there in shock for a bit. Employees then told me to go back to my cabin. From there,
196 the local authorities asked me and Kelly to come in for questioning, and we agreed.

197 Q. Did you kill Avery Bancroft?

198 A. Of course not.

199 Q. Did you facilitate his death?

200 A. Also no. Why would I want him dead?

201 Q. Well, would you say that the world is a better place now that he's gone?

202 A. How dare . . . yes. Yes, it is.

203 Q. Let's turn to the exhibits. What's Exhibit 1?

204 A. It's a photo of Avery Bancroft.

205 Q. What are Exhibits 6 and 7?

206 A. Exhibit 6 is Bancroft's will while Exhibit 7 contains schedules of Bancroft's assets.

207 Q. Were you aware of the contents of Exhibits 6 and 7 before Bancroft's death?

208 A. Yes. Bancroft gave me a copy of his will when he updated it in 2015. And as Bancroft's proxy
209 at Bancroft Estates, it was part of my responsibilities to keep track of his assets.

- 210 Q. Did you consider giving Shannon more of Bancroft's estate than what's in the will?
- 211 A. Of course not. Bancroft's will is his final wish, and I want to respect his wishes.
- 212 Q. What's Exhibit 9?
- 213 A. That's one of Kirby's Instagram posts. That's the one that first put the Mid-Riverina Express
214 on my radar.
- 215 Q. What are Exhibits 10, 11 and 12?
- 216 A. Exhibit 10 is a brochure for the Mid-Riverina Express. Exhibit 11 is the layout of the Platinum
217 Section. Exhibit 12 contains the trip itinerary and cabin assignments; the staff aboard the train
218 generated it during the Welcome Dinner. To my knowledge, everything in Exhibits 10-12 is
219 true and accurate except for the schedule for April 25, 2024 because of Bancroft's death.
- 220 Q. What's Exhibit 13?
- 221 A. That's the transcript from my interrogation with Australian authorities.
- 222 Q. Were you under oath to tell the truth during that interrogation?
- 223 A. No, I wasn't. The only time I was under oath was for this deposition, and I guess at trial if I
224 end up testifying.
- 225 Q. What's Exhibit 15?
- 226 A. That's an accurate transcript of a portion of my guest appearance on the Midlands Review with
227 Paras and Frost. We recorded the episode on May 6, 2024, and it was released on May 8, 2024.
- 228 Q. During your interview, you mention potentially donating your inheritance from Bancroft. Is
229 that true?
- 230 A. No. Look, I was put on the spot and said what I thought people would want to hear. In general,
231 during that interview, I was more concerned about saying what I thought people wanted to
232 hear. It was, after all, a PR interview.
- 233 Q. So, to confirm, should you prevail in this lawsuit, you intend to keep the entire inheritance?
- 234 A. Absolutely, it's my birthright. The only people I intend to share it with are my future spouse
235 and / or future children.
- 236 Q. What are Exhibits 16a-c?
- 237 A. They look like pictures of keys.
- 238 Q. How do you respond to the fact Exhibit 16c was found in your cabin on April 25, 2024?
- 239 A. What, you think that's mine? How dare you? One of my best friends died because of
240 Chuggie's. You really think I would be rocking their merch after that?
- 241 Q. Fine. What's Exhibit 17?
- 242 A. That's a picture of Bancroft's medallion. He wore it everywhere for as long as I can remember,
243 which is strange because my mother originally bought it for him when they were dating.
- 244 Q. Where is the medallion now?
- 245 A. Oh, I have it.

- 246 Q. How?
- 247 A. Oh . . . Bancroft gave it to me before he died.
- 248 Q. When?
- 249 A. Um, the last time we spoke. The day before he died. Yeah, definitely the day before he died.
- 250 Q. During the conversation where he criticized you and stormed off?
- 251 A. I guess so. Look, Bancroft was weird.
- 252 Q. Moving on, what are Exhibits 18 and 19?
- 253 A. Exhibit 18 is Bancroft's death certificate while Exhibit 19 is his autopsy.
- 254 Q. Do you have any reason to dispute either document?
- 255 A. No, I don't.
- 256 Q. What's Exhibit 21?
- 257 A. That's the front page of the Midlands Courier Gazette from December 18, 2023. I had a
- 258 subscription. I remember seeing Kelly start crying after reading the cover story.
- 259 Q. What's Exhibit 22?
- 260 A. That's the bank statement for one of Bancroft's accounts. The transfers to me and Shannon
- 261 match up with my knowledge. As you can see, Bancroft stopped sending my monthly stipend
- 262 after April 2023 yet still kept sending Shannon money. Typical.
- 263 Q. What's Exhibit 23?
- 264 A. This looks like the complaint from the defamation lawsuit Bancroft filed against Ashley
- 265 Connel and the hosts of the Midlands Review with Paras and Frost. It was a bogus lawsuit.
- 266 Bancroft's feelings were just hurt, and he thought tying them up in litigation would silence
- 267 them. One of the first things I did as interim CEO of Bancroft Estates was dismiss the lawsuit.
- 268 Q. What's Exhibit 25?
- 269 A. They look to be a couple emails I sent. Exhibit 25a is an email I sent to Kirby while Exhibit 25b
- 270 is an email I sent to Kelly. Both are completely accurate.
- 271 Q. What's Exhibit 26a?
- 272 A. This appears to be a report for text messages between me and Kelly during our trip on the Mid-
- 273 Riverina Express. This report is accurate. The dates and timestamps are Australian local time.
- 274 Q. What's Exhibit 31?
- 275 A. This looks like a receipt from Scher's Tool & Craft, this quaint craft shop in Hahndorf.
- 276 Q. Did you shop at Hahndorf?
- 277 A. Yeah. I bought a few items.
- 278 Q. What did you buy?
- 279 A. Well, it was sunny, so I bought some sunscreen as well as a pair of sunglasses.

280 Q. Cash or credit?
281 A. Cash.
282 Q. When did you buy them?
283 A. Well, like my text showed, it was a last-minute purchase, so it would have been between
284 6:30pm and 7:00pm during our Hahndorf stopover.
285 Q. So, is Exhibit 31 your receipt?
286 A. Oh, of course not. Why would I buy a potassium supplement?
287 Q. So where is your receipt?
288 A. Oh, I probably threw it away somewhere.
289 Q. And the sunglasses you bought?
290 A. No clue.
291 Q. What's Exhibit 38?
292 A. It's the birthday card that Bancroft gave me on my fifteenth birthday on April 25, 2004.
293 Q. And you kept it for over twenty years?
294 A. Yeah, well, it's the only birthday card Bancroft ever bothered to give me.
295 Q. And where was this birthday card between April 22-25, 2024?
296 A. With me. On board the Mid-Riverina Express.
297 Q. What's Exhibit 40?
298 A. Um, looks like a label for banana extract. Exhibit 40a is a printout of the label while
299 Exhibit 40b is the label on a bottle.
300 Q. Do you remember seeing a similar label in Scher's Tool & Craft in Hahndorf?
301 A. Do I? I mean, maybe? There were a lot of things on sale in that store. I guess it's possible this
302 could have been one of them. But I'm not entirely sure. It's been a while you know.
303 Q. What's Exhibit 41?
304 A. Rat poison? It looks like a box of the rat poison used on the Mid-Riverina Express that any
305 passenger would have access to. Exhibit 41a is a printout of the packaging while Exhibit 41b
306 is the actual box.
307 Q. Where was it stored on the Mid-Riverina Express?
308 A. Oh, I wouldn't really know. I didn't really have access.
309 Q. I thought you said any passenger would have access to it?
310 A. I guess I did. What I meant is I saw it was kept in the storage area of the train, but since I was
311 never in the storage area, I didn't really have access. But any passenger could go into the
312 storage area, so any passenger would have access.

313 Q. What's Exhibit 42?

314 A. That's a handwritten note by Bancroft to me. I recognize his handwriting. It uses his signature
315 purple pen, and the paper matches the legal pad I saw in Bancroft's cabin.

316 Q. We've talked about Exhibits 38 and 42, which are handwritten. If you were shown another
317 handwritten exhibit at trial, do you think you would be able to compare them against Exhibits
318 38 and 42?

319 A. I would hope so. I think I would be able to confirm whether something is in my father's
320 handwriting.

321 Q. Finally, have you reviewed the affidavit, expert report, or deposition of any other witness?

322 A. No.

323 Q. No further questions.

324 I, Pat Lawrence, declare under penalty of perjury that the foregoing is true and correct.

325	<u>Pat Lawrence</u>	<u>June 27, 2024</u>
326	Court Reporter	Date

327 I, Taylor B. Hopson, certify that I have read the foregoing transcript of my deposition, and I swear
328 it is a true, correct, and complete transcript of my deposition. I have no changes or amendments.

329	<u>Taylor B. Hopson</u>	<u>July 27, 2024</u>
330	Deponent	Date

AFFIDAVIT OF DANA HASKINS

1 After being duly sworn upon oath, Dr. Dana Haskins hereby states as follows: I am over 18 and
2 competent to make this affidavit. I am testifying voluntarily and was not subpoenaed or compelled
3 to testify.

4 My name is Dr. Dana Haskins. I am a clinical psychologist. I began my career as the
5 resident psychologist for Polk County in Midlands Center. I primarily evaluated first responders—
6 police officers, firefighters, and other county employees. The job was demanding and took an
7 emotional toll on me. When I was still relatively new to the position, I lost my first patient, a police
8 officer who had been suffering from PTSD. PTSD was a recurrent diagnosis in many of my
9 patients, who shared with me some of their darkest experiences and deepest fears. Years later, I
10 wound up treating the firefighters and paramedics who responded to the devastating fire at the
11 Black Bear Casino on December 17, 2022. The death toll was the largest in Midlands history (it
12 sometimes seems like only one or two people die in Midlands each year), and the surviving first
13 responders experienced severe trauma and survivors' guilt. The emotional toll finally proved too
14 much, and I left my position at Polk County in mid-2023.

15 After leaving Polk County, I transitioned to the private sector and began a new phase of
16 my career as a family therapist. I worked closely with couples and families to address a variety of
17 unique and challenging family and relationship dynamics. For example, I worked with patients—
18 in both individual and group sessions—who were estranged from their relatives. Where the patient
19 has expressed a desire to reconnect, I have provided guidance for communicating and tools to
20 process and reflect on the patient's complicated family history. Private practice also allowed me
21 to travel more to attend symposia and conventions around the world in order to stay current in my
22 field. I've been to places such as Ibiza, Barcelona, Cape Town, and Paris.

23 That's actually why I was in Australia in late April 2024. I was attending a conference in
24 Bunbury. I registered in early March 2024 once I could make alternative arrangements for some
25 of my patients and get away for a couple weeks. I also figured I could sightsee while I was there.
26 I touched down in Sydney on Sunday, April 21, 2024. After spending the next day exploring some
27 of Sydney's hidden gems, I arrived at the train station and boarded the Mid-Riverina Express for
28 the multi-day journey to Perth, where I would take a bus to Bunbury.

29 Once we were underway, the general mood aboard was light. I mingled for an hour or so
30 in the dining car and made small talk with some of the other passengers. I was delighted to see
31 Alex Silva was among the passengers. I had gotten to know Alex following the fire that burned
32 down Chuggie's (a local bar) back in 2020, but I had lost touch with Alex since my move to private
33 practice. I had hoped to catch up with Alex (especially as the two of us were assigned to the same
34 table for the Welcome Dinner along with passengers Harley Kim and Dr. Hillary Edmund), but
35 Alex was oddly distant as if they didn't want to talk to me. So, I spent dinner talking with
36 Dr. Edmund, only remembering during our conversation that the two of us had attended the same
37 conference for the Midlands Association of Expert Witnesses a couple years ago.

38 Alex and Dr. Edmund were not the only people I recognized that evening. Of course, I
39 noticed Avery Bancroft almost immediately, although I was considerably less delighted to see him
40 on board (I could feel my blood pressure rising). I've always known Mr. Bancroft by reputation,
41 but I became more familiar with Mr. Bancroft while treating patients in the aftermath of the Black
42 Bear Casino fire. Like most people, I suspect that Mr. Bancroft had something to do with the timing
43 and severity of the fire. I don't have much else to say about him. From what I observed of his
44 interactions with his personal assistant and the staff aboard the train, his reputation for being
45 selfish, shrewd, and ruthless seemed spot on.

46 There was an excursion planned to the Silver City the morning of our first full day aboard
47 the train (April 23, 2024). I was still feeling some mild jet lag, so I opted to stay aboard and explore
48 the train. I checked out all of the cars of the Platinum Section. When I entered the lounge, I saw
49 Alex, who also skipped out on the Silver City excursion. I tried to engage in conversation, but
50 Alex brushed me off again. Slightly frustrated, I asked Alex if I had done something. And at that,
51 Alex began to yell. I remember Alex saying, "Really, Doc? Whether you did something? Yeah,
52 you did something. You abandoned them!" I wish I could say I didn't know what Alex was talking
53 about, but I understood. There were quite a few people who felt betrayed that I resigned from my
54 position at Polk County, and I guess Alex was one of them. I apologized and tried to explain why
55 I had to resign, but Alex interjected, "Save your mumbo jumbo! I know who's in my corner. Kelly
56 has my back. Taylor has my back. They'll do anything for me, and I'll do absolutely anything for
57 them! That's why I'm here. For them. For loyalty, something you don't understand." Before I
58 could respond, Strathmore (one of the train employees) came into the lounge asking if everything

59 was okay. Both Alex and I said everything was fine, and the two of us parted ways. I then spent
60 the rest of the morning playing board games with Dr. Edmund.

61 That afternoon, I did the excursion to Hahndorf: first a tour and then shopping. There were
62 six of us—me, Dr. Edmund, Rory Shelton, Harley Kim, Kelly Doos, and Taylor Hopson. I figured
63 these were the “Kelly” and “Taylor” Alex had mentioned earlier, so I was intrigued. The two
64 seemed quite close and were always chatting with each other. My first impression was that Hopson
65 was shy, if a little brooding. Harley Kim, on the other hand, was a real character, sneaking sips
66 from a hip flask at nearly every stop of the tour and then beelining towards Haughey’s Hooch
67 House when we were free to shop. Apart from those initial interactions, Hahndorf was uneventful.

68 The mood shifted around dinner. Right around when the bell rang to signal the start of
69 dinner, I went to my cabin (Cabin 6) to change into a more suitable outfit. I heard shouting from
70 the direction of Cabin 1. I headed over. It sounded like Mr. Bancroft’s personal assistant, Kirby
71 Doolittle. Although the shouting sounded one-sided, it seemed as though there were multiple
72 people in the cabin. But with the rooms on board being somewhat soundproof, I could barely make
73 out all the words since the door to Cabin 1 was fully closed. When I put my ear on the cabin door,
74 all I could pick up was Doolittle saying “Cory” and “we’ll wait until tomorrow night.” I had to
75 move quickly away from the cabin because moments later I saw Doolittle fling the cabin door
76 open and walk away. I was able to briefly see there was at least one other person in Cabin 1 (maybe
77 more). I wasn’t able to get a good look at who it was, but I know it wasn’t Mr. Bancroft since I
78 saw him already leave for the dining car. I also know it wasn’t Hopson or Doos since they were
79 still in their cabin when I approached Cabin 1.

80 Dinner seemed a little more tense than the night before. Mr. Bancroft wore a perpetual
81 frown. Doolittle looked sour. Hopson and Doos were sitting away from the rest of the group, not
82 saying much. Alex seemed to have gone back to ignoring me and instead kept glaring at Mr.
83 Bancroft, even though they were tables away from each other. Only Dr. Edmund looked mildly
84 pleased to be there. I excused myself before dessert was served and spent the rest of the night in
85 my cabin reading.

86 Everyone was a lot more chipper at breakfast on Wednesday morning (April 24, 2024),
87 except for Doolittle, who was glued to a laptop for most of breakfast and lunch. I joined Doolittle
88 and the Connells (Ashley Connel and their child Bailey) for a little exploration around Nullarbor
89 Plain in the late afternoon while others hiked or stayed behind. I tried to ask Doolittle if everything

was okay from the night before, but Doolittle just shrugged me off like nothing had happened: “Avery is just so demanding, you know? But I’ll be free soon enough.” Doolittle peeled off early from the excursion mumbling something about a “project” that needed to be done that night.

I didn’t see Doolittle at dinner (I assumed on account of that project), but I did see most of the other guests. Kim was at the bar, as usual. Alex was sitting nearby nursing a glass of Kiara Moonshine (with a couple more empty glasses next to it). Alex looked on edge—shoulders pinched up and knee bouncing. When Mr. Bancroft walked in, Alex seemed to flinch a little. That’s when I saw Alex get up and walk over to Mr. Bancroft, close enough that Alex’s mouth was about an inch from Mr. Bancroft’s ear. Whatever Alex said made Mr. Bancroft scowl even more. I distinctly heard Mr. Bancroft say, “I have my eye on you.” And Alex walked out, but not before nodding in Hopson’s direction (behind Mr. Bancroft’s back of course). Once Mr. Bancroft took his seat at the table next to mine, Hopson moved over and sat down with him. I heard Mr. Bancroft say, “It’s about time we talked.” Hopson answered, “I suppose it is. I think you owe me an apology.” That made Mr. Bancroft red in the face. He raised his voice and said, “I think I’ve given you plenty!” Hopson shouted back, “You haven’t given me a dime!” And Mr. Bancroft answered, “Perhaps I never will.” Hopson stormed off, and Mr. Bancroft left the dining car shortly thereafter.

It was clear to me that there was some unresolved tension between parent and child, and I thought perhaps I could give Hopson some advice. I stopped by Hopson’s cabin (Cabin 3) on the way back to mine after dinner. Hopson did not look especially pleased to see me and cracked open the door only a couple of inches, as if to prevent me from going or seeing inside. But I was able to notice that Hopson had changed since dinner. Hopson was now wearing an orange hoodie. When I offered to talk about what had happened, Hopson shut me down. “I’m fine. All of this will be over soon anyway,” Hopson said. When I looked confused, Hopson followed up with: “The train ride? We’re only on this thing for another day.” I nodded and took my leave.

That night, I was restless. Something about all the tense interactions or the motion of the train kept me awake. I find that taking walks helps me go back to sleep. Around 1:30am or so, I left my cabin to walk the length of the Platinum Section. Everything was relatively quiet and very dark. After about 30 minutes (I think; since there were no clocks in the hallways, I don’t know the exact time), I heard a cabin door slam as I was approaching, which was odd since none of the doors were open previously. I figured someone was trying to leave their cabin. I couldn’t tell you which cabin it was exactly, but it was Cabin 4, 5, 7, or 8 (can’t be Cabin 6 since that was mine). I went

121 to my cabin shortly thereafter, though I thought I heard someone open the door leading to the
122 dining car (it had a distinctive squeaking noise). I don't know what someone would need from the
123 dining car so late at night, though I guess it's possible it was someone coming from the dining car.

124 I fell asleep relatively quickly after that and awoke to screaming early in the morning (April
125 25, 2024). Avery Bancroft was gravely ill. The corridor to Mr. Bancroft's cabin (Cabin 1) was too
126 crowded for me to see anything, but I understand that he died shortly after Alex and Dr. Edmund
127 attempted to revive him. Everyone on the train was shaken up by the incident, including myself. I
128 remember that Hopson was sobbing and kept repeating, "He's gone, he's gone." Between breaths,
129 Hopson managed to squeak out, "I wish I could take it back." I didn't want to intrude, but I did
130 hand Hopson my card and offered my services in case Hopson wanted to talk.

131 Local police were eventually called, and everyone on board was questioned. I thought that
132 would be the end of the matter until I received a call from one of Hopson's attorneys (the one
133 delivering the opening statement). I knew from all the press, of course, that Hopson had taken over
134 Mr. Bancroft's company and was to inherit his estate. I also knew that Hopson's sibling was
135 attempting to defeat Hopson's claim on the estate by alleging that Hopson killed their father while
136 aboard the Mid-Riverina Express. Hopson's attorney requested that I evaluate Hopson to
137 determine whether Hopson fit the profile of a killer. I am no stranger for this kind of analysis.
138 While employed by Polk County, I performed such an evaluation on 12 separate occasions. In all
139 12 cases, I was retained by the County (serving as plaintiff) to rebut the psychological evaluations
140 done by the defense experts. Moreover, I use the same psychological assessments in my general
141 practice, be it determining whether they are fit for employment, fostering children, and other roles.
142 The tests are the same no matter the reason for performing them. I agreed to perform the evaluation
143 (after negotiating a fee of \$1,000/hour for my review and assessment). I have spent 75 hours to
144 date preparing for this case, which included conducting and evaluating the assessments as well as
145 a thorough review of the relevant literature and research. I will not receive any additional payment
146 if I am called to testify. All of my professional findings are detailed in the expert report that I have
147 provided to defense counsel.

148 I am familiar with the following—and only the following—exhibits:

149 Exhibit 1 is a picture of Mr. Bancroft.

150 Exhibit 4 is my CV. Everything in it is correct and accurate.

151 Exhibit 9 is an Instagram post I remember seeing in February 2024.

152 Exhibit 10 is a brochure for the Mid-Riverina Express. Exhibit 11 is the layout of the
153 Platinum Section. Exhibit 12 contains the trip itinerary and cabin assignments; the staff aboard the
154 train generated it during the Welcome Dinner. To my knowledge, everything in Exhibits 10-12 is
155 true and accurate except for the schedule for April 25, 2024 because of Mr. Bancroft's death.

156 Exhibit 17 is a picture of a medallion that I saw Hopson wearing when I conducted my
157 psychological assessments on Hopson on July 12, 2024. I can tell it's the same medallion based
158 on the wear and tear. I asked Hopson about the medallion, to which Hopson responded that their
159 mom had saved up to buy it and that it was "back where it belonged." I asked where it had been
160 previously, but Hopson changed topics.

161 Exhibit 21 is the front page of the December 18, 2023 edition of the Midlands Courier
162 Gazette. The quotes attributed to me are correct and accurate.

163 Exhibit 24 is my resignation letter from Polk County. Every word in that letter is true.

164 Exhibit 31 is a receipt from Scher's Tool & Craft, a craft shop in Hahndorf. I visited that
165 shop during our Hahndorf excursion. I recall being the first one in the group to go into Scher's. As
166 I was leaving, I remember seeing Dr. Edmund and Rory Shelton walking in (separately). Looking
167 at the timestamp, I can safely say that I was already out of the shop by the time of this purchase.

168 Exhibit 36 is an article I wrote that was published in the April 2024 issue of the Midlands
169 Journal of Personality and Psychology.

170 Exhibit 40 is a label for concentrated banana extract. Exhibit 40a is a printout of the label
171 while Exhibit 40b is the label on a bottle. I remember seeing this on sale at Scher's Tool & Craft,
172 but I didn't need a potassium supplement. The person who seemed in need of a potassium
173 supplement was Shelton. On different occasions during the trip, I overheard Shelton asking the
174 bartender (Fritsch) and the chef (Farnsworth) what foods and drinks are high in potassium. I have
175 no idea why Shelton was asking about potassium, only that they were.

176 I swear or affirm the truthfulness of everything stated in this affidavit. Before giving this
177 statement, I was told I should include either in this affidavit or my expert report everything that I
178 know may be relevant to my testimony, and I followed those instructions. I know that I can and
179 must update this affidavit if anything new occurs to me until the moment before opening statements
180 begin in this case.

Signed:

Subscribed and Sworn to me on this 31st day of July 2024:

Dana Haskins



Kai Washington
Notary Public

Dana Haskins
Professional Psychologist
2015 Ginger Ave., Truman, Midlands

TO: Counsel for Taylor Hopson

RE: Taylor Hopson; DOB: 04/25/1989

DATE ISSUED: 07/31/2024

1 At your request, I have performed a psychological evaluation of Taylor Hopson in my
2 office on July 12, 2024. The purpose of this evaluation was to determine the
3 psychological profile of Hopson following the sudden death of Hopson's father, Avery
4 Bancroft. As part of my evaluation, I conducted a detailed interview with Hopson
5 about the circumstances and aftermath of Bancroft's death; obtained information
6 about Hopson's life history; and administered several psychological assessments. My
7 findings are below.

Background

8 My name is Dana Haskins. I am a licensed psychologist with a Ph.D. in Clinical
9 Psychology from Midlands State. Before opening my family therapy practice, I was a
10 clinical psychologist for Polk County. When I was employed by Polk County, I
11 typically treated first responders (*e.g.*, firefighters, police officers, paramedics). I
12 testified regarding my psychological evaluations on dozens of occasions. Since moving
13 to private practice, this is the first time I have been asked to serve as an expert
14 witness, let alone testify as one.

15 My evaluation in this case is somewhat unusual (but not unheard of) in that, prior to
16 my evaluation, I had become acquainted with Hopson socially. My interactions with
17 Hopson are described in more detail in the affidavit that I prepared. In sum, Hopson
18 and I were both passengers on the same train where Bancroft died. Our interactions
19 were limited to the occasional conversation at mealtimes or on excursions. Nothing
20 about our interactions has improperly influenced my conclusions or the way that I
21 performed my evaluation. Additionally, to be clear, I was only retained to conduct the
22 below-described psychological evaluation. I offered to take Hopson as a regular client,
23 but Hopson refused. Before taking on this evaluation, I obtained an independent
24 advisory opinion from the Midlands Board of Psychology to ensure that there were no
25 issues that would pose any ethical concerns. I am confident no such concerns exist.

Medical Evaluation

26 Hopson arrived at my office looking well rested and at ease. I performed a cursory
27 physical assessment to ensure that Hopson understood me and was not taking any

medication that might interfere with the assessment that I was about to perform. Hopson was oriented to time, place, and person. Hopson provided appropriate answers to my questions. Hopson confirmed that Hopson was not being treated for any injuries or illnesses.

PSYCHOLOGICAL ASSESSMENT

Consistent with my usual practice (and the practice of other psychologists in my field), I administered a number of psychological assessments with the goal of obtaining a fuller picture of Hopson's psychological and emotional well-being. There isn't an exact number of assessments that must be run. The general consensus in the field is that at least three assessments must be run, though most psychologists I know typically run between five or six. I personally stick with three so that all testing can be done in a single day. Although additional tests may yield more accurate results, I find that three tests provide equally as accurate results in upwards of 85% of cases.

I elaborate on the tests I ran, which are the gold standard in the field, and on their results below. In a nutshell, I found Hopson's responses to be of concern only insofar as they revealed feelings of resentment, guilt, and conflict regarding Hopson's family relationships, which are typical of anyone suffering a close family loss. We explored those feelings further during the interview portion of my evaluation. In sum, I find Hopson to be a resilient, responsible, and rational adult. Although Hopson appears to have experienced family strife, I found nothing in the assessments that would lead me to believe Hopson would turn to aggression or violence to remedy those conflicts.

Midlands Multiphasic Personality Inventory (Midlands MPI)

The Midlands MPI is one of the most common tests used in Midlands for assessing psychological characteristics. It uses True / False questions to gauge a subject's emotional and psychological status. The test is loosely modeled off of the Minnesota Multiphasic Personality Inventory-3 (a national psychological self-assessment) but uses fewer questions (40 instead of 335) so as to complete the testing quicker and to reduce fatigue as the patient moves through the questions. To reduce the risk of patient manipulation, the Midlands Board of Psychologists (MBP) restricts disclosure of the questions or scoring criteria. The MBP permits disclosure to third parties in extremely limited circumstances—for professional development (research articles, presentations at symposia, and so forth), educational purposes (degree-earning courses, etc.), or when the self-assessment is requested in connection with litigation.

Responses are evaluated on five scales: (1) Antisocial Behavior; (2) Aggressiveness; (3) Self-Importance; (4) Disconstraint; and (5) Shyness. Several studies have shown that high scores on two or more of the scales measured by this test, excluding Shyness, can predict violent or aggressive behavior. That said, as a self-assessment, this test could be subject to manipulation by responders familiar with its scoring criteria. However, the scoring scales are designed to account for responses that

appear to misrepresent a subject's true personality. For these reasons, the Midlands MPI remains a standard method of evaluation for practitioners in Midlands.

Hopson's answers were almost textbook. Hopson did not score high on two or more scales, and Hopson did not score high on any of the scales that would typically prompt further psychological follow-up or concern (*i.e.*, Antisocial Behavior or Aggressiveness). Although this may sometimes be a sign of conscious manipulation, Hopson showed a mildly elevated Shyness score, which counts against manipulation. Moreover, Hopson's answers to redundant questions were consistent, which also counts against manipulation (although redundant questions are typically more effective the more questions there are). Nevertheless, given those two facts and the fact Hopson self-reported unfamiliarity with the Midlands MPI, I ruled out subject manipulation. Additionally, I have appended Hopson's responses to the Midlands MPI as Appendix A. I have also reorganized and categorized Hopson's responses into the five scales. When Hopson originally took the self-assessment, all Hopson received were the 40 questions (which were arranged in numerical order).

Chambliss Incomplete Sentences Blank (CISB)

This is a free-response test consisting of 20 sentence stems: the subject is asked to finish a sentence that supplies only the first word or words (*e.g.*, "The best ____."). Not dissimilar to traditional word association, this test is a key part of any comprehensive psychological assessment, as it can help convey a patient's thoughts or feelings about themselves or others.

Each response is scored on a seven-point scale. Responses showing hostility, pessimism, hopelessness, unhappiness, or past maladjustment receive scores of 4-6 (the more hostile or negative, the higher the score). Responses showing optimism, acceptance, or humor receive scores of 0-2 (the more positive, the lower the score). Finally, all neutral responses (those neither negative nor positive) receive a score of 3. There are no bright-line rules regarding what score a specific response should receive, so it is left largely to the discretion of the psychologist administering the test.

After each response is scored, all of the scores are totaled. The total score provides an index of maladjustment, which indicates a subject's inability to react to the demand of one's environment. Subjects with a total score of 70 (or above) are deemed maladjusted, while subjects with a total score of 50 (or below) are deemed well adjusted, suggesting they are able to adapt to situations with ease. Subjects with a score between 50 and 70, like Hopson, fall in the middle. I have appended Hopson's responses (and my respective scores) as Appendix B.

Thematic Apperception Test (TAT)

The TAT uses scene cards that offer subjects the chance to tell a full narrative of a story or situation. Subjects are asked to tell as dramatic a story as possible, summarizing the events leading up to the scene depicted, describing the action in the

scene, elaborating on the thoughts and feelings of the characters, and offering a resolution for the story. The full TAT includes 31 cards, but most practitioners (including myself) use only a subset of these—between 5 and 12 cards—during evaluations. Practitioners use their judgment to select scenes that might draw out the most information about the subject’s mental or emotional status.

The advantage of the TAT is that it can often allow a subject to reveal or explore their own emotions from a third-person perspective. This can, in turn, make it easier for the subject to open up or be more forthright about their inner world. The TAT has received criticisms over the years based on its old-fashioned image cards, which some have claimed make it hard for the subjects to fully identify with the characters in the cards. And because of the way the TAT is tailored to each subject, it is very difficult to estimate reliability or validity of the test in the abstract. Nevertheless, the TAT remains a widely used tool by psychologists to assess personality disorders or to evaluate crime suspects, and is a routine tool for psychological evaluations, as it helps a practitioner develop a fuller picture of a subject’s personality and motivations.

Evaluation of a subject’s performance on the TAT considers the subject’s identification of the hero or protagonist of the story; the hero’s needs or inner motivations; the environmental factors or stresses that may influence the hero’s behavior or emotions; conflict and resolution of conflict; and the ending—whether it is a happy one and whether it was brought about by the hero’s strength or environmental pressures.

It is my standard practice to offer all of my patients the choice to be recorded when I administer the TAT assessment. As body language can play a big role in my evaluation, recording can prove useful. However, the professional standard does not require recording, and between my notes and recollection, I often have sufficient data to complete my evaluation. Nearly all of my patients agree to be recorded. When asked, Hopson declined, so I did not record my administration of Hopson’s TAT.

I used 6 cards with Hopson during the TAT, which I’ll simply refer to as Cards A-F. I have appended the cards I used with Hopson to this report as Appendix C. Hopson expressed unfamiliarity with this particular assessment, so I made sure to go over the process. One by one, I showed Hopson each card for 30 seconds. After each card, Hopson had four minutes to tell me a story about the scene depicted in the card.

In general Hopson’s reaction to the cards helped shed light on previous experiences from childhood and present-day feelings of inadequacy, anxiety, depression, and guilt. For instance, in response to Card A, Hopson stated that the boy “would never be a good enough musician.” Hopson volunteered that, in their limited interactions with Avery Bancroft as a child, Bancroft often pressured Hopson into learning a musical instrument (piano) but then complained when Hopson did not seem to show promise or initiative. Hopson resented the constant pressure. Some of my patients have had vastly different reactions to Card A: on the more positive end of the spectrum, some

142 tell stories of a determined boy who is eager to master his instrument and who is
143 taking a deep breath before beginning to play.

144 Hopson's response to Card B revealed feelings of guilt and shame. Hopson explained
145 that the child "had just done something terrible—something they could never take
146 back." When pressed, Hopson suggested that the child had been in a knife fight with
147 a younger sibling, although Hopson acknowledged that it would be unlikely for two
148 siblings to ever come directly to blows so severely. In my experience, patients who
149 interpret the object as a weapon and tell a story involving aggression toward others
150 often experience feelings of aggression themselves.

151 Hopson's story about Card C narrated only what the scene depicted. Although Card C
152 may dredge up feelings of infidelity or betrayal for some patients, Hopson appeared
153 to have no reaction to the scene at all.

154 For Card D, Hopson said there was "tension" between the man and the woman.
155 Hopson told a story of a man who wanted to live their own life but feared reprisal
156 from his elderly mother. The man eventually makes the decision to leave the comfort
157 of his home, but his relationship with his mother is never the same—she becomes
158 colder towards him and distant. This reaction seemed to parallel Hopson's own
159 experience with Bancroft.

160 In response to Card E, Hopson grew nervous and fearful, describing the man as
161 having just been caught red-handed after either stealing something or setting
162 something on fire. Hopson noted, however, that "justice had been done."

163 Finally, in response to Card F, Hopson described the woman facing us as angry yet
164 in control and the other woman as scared and powerless. Hopson said that the woman
165 had caught her neighbor trespassing and was threatening her to never come back
166 again. Hopson was visibly upset at the image in Card F and asked to take a break
167 from the test. Having collected enough information by this point, I ended the TAT.

GENERAL INTERVIEW

168 After administering the three assessments, I conducted an interview with Hopson to
169 gather additional information about family history. This portion of the evaluation
170 was somewhat unusual as I first met Hopson in Australia and had already gleaned
171 some of this information through context or previous conversations. That level of
172 familiarity, however, played no role in my evaluation. I performed the evaluation the
173 same way and to the same depth as all other patient evaluations. Hopson described
174 feeling estranged from Bancroft with little to no interaction during Hopson's adult
175 years. Hopson explained that the minimal contact had allowed Hopson to experience
176 life on Hopson's own terms and succeed and fail on Hopson's own merits. But Hopson
177 said it also created feelings of resentment and sorrow towards Bancroft for having
178 missed out on so much of Hopson's life. Hopson was visibly upset—including tears—

179 that they had not had a chance to reconcile before Bancroft's sudden passing
180 (Bancroft was in perfect health according to Hopson) or to take back certain hurtful
181 statements Hopson had made in arguments with Bancroft (Hopson did not elaborate
182 on the exact hurtful statements). Hopson also expressed anger towards Hopson's half-
183 sibling for suggesting that Hopson had something to do with their father's death.
184 Overall, I found Hopson genuine throughout the interview. I did not detect any
185 feelings of aggression or anger towards Bancroft.

CONCLUSION

186 Based on my assessments and interview, I conclude that Hopson does not fit the
187 psychological profile of an intentional killer, much less that of a child eager to kill a
188 parent for an inheritance. Although Hopson's relationship with Bancroft—and
189 feelings toward him—were understandably complicated, it is my professional opinion
190 that Hopson lacks the hallmarks of an intentional killer, namely antisocial behavior,
191 maladjustment, feelings of self-importance, difficulty grasping the difference between
192 right and wrong, and lack of empathy. Those traits were not exhibited in any of the
193 psychological assessments that I administered. Moreover, it is my professional
194 opinion that Hopson would not have been able to mask these traits—if Hopson did
195 indeed truly possess them—given the battery of tests I put Hopson through that
196 Hopson was not familiar with.

CERTIFICATION

197 Finally, I understand that I am certifying this report under oath. Every fact contained
198 herein is correct to the best of my knowledge and memory, and all conclusions stated
199 have been reached to a reasonable degree of scientific certainty unless noted
200 otherwise. This report contains all conclusions I have drawn in this case, all facts I
201 personally remember from my expert analysis, and all exhibits with which I am
202 familiar that I used to come to my conclusions. I understand that if I make any new
203 conclusions, remember any new facts, or otherwise alter my opinion in this case, I
204 have an obligation to update this report accordingly. I know that this obligation
205 continues until the moment before opening statements begin in this case, and that I
206 may not testify to facts or conclusions at trial unless they are already contained or
207 referenced in this report (or my affidavit).

Dana Haskins

Dana Haskins

July 31, 2024

Appendix A: True / False Report from T. Hopson's Midlands MPI

Antisocial Behavior

- 2. My parents were good people T
- 10. Laws are more guidelines than actual rules F
- 12. Right and wrong are relative..... F
- 20. I consider my father to be a good man T
- 24. When someone wrongs me, I feel like I should pay them back on principle T
- 29. It would be better if almost all laws were thrown away F
- 31. During one period when I was younger, I engaged in petty thievery T
- 38. I think many people exaggerate to gain the sympathy and help of others..... F

Aggressiveness

- 4. I sometimes feel like smashing things F
- 9. I think before speaking T
- 15. It is better to directly confront one's problems..... F
- 16. People tend to get on my nerves..... T
- 25. Once in a while, I think of things too dark to talk about..... F
- 30. I prefer to avoid direct confrontation when dealing with problems T
- 34. Breaking things can be fun..... F
- 39. I tend to carry grudges..... T

Self-Importance

- 1. I am an important person F
- 8. My judgment has never been better T
- 13. I am liked by most people who know me F
- 18. If people had not had it in for me, I would have been much more successful F
- 22. My judgment is better than it ever was..... T
- 27. I am more suited to follow than lead T
- 33. Most people like me F
- 37. Others have strengths I do not possess T

Disconstraint

- 5. I enjoy dangerous activities, like scuba diving or skydiving F
- 7. I do not always tell the truth..... T
- 11. It's better to keep my mouth shut when in trouble..... T
- 17. I prefer dessert before dinner..... F
- 23. I need the finer things in life..... F
- 26. I like playing with matches T
- 35. I can stay quiet when necessary..... T
- 36. I sometimes have fits of laughing and crying I cannot control..... F

Shyness

- 3. Meeting new people is stressful for me..... T
- 6. I avoid large crowds when possible T
- 14. I prefer to pass by old acquaintances, unless they speak to me first..... T
- 19. I am the life of the party F
- 21. I think I would like the work of a librarian..... T
- 28. I like to be the center of attention..... F
- 32. I would like to be a singer..... F
- 40. I'd let old friends walk by unless they first talk to me..... T

Appendix B: Report from T. Hopson's CISB

1. When I was a child	<u>I was a child</u>	3
2. I.....	<u>am Taylor Hopson</u>	3
3. My father.....	<u>is dead</u>	5
4. I am best when.....	<u>doing something I am good at</u>	3
5. My greatest worry	<u>is being forgotten</u>	4
6. The happiest time	<u>is being with loved ones</u>	1
7. What annoys me	<u>is this lawsuit</u>	4
8. My great fear	<u>is clowns</u>	3
9. The future	<u>is what happens next</u>	3
10. I want to know	<u>who murdered Avery Bancroft</u>	5
11. Marriage.....	<u>is a joyous occasion</u>	2
12. I wish.....	<u>for more wishes</u>	3
13. I secretly.....	<u>wish for more wishes</u>	3
14. The only trouble.....	<u>I have is with Shannon</u>	4
15. Other people.....	<u>seem happier than me</u>	4
16. I feel.....	<u>things could be better</u>	4
17. I hate	<u>Shannon</u>	5
18. At bedtime.....	<u>I go to bed</u>	3
19. Sometimes	<u>I still miss my mom</u>	4
20. I regret.....	<u>nothing</u>	3

Total Score: 69

Appendix C: TAT Images Used for T. Hopson

Card A:



Card B:



Card C:



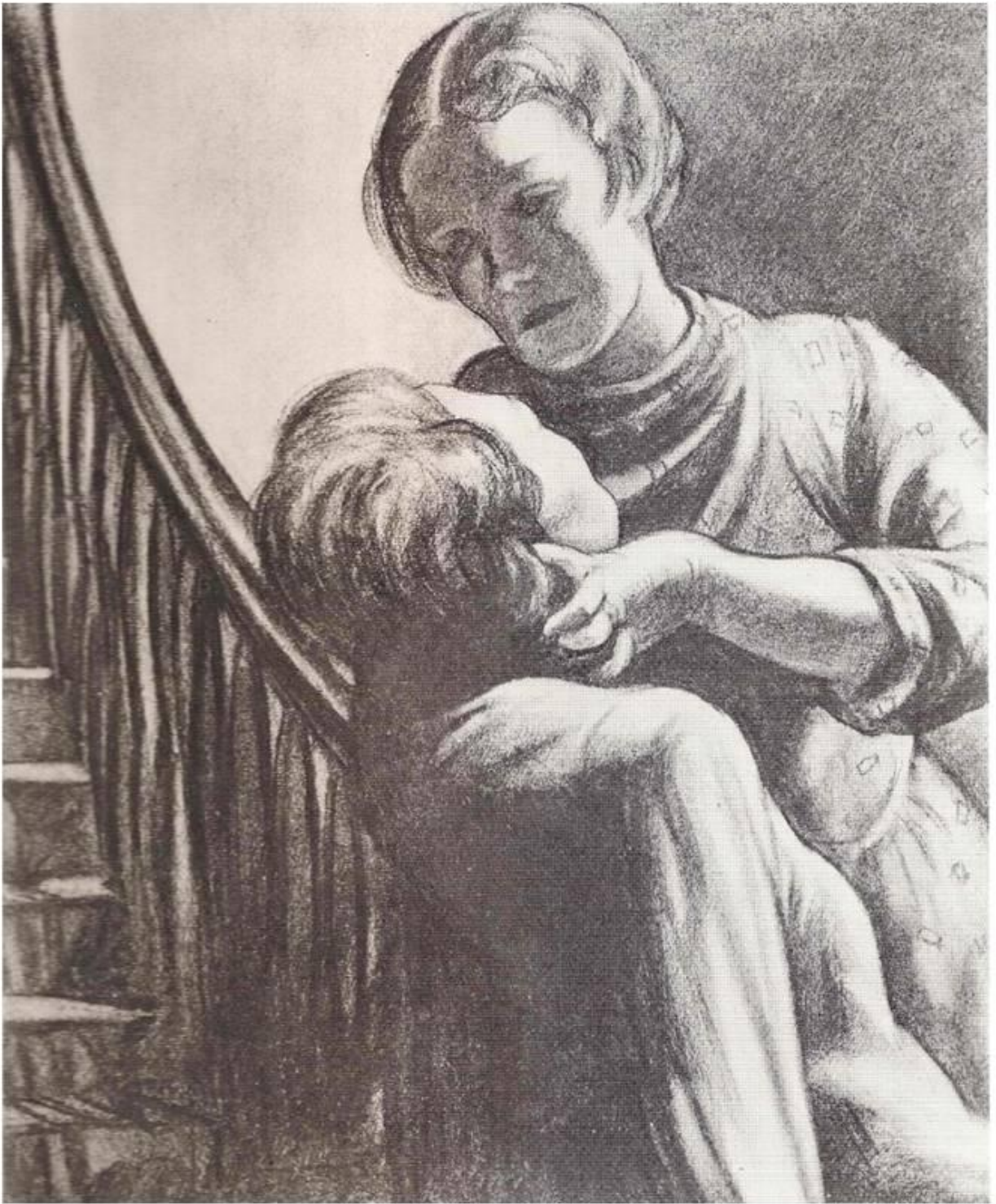
Card D:



Card E:



Card F:



AFFIDAVIT OF ALEX SILVA

1 After being duly sworn upon oath, Alex Silva hereby states as follows: I am over 18 and competent
2 to make this affidavit. I am testifying voluntarily and was not subpoenaed or compelled to testify.

3 My name is Alex Silva. I'm a proud grad of Breckinridge County High School and Calkins
4 College (double B.S. in Environmental Science and Structural Engineering). After working as a
5 full-time firefighter for Midlands Center Fire and Rescue for years, I started working with the
6 Midlands Department of Parks and Recreation ("DPR") in 2021. I committed myself to the desk
7 side of government following the devastating Chuggie's bar fire in 2020 (where I testified in the
8 related arson trial). I still volunteered with Midlands Center Fire and Rescue until the Black Bear
9 Casino fire in 2022, after which I retired from firefighting altogether. I lost so many good friends
10 to keep putting myself in danger like that. Fortunately, I took to the desk job quickly. In 2023,
11 Governor Kiran Walton appointed me the Commissioner of the DPR.

12 I ended up in Australia through my position as Commissioner. The DPR is lucky to have a
13 large budget that I can use to my advantage (to serve the community). After the fires at Chuggie's
14 and the Black Bear Casino, there was public outcry that emergency service training in Midlands
15 was sorely lacking. I put my ingenuity and intellect to work and came up with a plan to have
16 firefighters across Midlands train in Perth, Australia, which happens to be one of Midlands
17 Center's sister cities. Australia is best known for two things: Steve Irwin and bushfires. And given
18 the increase in Midlands wildfires over recent years, I wanted to start a program where we could
19 train with and learn some firefighting tips and tricks from the Aussies. So, in April 2024, I headed
20 to Perth as a representative of the Midlands government to meet with Perth officials to finalize the
21 program. The Perth officials repeatedly offered to meet over Zoom, but I insisted on going in
22 person. I'm old school and believe in sealing deals with actual handshakes.

23 I booked all of my travel in April 2024. I flew into Sydney on April 20, 2024 so that I could
24 have two nights to see the sights there before heading to Perth. I decided to take the train to Perth
25 since it would give me an opportunity to see parts of the Australian Outback. I went with the Mid-
26 Riverina Express ("MRE") after seeing a social media post about it. I think the post was from my
27 old firefighter buddy Kelly Doos, but I can't be sure. I just know that Kelly quit firefighting after
28 the Black Bear Casino fire to become a travel influencer, so it tracks that one of Kelly's posts
29 would have been what convinced me to take the MRE.

30 The MRE was the fanciest train I've ever been on. This was my first time in Australia, so
31 I was going to take advantage. And since this was all on the State's dime (perks of becoming a
32 bureaucrat), I booked a room in the Platinum Section, the high-end luxury area. When I boarded
33 the train on Monday, April 22, 2024, I was surprised to see some familiar faces from back home.
34 I know Australia has been a popular tourist destination for Midlanders ever since Air Midlands
35 started direct flights, but it felt like every passenger in the Platinum Section had a connection to
36 Midlands. Maybe Kelly was a better influencer than I thought?

37 On the first night, there was a Welcome Dinner in the dining car. I was seated with Hillary
38 Edmund and two people I recognized: Harley Kim and Dana Haskins. I knew Harley from the
39 Black Bear Casino fire. Harley was investigating for BNN (Blitz News Network) the night of the
40 fire. I remember Harley kept reassuring me that it was okay to be mad at Bancroft. They told me
41 they agreed with me that Bancroft only brought bad news to the community. Harley then told me
42 about something that Bancroft did to Harley's sibling. I can't remember the specifics, but I think
43 it was something about Bancroft bankrupting Harley's sibling and that it was good that the Black
44 Bear Casino was gone. Despite our history, Harley told me that they didn't remember me. I'm
45 guessing Harley was three pints deep if they forgot who I was (to be clear, I didn't see Harley
46 drinking that night, but I don't have any other explanation for why Harley didn't remember me).
47 As for Dana Haskins, well, I didn't want to talk to Haskins after what Haskins had done.

48 Anyway, there was a reception after dinner, so I wanted to walk around and meet people.
49 Unfortunately, the first person I saw was Avery Bancroft, the owner of the now-gone Black Bear
50 Casino and the person I'm certain was responsible for its fire. My blood boiled just seeing his face,
51 thinking about all my friends who died at his casino. Wanting to distract myself from the rage I
52 felt, I sought out Kelly, who I found by the dessert table taking photos of the extra servings of
53 dessert (a banana tart). It was a little weird. Kelly spent at least 30 minutes trying to get the perfect
54 photos of the dessert. I tried saying hi. Kelly just said, "Not now. I need this to be perfect if this is
55 going to work!" It sounds tiring being an influencer. And honestly, I wasn't too sure about Kelly's
56 camera angle; it seemed to be capturing more of the passengers in the background, including
57 Bancroft, than the dessert. I made a few more introductions and then headed to bed for the night.

58 The next morning (April 23, 2024), I woke up early. I wasn't expecting to see anyone so
59 early, but Kelly was in the lounge with their significant other, Taylor Hopson. They must not have
60 been expecting anyone else to show up because, when I walked in, they were deep in conversation

61 but stopped when they saw me. I figured that Kelly was there to take photos for Kelly's social
62 media. I mentioned that to Kelly, who said, "Oh, yeah . . . that's why we're here. To take photos
63 for social media." But now that I think about it, I've never seen Kelly post any photos from this
64 trip on their social media. I tried to make small talk, but Kelly and Taylor weren't very talkative.
65 Kelly did tell me about Kelly's travel stories. I told Kelly that I was happy for them and that being
66 an influencer paid so well. Kelly kind of chuckled and said, "It'll be nice to have family money."
67 That's when it looked like Taylor elbowed Kelly and glared, and Kelly said, "I'm just joking!"

68 Feeling like I was a third wheel, I went to the dining car for breakfast. I noticed Harley was
69 already there, so I joined them for breakfast. I asked Harley what brought them to the MRE. Harley
70 told me that they usually reported the news, but now they were planning to make news. Before I
71 could ask what Harley meant by that, Bancroft's assistant (Kirby Doolittle) joined us. The next
72 thing I remember, Fritsch the bartender was bringing us round after round of Bloody Marys (and
73 maybe a round of Kiara Moonshine, or maybe I ordered that for myself?). I don't remember who
74 ordered them, but I do remember that I lost count of how many I had. Harley seemed really good
75 at holding their liquor. It didn't matter how many rounds we had; Harley was fine. Granted, I can't
76 remember seeing Harley drink any of the Bloody Marys, but I remember Harley constantly sipping
77 from a flask (why drink from a flask when there's free booze?).

78 Before I knew it, it was time for the excursion to the Silver City. Harley suggested that
79 Kirby and I should sleep it off. Kirby insisted that Kirby had to go on the excursion because
80 Bancroft needed Kirby. Harley said, "Don't worry. I can take care of Bancroft." Ultimately, Kirby
81 decided to go on the excursion despite Harley's suggestion. I, however, found Harley convincing
82 and decided to skip the Silver City excursion. I don't know who all stayed aboard, but I know at
83 least one person who did: Dana Haskins. Haskins used to be the county psychologist for Polk
84 County, and someone I used to consider a friend until Haskins betrayed me. See, after the Black
85 Bear Casino fire, my firefighter friends who survived were assigned to Haskins for therapy and
86 treatment, and Haskins was good. My friends were making progress. But then Haskins up and quit,
87 leaving those firefighters hung out to dry. How could someone just quit such an important job?

88 Anyway, I was relaxing in the lounge around 10:00am according to an onboard digital
89 clock when Haskins walked in. I tried to ignore Haskins, but they kept pestering me about why I
90 hadn't spoken to them. I wanted to just keep my mouth shut, but I think I had a few too many
91 Bloody Marys. I started venting to Haskins. I don't even remember what I said, just that I spent a

92 good amount of time yelling. Once I let it out, Haskins gave me a heartfelt apology. Haskins
93 explained that the Black Bear Casino fire was also an emotional toll on them and that they needed
94 to quit for their own wellbeing just like Kelly and I had quit firefighting (I didn't know Haskins
95 and Kelly knew each other). I accepted Haskins's apology. Haskins then said that if I or any of the
96 firefighters need professional help, Haskins usually charges \$2,000/hour (private practice, I guess)
97 but that Haskins would be willing to give a 50% discount reserved for close friends.

98 Before I could ask any questions, Strathmore (one of the train employees) arrived to check
99 on us, probably because of my yelling. We said everything was fine, and I returned to my cabin
100 until the afternoon excursion. For that, we had a choice of one of two excursions: either a tour of
101 the Southern Australian Museum or a tour of Hahndorf (followed by shopping). Since there were
102 twelve of us, we were splitting up into groups of six. I—along with Jordan Nathanson, Ashley and
103 Bailey Connel, Kirby Doolittle, and Avery Bancroft—opted for the Southern Australian Museum.
104 When Bancroft (who picked last) chose the Southern Australian Museum, Harley kept asking me
105 to switch with them, but I didn't want to shop. Harley's shoulders dropped when I told them no. I
106 felt bad, but I still went to the museum. The tour was mostly fine. Our tour guide Mothersbaugh
107 spent most of the tour talking to Bancroft about legal stuff (above my pay grade). I did get to talk
108 to Ashley and Bailey Connel, the parent and child also on the MRE. When I asked what they were
109 doing in Australia, Bailey said they were going to "stop the lawsuit once and for all." I didn't know
110 what Bailey meant, so I just laughed awkwardly. Ashley mentioned that Bailey's other parent is a
111 lawyer, which I guess explained Bailey's comments. It did look like Bailey was going to say
112 something else, but Ashley gave Bailey a look and neither said anything else.

113 After we got back from the museum, I went to the lounge for some peace and quiet. Instead,
114 I saw Bancroft sitting with another person. I couldn't see who the person was from where I was
115 standing. Bancroft didn't seem to notice me. The conversation itself wasn't that exciting—just a
116 lot of business stuff, like Bancroft talking about changing who gets his businesses when he dies.
117 But the conversation did solidify that Bancroft was a terrible person since he was berating the
118 person he was talking to. If I were the other person, I would have been in tears or possibly even
119 have punched Bancroft in the mouth. Bancroft left before it got to that point. I was about to leave
120 when I saw Harley walk over and console the other person. They were talking more quietly now,
121 so I didn't hear much. It sounded like the other person was complaining to Harley about Bancroft

122 before saying, “Remember what happened to Cory? That’s not going to happen to me. I won’t be
123 working for him much longer.”

124 The next day (April 24, 2024) was a bit more action-packed as some of us—me, Kelly,
125 Harley, and Hillary Edmund—were able to get in a small hike while stopped at the Nullarbor Plain
126 (Chef Farnsworth even packed some snacks for us). Harley and Kelly spent most of the time
127 talking to each other in hushed whispers, so I mostly spoke with Hillary Edmund, whom I finally
128 realized was Dr. Edmund (or Dr. E). I had actually met Dr. E years back when I was preparing for
129 a mountaineering trip with Everest Expeditions. Dr. E was the medical consultant who treated me
130 when I fell ill during the trip. Dr. E is one of the best docs in the business from my experience. I
131 can’t believe it took me this long to recognize them. Dr. E said they were going to Perth for work.
132 As we were catching up, Dr. E learned that I was working for the State of Midlands and asked if I
133 had ever run into Midlands Supreme Court Justice Ryan Sullivan in my work. Apparently, Dr. E’s
134 spouse had run against Justice Sullivan for the seat on the Midlands Supreme Court. Dr. E told me
135 that Bancroft bankrolled Justice Sullivan’s campaign (and even bought the Justice a luxury
136 motorcoach for personal use). Bancroft apparently ran a really nasty campaign against Dr. E’s
137 spouse. I follow politics a bit, but I somehow missed this race entirely. But it sounds exactly like
138 something Bancroft would do. I bonded with Dr. E after I shared my story about why I didn’t like
139 Bancroft. Dr. E was sympathetic and told me that they understood the pain I had gone through.
140 Dr. E reassured me that “Bancroft will soon get what’s coming to him.” I asked what they meant,
141 and Dr. E seemed a little startled, almost like they didn’t mean to say that out loud. Dr. E then
142 stuttered a bit and said, “Oh, I just mean that people like Bancroft make so many enemies that
143 eventually someone can’t put up with it anymore.” We had just finished the hike and returned to
144 the train, so I just ended the conversation there.

145 As I was heading back to Cabin 5 (my cabin) after the hike, I ran into Kirby Doolittle. And
146 when I say, “ran into,” I mean that I literally ran into Kirby. We both exchanged a quick sorry.
147 When I heard Kirby say “sorry,” I realized Kirby sounded like the person I heard talking to Harley
148 after getting yelled at by Bancroft the night before. I said, “Also sorry about the whole Bancroft
149 thing earlier.” Kirby’s face went flush (even more flush than after our Bloody Mary spree the day
150 before) and Kirby said, “You heard that? I . . . I didn’t mean . . . don’t tell anyone, okay?” I don’t
151 know if the two of us were talking about the same moment, but before I could clarify, Kirby ran
152 away. I decided to retire to my room for the night.

153 The next morning (April 25, 2024), I thought I'd try waking up early again to enjoy the
154 view without interruption. Instead, I woke up to screams and footsteps running down the
155 compartment corridor. Despite no longer being an emergency responder anymore, I sprang into
156 action, and my training kicked in. I followed the commotion straight to Cabin 1 (Avery Bancroft's
157 cabin). When I got into the cabin, Bancroft was lying on the ground and appeared unresponsive.
158 Dr. E was already on the scene administering emergency aid while Kirby was standing nearby
159 looking shaken and not saying a word. I immediately began to assist Dr. E as Dr. E performed
160 CPR on Bancroft. To take notes (a habit I picked up from my EMT training), I grabbed the only
161 legal pad I could see in Bancroft's cabin and a pen that was in Bancroft's hand. I asked Kirby if
162 Bancroft had any medical conditions or issues whatsoever that could explain a possible heart
163 attack. Kirby hesitated but eventually said Bancroft didn't have any. I was so focused on assisting
164 Dr. E, I don't even remember who was in the cabin besides Kirby and Dr. E, but at least a few
165 other people had come into the room (maybe at least Taylor Hopson and Jordan Nathanson?).
166 Someone was taking photos, but I don't remember if it was Harley Kim or Kelly Doos. The train
167 employees then had us return to our cabins until the police arrived.

168 Dr. E and I did absolutely everything we could (and everything by the book), but it
169 unfortunately wasn't enough. Bancroft died. I'm still not sure what happened to Bancroft. I agree
170 with Dr. E that it looked like a heart attack. Dr. E said that Bancroft may have been poisoned. I
171 respectfully disagree with that opinion. I have been on-call for many suspected and actual heart
172 attacks. These have included both naturally occurring heart attacks and heart attacks induced by
173 poisoning. Typically, with heart attacks induced by poisoning, you see vomiting as the body
174 attempts to expel the poison. You may also see discoloration around the mouth or an unexplained
175 substance on or near the body. Moreover, from experience, whereas heart attacks induced by
176 poisoning can seemingly appear out of nowhere, a naturally occurring heart attack tends to be more
177 foreseeable (*i.e.*, there are signs in the days leading up to the heart attack). There were several
178 times as a volunteer firefighter that I was able to predict someone's incoming heart attack.

179 Everything I saw on April 25, 2024 (and leading up to that day) was consistent with a
180 naturally occurring heart attack. Upon arriving in Bancroft's cabin, there were no signs of vomit,
181 nor did I see any signs of discoloration of Bancroft's mouth or an unexplained substance on or
182 near his body. I also did not see any food or drink in Bancroft's cabin, so I don't see how Bancroft
183 would have been poisoned. Moreover, for me, Bancroft's heart attack did not come out of nowhere.

In the days leading up, I saw signs that were consistent with someone who may naturally experience a heart attack. For example, there were a couple times Bancroft needed a moment to catch his breath or needed to sit down for a bit. During a couple meals, I noticed Bancroft sweating profusely despite a lack of physical activity. In general, Bancroft was not a paragon of health. Most of the times I saw Bancroft, he was sitting or not being active. When asked to join the hiking party the day before his heart attack, Bancroft said, “I’d rather die.” Combine all of that with his age, I’m not surprised Bancroft had a heart attack, especially if he had other medical issues.

Finally, I was asked to include all my professional qualifications and training, particularly those related to serving as an EMT (or Emergency Medical Technician), so I figured I would add that here. In addition to my education already detailed above, I served as a firefighter for ten years. As part of that job, I also received EMT training and experience as an EMT. When I first started in 2013, I took a 40-hour Emergency Response Training Course to receive my EMT certification. Every two years since then, I have taken another 40-hour course to keep my EMT certification active and make sure my training is up to date. My last 40-hour course was in 2023, and my next will be in April 2025. In addition, over the course of my firefighting career, I took over 300 hours of classroom training, approximately a third of which was devoted to handling emergency situations including emergency medical situations. I’m licensed to perform CPR, and during my 10 years as a firefighter, I have probably treated over 400 people in emergency medical situations (over 90 of which were heart-related emergencies) and probably saved at least 30 cats out of trees.

I am familiar with the following—and only the following—exhibits:

Exhibit 1 is a picture of Avery Bancroft.

Exhibit 3 is Dr. E’s CV. When I reconnected with Dr. E on the hike, I researched them online and found a copy of their CV.

Exhibit 10 is a brochure for the Mid-Riverina Express. Exhibit 11 is the layout of the Platinum Section. Exhibit 12 contains the trip itinerary and cabin assignments; the staff aboard the train generated it during the Welcome Dinner. To my knowledge, everything in Exhibits 10-12 is true and accurate except for the schedule for April 25, 2024 because Bancroft died.

Exhibit 16a is a picture of Kirby’s keys. I know those are Kirby’s keys because I saw Kirby with those keys during our Bloody Mary breakfast on April 23, 2024. Exhibit 16b is a picture of Kirby’s keys as I saw them on April 25, 2024 while treating Bancroft. Exhibit 16c appears to be a

Chuggie's keychain that's missing from Exhibit 16b. I don't know where that Chuggie's keychain ended up; all I know is that it wasn't in Bancroft's cabin on April 25, 2024.

Exhibit 21 is the front page of the December 18, 2023 edition of the Midlands Courier Gazette. The main story covered the one-year anniversary of the Black Bear Casino fire. I was actually supposed to be on duty the night of the Black Bear Casino fire, December 17, 2022. But I had some sort of plans that night (I don't even remember what). One of the other volunteer firefighters, Archie (Archibald) Weston, offered to cover for me. Archie died in the fire. When I heard, I headed straight for the Black Bear Casino, but the blaze was contained when I got there. I helped some of the survivors on scene and retired from firefighting the very next morning.

Exhibit 23 is a complaint from a defamation lawsuit that Bancroft filed. I kept a news alert for legal cases involving Bancroft (hoping for cases where Bancroft was the defendant), and this case popped up on my radar. I pulled up the complaint and read it. Honestly, the whole thing sounded like a stretch. I mean, a billion dollars? That's supervillain amounts of money.

Exhibit 24 is Dana Haskins's resignation letter. Dr. Ayre Rubenstein, a friend, gave me a copy after Haskins tendered their letter of resignation.

Exhibits 29a-c are transcripts of voice memos that Bancroft apparently left for Kirby. While I was helping Dr. E treat Bancroft, I could hear Kirby replaying these voice memos. As a result, I can confirm that these transcripts are accurate.

Exhibit 30 is a screenshot of a draft note that Dr. E and I found on Bancroft's phone. After Bancroft died, the two of us checked his phone, which was lying next to Bancroft. When we opened the phone (it had no passcode), this is what we saw.

Exhibit 34a looks like Taylor Hopson's sunglasses that I saw with Taylor on April 25, 2024. It was after Bancroft was declared dead. As I was leaving the cabin, I walked by Taylor, who was holding onto Exhibit 34a. I thought it was odd that Taylor was holding onto a pair of sunglasses missing a lens, but I didn't say anything at the time.

Exhibit 35 appears to be an excerpt from Bancroft's memoir. I remember seeing this page in Bancroft's cabin on April 25, 2024. It was on a desk close to the cabin door, so pretty much anyone who peeked their head through the cabin door would have seen this page.

Exhibit 36 is an article written by Haskins. I remember seeing Taylor reading this article while I was catching up with Kelly in the lounge the morning of April 23, 2024. I figured that's

244 why Taylor wasn't really talkative. I asked Taylor about the article, and Taylor told me that Taylor
245 had studied clinical psychology and self-assessments in college and that they were interested in
246 what Dr. Haskins had to say about them. I was admittedly curious, so when I got back to Midlands,
247 I pulled up a copy of the article online to read it.

248 Exhibit 37 is a note that I saw on the floor of Bancroft's cabin on April 25, 2024.

249 Exhibit 39 is my handwritten notes from when I was helping treat Bancroft on April 25,
250 2024. It's standard practice for EMTs to take notes, so I fell into that practice when assisting Dr. E.
251 The notes are pretty self-explanatory. I wrote these down as they were happening. I noted
252 Bancroft's age, when we began CPR, what Kirby had to say about Bancroft's medical history, that
253 Bancroft regained consciousness momentarily and said something to Dr. E (I don't know what),
254 that Bancroft became unresponsive again, and finally, the time of death. Looking at these notes
255 with fresh eyes, everything is accurate except for one thing. In my notes, I wrote, "Assistant says
256 AB has medical issues." I intended to write "Assistant says AB has no medical issues," but I must
257 have forgotten to write the "no" amidst the chaos of the situation.

258 Exhibit 41b is a box of rodenticide, and Exhibit 41a is a printout of the packaging. It looks
259 like the kind of rodenticide that was on the Mid-Riverina Express. During the Welcome Dinner, I
260 remember Fritsch the bartender telling all of us passengers that, if we wanted canned soda at any
261 time, we could find it in the storage area on the shelf opposite the rodenticide. I'm pretty sure most
262 of the Platinum Section passengers went to grab a canned soda at some point (I certainly did a
263 couple times), though the person who went the most would be Taylor Hopson if I had to guess.
264 While I never saw Taylor personally go, Taylor pretty much always had a canned soda with them
265 the dozen or so times I saw them on the Mid-Riverina Express.

266 Exhibit 42 is a handwritten note written by Bancroft in the dining car. I remember seeing
267 Bancroft writing this note while I was grabbing breakfast on April 24, 2024. Bancroft was there a
268 while writing this note (he was taking his time). In fact, I think he was still working on it by the
269 time I had finished breakfast, so I'm pretty sure multiple folks were walking in and out of the
270 dining car while Bancroft was writing this note.

271 As stated, I am familiar with the following handwritten exhibits: Exhibits 39 and 42. I am
272 aware there are other handwritten exhibits: Exhibits 8 and 38. I have never seen Exhibit 8 or
273 Exhibit 38 before. But if shown those exhibits, I will be able to compare them against the

274 handwritten exhibits I am familiar with in order to opine whether or not the handwritings are
275 similar.

276 I swear or affirm the truthfulness of everything stated in this affidavit. Before giving this
277 statement, I was told I should include everything that I know may be relevant to my testimony,
278 and I followed those instructions. I know that I can and must update this affidavit if anything new
279 occurs to me until the moment before opening statements begin in this case.

Signed:

Subscribed and Sworn to me on this 13th day of June 2024:

Alex Silva



Otto Weaver
Notary Public

AFFIDAVIT OF ASHLEY CONNEL

1 After being duly sworn upon oath, Ashley Connel hereby states as follows: I am over 18 and
2 competent to make this affidavit. I am not testifying voluntarily. I was subpoenaed and compelled
3 to testify.

4 My name is Ashley Connel. I'm an artist. I primarily work on sculptures, but I've
5 experimented with other mediums as well. I guest lecture in the art department at Midlands State
6 University, and although I never formally graduated from college, I have an honorary degree from
7 the University of California, Irvine. I've dealt with a lot of contracts in my work, but not much
8 litigation. When I was young, I was called as a witness in a hit-and-run case. More recently, I was
9 sued for defamation, but thankfully that case was rightfully dismissed well before trial. And now
10 I find myself somehow getting roped into another lawsuit. I was told to include what I know about
11 the Mid-Riverina Express trip that took place on April 22-25, 2024, so I'll start at the beginning.

12 In April 2024, I was doing an art show throughout Australia. I think I hit over a dozen cities
13 by the time I was done. Towards the end of the month, my child Bailey was going to join me for
14 a couple weeks. Bailey is the light of my life. My ex-spouse Chris and I adopted Bailey as a
15 newborn, and even though my relationship with Chris fizzled out romantically, we have remained
16 good partners in raising Bailey. Chris's current spouse, Devin, is likewise a fantastic parent to
17 Bailey. Chris and I both tend to travel for work (Chris is a lawyer), so we try to make sure one of
18 us is always in Midlands for Bailey's sake. But sometimes, we want Bailey to see the world, and
19 this was one of those instances since Bailey had time off from school. Wanting to do something
20 special for Bailey, I booked passage on the Mid-Riverina Express, a luxury train that would take
21 us from Sydney (where I was meeting Bailey at the airport) to Perth (the next stop on my art show).

22 When Bailey and I boarded the Mid-Riverina Express on Monday, April 22, 2024, we first
23 settled into our cabin (Cabin 2) before joining the other passengers for the Welcome Dinner. I was
24 able to get us tickets for the Platinum Section, which is its own isolated section of the train where
25 there would only be a small number of passengers (turned out to be 12 plus some train employees).
26 At the Welcome Dinner, Bailey and I were assigned to a table with Kirby Doolittle and Avery
27 Bancroft. I recognized Doolittle as a former security guard at Miller Tower in Midlands (I had an
28 art show there once), but Doolittle didn't recognize me. Unfortunately, I also knew Bancroft.
29 Remember that defamation lawsuit against me? It was Bancroft who was suing me. Bancroft had
30 previously commissioned me to do a sculpture but then didn't pay me. I vented my frustrations on

31 a podcast (the Midlands Review with Paras and Frost), and before I knew it, I was being sued for
32 defamation. The lawsuit was still pending while I was in Australia, so it was fresh on my mind as
33 I was sharing a dinner table with Bancroft. But, wanting to set a good example for Bailey, I opted
34 to say nothing. There was a reception after dinner, but Bailey and I retired to our cabin.

35 The next morning (Tuesday, April 23, 2024), Bailey and I went to the dining car for
36 breakfast. The staff was super friendly. Bailey can sometimes be a bit of a picky eater, but Chef
37 Farnsworth was super accommodating. While Bailey was finishing breakfast, I struck up a brief
38 conversation with another passenger, Hillary Edmund. Edmund seemed almost half-asleep, so I
39 asked if everything was okay. Edmund said they had been having trouble sleeping and asked the
40 train staff if there was any Ambien on board. According to Edmund, there was some in the storage
41 area. Curious, I took a look (there's nothing stopping a passenger from entering the storage area),
42 and I saw there were a couple bottles of Ambien after digging around for a bit.

43 By the time I returned, Bailey was done with breakfast, so we got ready for the excursion
44 that morning to the Silver City, which was very educational thanks to our tour guide Zhang.
45 Afterwards, we reboarded the train for lunch. I had to take care of some work calls regarding my
46 show in Perth, so I gave Bailey some art supplies to pass the time in the dining car while I took
47 care of the calls in our cabin. Once I was done with the calls, I joined Bailey for the rest of lunch.
48 We then had to decide between an excursion to the South Australian Museum or to Hahndorf.
49 Bailey wanted to go to Hahndorf since you could also shop in Hahndorf, but I ultimately went with
50 the museum. In addition to being educational for Bailey, I figured I should at least try talking
51 Bancroft out of his silly defamation lawsuit, and I saw Bancroft joining the group heading to the
52 museum.

53 The museum ended up being a mixed bag. Educationally, it was superb. Bailey learned a
54 lot, and our tour guide Mothersbaugh was exceptionally knowledgeable (when not chitchatting
55 with Bancroft about random business matters). For purposes of ending the defamation lawsuit, it
56 could have been better. I talked to Bancroft, but he wasn't very receptive. When I asked him to
57 drop the lawsuit, he merely scoffed. When I told him to think of Bailey, he told me the sooner I
58 learned that children are nothing but disappointments, the better. I admit that I may have lost my
59 temper at that and said some things that can't be repeated in polite company. I'm embarrassed to
60 say the least. I stormed off after that. Still, I feel like there was some karmic retribution. Shortly
61 after our verbal confrontation, I remember seeing Bancroft almost tripping out of nowhere and for

no reason. It looked like Bancroft needed to take a few moments to catch his breath, but after that, things went back to normal. Once we wrapped up the tour, we went back to the train.

Once back at the train, I could tell that Bailey was getting a little bored from all of the education, so I treated Bailey to some more arts and crafts. I went back to the storage area, where I found some magazines, scissors, and glue. I ran into Taylor Hopson in the storage area. Hopson is a well-known patron of the arts. I remember seeing Hopson at a lot of my art shows and other high-end events in Midlands, although, I don't remember seeing Hopson at any events for the last few months. They are expensive events, so maybe Hopson was saving up for this trip. Anyway, Hopson seemed to have a similar idea as me since Hopson was also going for the magazines in the storage area, but Hopson stopped when Hopson saw me. When I explained what I was planning, Hopson said it was a great idea and offered to babysit if I wanted a break. I accepted the offer. Hopson babysat Bailey in the lounge while I relaxed in Cabin 2. Eventually, Bailey returned. I had assumed that Hopson had sent Bailey back for bed.

The morning of April 24, 2024 started a bit hectic. I had let Bailey go on ahead to the dining car with me following behind. As I headed to the dining car, I heard some random screams. As I entered the dining car, I saw Harley Kim freaking out about something. Kim is a photojournalist whom I have seen cover some of my events, mostly in Midlands but most recently a float I had designed for Australia's 2024 Olympics Breaking team to use for the Smiley Day parade in Sydney (their performance was . . . memorable, to say the least). One of the employees (Fritsch the bartender, I think) was trying to calm Kim down, but I didn't hear what was said since I was tuning it out. After breakfast, I realized I hadn't spent much one-on-one time with Bailey, so we spent most of the day playing board games together.

In the afternoon, there was a stopover at Nullarbor Plain. I thought about taking Bailey for a hike, but we ultimately opted to just explore the area along with Doolittle and Dana Haskins (another passenger). It was the right choice. Bailey managed to find this secret oasis, which made for an amazing memory. The four of us then relaxed by the oasis for the time remaining. I remember Doolittle taking pictures of the oasis. When I asked if Doolittle was going to post them online (I avoid having pictures of Bailey posted on social media), Doolittle confirmed that they were but would make sure that they didn't post any photos with Bailey in them. Doolittle also said that they weren't planning to post these photos on their main account anyways. When I asked what Doolittle meant by that, Doolittle explained that, given Bancroft's fame (I would say infamy),

Doolittle sometimes posted under the name “Casey French” to maintain anonymity. Honestly, it made sense to me. Life in the public eye can be tiring, so having a pseudonym can be freeing.

When we got back to the train, I relaxed in Cabin 2 until dinner, grabbed dinner, and then went back to Cabin 2. As we were going back to our cabin after dinner, Bailey mentioned that Doolittle seemed upset and that maybe I should go check if Doolittle was okay. I was proud to see Bailey be so empathetic, so I agreed. I left Bailey in Cabin 2 as I went to find Doolittle. Doolittle wasn’t in the lounge or their cabin. I knew at least one passenger was staying in the crew cabin for some reason (Rory Shelton, a former student at Midlands State who served as a consultant on a dinosaur-based sculpture I once worked on), so I figured I’d check there next. To get there, you have to go through the storage area, and that’s where I finally found Doolittle. Doolittle was talking to another passenger, Kelly Doos. I didn’t want to interrupt, so I stood behind the door between the storage area and the kitchen to stay out of sight. Doos was telling Doolittle to “take the night off.” Doolittle asked, “But what if...” but Doos cut Doolittle off and said, “But nothing. You deserve better. We all deserve better. Take the night off.” I then heard Doolittle squeak out, “Okay.” I figured if Doos was pushing for Doolittle to take a break, Doos had this handled, so I headed back to Cabin 2. I had a brief run-in with Bancroft, but after that chat, I went to bed.

I had a great night’s sleep, and waking up on the morning of April 25, 2024, I apparently picked the best night not to suffer from insomnia. Bailey and I woke up to screaming coming from Cabin 1 (Bancroft’s cabin). Bailey wanted to check it out, but I stood firm that we stay put. Strathmore, one of the train employees, later dropped by to inform us that Bancroft had passed away and that the Australian police were on their way. When I heard the police were coming, I asked if Bancroft was murdered, to which Strathmore said maybe. Strathmore asked me and Bailey to stay put, which we mostly did. Bailey did drop by Cabin 3 to give Hopson their condolences, and I did drop by Cabin 1 to check on Doolittle (especially since Doolittle was sad the night before). We arrived in Perth later than scheduled, but my show wasn’t until the next night anyway. Bailey told me that they did enjoy the trip, but if I had known that someone was going to die (in the cabin next door no less), I definitely would have planned something else for me and Bailey.

I am familiar with the following—and only the following—exhibits:

Exhibit 1 is a picture of Avery Bancroft.

Exhibit 5 is a transcript of Bailey's deposition. Bailey will be on vacation with Chris and Devin when the trial is scheduled (hopefully somewhere with less death), and Bailey will be unavailable to testify. So, the attorneys asked to depose Bailey. Srikanth, Palmar, Chambers & Kumar LLP represented Bailey during the deposition (the same law firm I hired to represent me in my defamation lawsuit). I was allowed to attend Bailey's deposition, but to avoid me influencing Bailey's testimony in any way (not that I ever would), they had me watch from an observation room through one-way glass. Therefore, I was able to watch Bailey be deposed and can confirm that Exhibit 5 is accurate.

Exhibit 6 is Bancroft's will as of July 16, 2015. Exhibit 7 contains, among other things, schedules of all of Bancroft's assets. In my defamation lawsuit, my attorneys were able to obtain a copy of Exhibit 6 through discovery. Although they did not obtain a copy of Exhibit 7 (this appears to have been created after we received discovery), my attorneys obtained similar information through discovery that I can confirm Exhibit 7 looks accurate to me. It's also why I was confident that I would win the lawsuit. Bancroft was suing us because we claimed Bancroft was not a billionaire, but as you can see in Exhibit 7, while Bancroft was rich, he was clearly no billionaire. And even I know that the truth is always a defense to defamation. That said, even if we were going to win the lawsuit, just defending it was expensive.

Exhibit 9 is an Instagram post (from I guess Doolittle's main account) that I saw in February 2024. That was when I was planning my Australian tour, so I searched Instagram posts for inspiration when I came across Exhibit 9. So, I did know ahead of time that Bancroft was planning to be on the April 22-25, 2024 trip aboard the Mid-Riverina Express. But I really wanted to take Bailey on the Mid-Riverina Express, and of the two weeks I had Bailey, these were the only dates that worked. I wasn't going to have Bancroft ruin Bailey's life, so I booked the trip.

Exhibit 10 is a brochure for the Mid-Riverina Express. Exhibit 11 is the layout of the Platinum Section. Exhibit 12 contains the trip itinerary and cabin assignments; the staff aboard the train generated it during the Welcome Dinner. To my knowledge, everything in Exhibits 10-12 is true and accurate except for the schedule for April 25, 2024 because of Bancroft's death.

Exhibit 15 is a transcript of a portion of Hopson's interview on the Midlands Review with Paras and Frost. I once appeared on the show as a guest, which is what led to that defamation lawsuit from Bancroft. But, after the lawsuit, I felt compelled to listen to every episode in solidarity with my, I guess, co-defendants. So, when this episode dropped on May 8, 2024, I listened to the

153 whole thing. I can confirm that I recognized Hopson's voice, and that the transcript is accurate.
154 Although the transcript is accurate, what Hopson said isn't true. For example, I know for a fact
155 that Shannon Shahid was nowhere near Australia in April 2024. I had called Shannon, who also
156 happens to be my psychic, for a reading on April 24, 2024, and I could hear the background. It
157 was Basin Beach in Midlands, where Shannon normally sets up. Also, there definitely is evidence
158 that Bancroft donated to charity.

159 Exhibit 16a is a picture of Doolittle's keys. I know those are Doolittle's keys because
160 Doolittle had them during the Welcome Dinner the night of Monday, April 22, 2024. Exhibit 16c
161 appears to be a picture of a Chuggie's keychain. As you can see, Doolittle's keys (Exhibit 16a)
162 have a Chuggie's keychain on them. I saw a Chuggie's keychain on the floor of Cabin 3. On April
163 24, 2024, I realized I had extra magazines from Bailey's arts and crafts session and wanted to see
164 if Hopson wanted them (since I saw Hopson grabbing magazines earlier). I dropped by Cabin 3,
165 but it was empty. As I poked my head inside, I saw a Chuggie's keychain on the floor of Cabin 3.
166 I can't be sure whether it's the same Chuggie's keychain as on Exhibit 16a or whether two people
167 happened to have the same keychain. After checking Cabin 3, I checked Cabin 1 (since Hopson is
168 Bancroft's child), but as I approached, Doos stormed out looking upset. I figured it was bad timing.

169 Exhibit 17 is a picture of Bancroft's medallion. I got a good look at this medallion during
170 my run-in with Bancroft on the evening of April 24, 2024 (when I was returning to Cabin 2 from
171 the storage area where I saw Doolittle and Doos). Bancroft asked to speak with me briefly, so we
172 spoke in the lounge. Bancroft seemed completely different. In the lounge, Bancroft apologized for
173 brushing me off back in the South Australian Museum. Bancroft explained that he had been having
174 issues with his eldest child, but that seeing me with Bailey reminded him of the importance of
175 parents in a child's life. He relayed that the mother of his child had passed away, and all he had
176 left of her was the medallion. I can tell it's the same medallion given the natural wear and tear. I
177 asked him if he was planning to give the medallion to any of his kids, to which Bancroft said, "It's
178 all I have. They can get it over my dead body."

179 Exhibit 20 is a medical record for Bancroft from October 2022. In October 2023, when
180 Bancroft first sued me, I researched Bancroft online and found a copy of Exhibit 20. It was
181 surprisingly easy to find (almost scarily so). Pretty much anyone who knows how to use a search
182 engine can probably find this. It was like the seventh item when I searched "Avery Bancroft
183 weakness." I checked again in May 2024 after Bancroft's death, and it was still available online.

Exhibit 22 is a bank statement for one of Bancroft's accounts. As part of the discovery process for my other case, to show Bancroft wasn't a billionaire, my attorneys got a similar bank statement. We received it in January 2024, so the one we received didn't have the March 2024 transfer in Exhibit 22, but all of the other transactions are identical. This is the evidence that suggests that Bancroft was donating at least some money, unlike what Hopson said during their interview on the Midlands Review with Paras and Frost.

Exhibit 23 is the complaint Bancroft filed against me and others for defamation. I was originally scared when I was sued since I didn't have a billion dollars, but after I retained lawyers, I was confident that I would win the lawsuit. What I wasn't confident about was how much money I would lose in the process. I was spending about \$4,200 per month in legal fees trying to defend the lawsuit. Thankfully, after Bancroft died and Hopson took over Bancroft Estates, Hopson dismissed the lawsuit in May 2024. But even if Bancroft didn't die, I should have been fine. During our heart-to-heart on the evening of April 24, 2024, Bancroft agreed to drop the lawsuit. Obviously, I didn't get it in writing, and no one else was there. But all's well that ends well, I guess.

Exhibit 25 are emails that Hopson sent. When Hopson offered to babysit Bailey on April 23, 2024, Hopson asked to borrow my laptop to check their emails. After they did, I noticed that they forgot to log out. Hopson had left the browser open on the sent mail folder. As I was about to log out, I saw sent emails to both Doolittle and Doos, two of the other passengers on board. Curious, I clicked on both. Exhibit 25a is the email Hopson sent Doolittle. Exhibit 25b is the email Hopson sent Doos. After looking at both, I immediately logged out of Hopson's email.

Exhibit 28 are screenshots (from my phone) of texts between me and Shannon Shahid. Like I said, Shannon was my psychic, so the two of us would text one another and sometimes call each other. Looking back at these texts, it is a bit strange that Shannon never mentioned that Bancroft was their father, but I guess if Bancroft were my father, I probably wouldn't tell people either. As for what Shannon meant by their texts, you'd have to ask Shannon. As for my text to Shannon on April 24, 2024, I was reaching out for a psychic reading on how my Perth show would go.

Exhibits 29a-c are transcripts of voice memos that Bancroft made. When I dropped by Cabin 1 on April 25, 2024, I heard Doolittle replaying each of these voice memos. I readily recognized Bancroft's voice, and the transcripts accurately reflect the voice memos.

Exhibit 32 is a drawing Bailey made on April 25, 2024. I know that Bailey drew it on April 25, 2024 because, when I went to bed around 11:50pm on April 24, 2024, the piece of paper was blank. But when I woke up a little after 5:00am on April 25, 2024, the drawing was fully complete. This wouldn't be the first time Bailey woke up in the middle of the night to work on their art. I'm pretty sure I'm to blame for that habit. Anyway, the drawing depicts a person wearing an orange hoodie. It actually reminds me of Hopson's orange hoodie. At some of my more lowkey art events in Midlands where folks don't have to dress up, I would see Hopson wear an orange hoodie exactly like the one in Exhibit 32. That said, I don't remember seeing Hopson wearing that orange hoodie while we were in Australia (only saw that when we were in Midlands). In fact, I don't remember any of the passengers on the Mid-Riverina Express wearing such a hoodie while in Australia. However, I do remember seeing an orange article of clothing when I visited Cabin 3 on April 24, 2024, but I didn't take a close enough look to see if it was a hoodie or something else.

Exhibit 34b is a loose sunglasses lens. I remember seeing Exhibit 34b (or a lens that looked identical) on the floor of Cabin 1 when I went to check on Doolittle on April 25, 2024.

Exhibit 35 is an excerpt from what appears to be Bancroft's draft memoir. I also remember seeing this in Cabin 1 (this time on a table) when I went to check on Doolittle on April 25, 2024. Reading this excerpt, I have no idea what "secret" Bancroft had on me, but my life is an open book. This excerpt also sounds nothing like the repentant Bancroft I spoke to the evening of April 24, 2024, so maybe Bancroft was going to rewrite this portion, which is why it was still a draft.

Exhibit 38 is a birthday card dated April 25, 2004 that I also found in Cabin 3 when I visited it on April 24, 2024. Reading the handwritten note inside, I'm guessing that Bancroft was the author of the note, and that Hopson was the recipient. If these were the type of cards Bancroft was sending Hopson when Hopson was fifteen, no wonder their relationship was strained. I could never imagine sending Bailey something like this.

Exhibit 40a is a printout of a label for concentrated banana extract. I remember seeing this online when looking for a potassium supplement. I remember feeling under the weather and searched my symptoms online. After filtering out everything saying I was dying, I found recommendations for this potassium supplement. I asked Hillary Edmund, whom I understood was a doctor, and they agreed that potassium would be helpful and that they would grab some for me in Hahndorf. But when I talked to Edmund after Hahndorf, they said they never agreed and then headed back to their cabin with the bags from their shopping trip. I guess there was a

miscommunication. Rory Shelton also tried to help me out by asking the various train employees what on board contained potassium so that I could add more potassium in my diet.

Exhibit 41b is a box of rodenticide (Exhibit 41a is a printout of the packaging). This is the type of rodenticide that I saw in the storage area of the Mid-Riverina Express. I never needed any, so I left it alone. In fact, the only person I remember touching the rodenticide was Rory Shelton. During one of my visits to the storage area—I can't remember which one or even which day—I remember Shelton coming from the direction of the crew cabin (which makes sense since that's where they were staying for some reason), grabbing a box of rodenticide, and then heading back towards the crew cabin. When we briefly locked eyes, without missing a beat, Shelton said, "Strathmore needs it for something." The two of us never discussed it further.

Exhibit 42 is a handwritten note authored by Avery Bancroft. I saw Bancroft working on this note the morning of April 24, 2024 in the dining car. Bancroft was really taking his time to write this note, which is probably why I even noticed in the first place. The handwriting in Exhibit 42, in my opinion, matches the handwriting in Exhibit 38, which makes sense since I'm pretty sure that it was Bancroft who wrote the message in Exhibit 38.

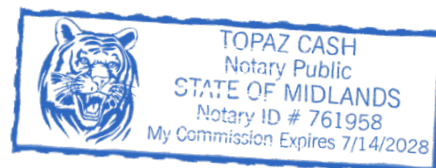
As stated, I am familiar with the following handwritten exhibits: Exhibits 38 and 42. I am aware there are other handwritten exhibits: Exhibits 8 and 39. I have never seen Exhibit 8 or Exhibit 39 before. But if shown those exhibits, I will be able to compare them against the handwritten exhibits I am familiar with in order to opine whether or not the handwritings are similar.

I swear or affirm the truthfulness of everything stated in this affidavit. Before giving this statement, I was told I should include everything that I know may be relevant to my testimony, and I followed those instructions. I know that I can and must update this affidavit if anything new occurs to me until the moment before opening statements begin in this case.

Signed:

Subscribed and Sworn to me on this 15th day of July 2024:

Ashley Connel



Topaz Cash
Notary Public

AFFIDAVIT OF KELLY DOOS (DEFENSE SIDE)

1 After being duly sworn upon oath, Kelly Doos hereby states as follows: I am over 18 and
2 competent to make this affidavit. I am testifying voluntarily and was not subpoenaed or compelled
3 to testify.

4 My name is Kelly Doos, and I'm what you call a professional thrill-seeker, social media
5 influencer, and freelance travel writer. I have my own MeTube channel with over 400,000
6 subscribers. Well, technically, it's a little under 398,000, but I've learned to exaggerate numbers a
7 bit to generate better ad revenue. My channel used to be much smaller, but I got a huge subscriber
8 boost after testifying in a murder trial right before the pandemic. I pretty much became a Midlands
9 celebrity overnight (people even dress up as me for Halloween). However, since it's been many
10 years, my subscriber count has started to stagnate, so I'm hoping that taking the stand for a second
11 time will help me get to a million subscribers.

12 I was lucky that I got that original subscriber bump right before the pandemic because,
13 when everything shut down, I couldn't exactly be a travel writer anymore. I ended up hunkering
14 down in Midlands and focusing on my MeTube channel, but I got antsy. So, I decided to be a
15 volunteer firefighter. That way, I could get some exciting footage for my MeTube channel (and
16 also help the community). Unfortunately, even for a thrill-seeker, it proved to be too much for me.
17 I saw a lot of people die on the job. The first time was during a fire at Chuggie's (a local bar),
18 where a fellow firefighter died, but the straw that broke the camel's back was the Black Bear
19 Casino fire on December 17, 2022. 18 deaths. And it was almost 19. While fighting that fire, I got
20 pinned by some rubble and thought I was a goner, but Archie (Archibald) Weston—one of the
21 other firefighters—saved my life. He pulled me out of the rubble and carried me out of the building.
22 He ran back inside to help others, but the casino collapsed while he was inside. He didn't make it.
23 And I retired from firefighting shortly thereafter.

24 The only blessing from that whole Black Bear Casino fire thing was that I met Taylor
25 Hopson because of it. We met at a candlelight vigil for victims of the fire. I was there to mourn
26 Archie when I literally bumped into Taylor, who told me they were there because their significant
27 other Max Bookman also died in the Black Bear Casino fire. We hit it off immediately. We had a
28 lot in common. For example, we both volunteered at Trees for All, a non-profit dedicated to
29 preserving the rainforests (Taylor even served on the Board). But more importantly, we both
30 needed someone to lean on. Taylor and I quickly became inseparable, and before I knew it, our

31 friendship turned romantic. Some of our friends thought we were rushing things, but after we both
32 experienced death, neither of us wanted to take a moment for granted.

33 Starting in 2023, I was finally able to travel again, now with Taylor by my side. Our
34 vacations were epic. Taylor would join me on my thrill-seeking adventures and became a regular
35 guest on my MeTube channel. Together, we traveled all over the world. And what was great about
36 our relationship was that each of us played a part in our trips. Naturally, as the more seasoned
37 traveler, I would plan and book our trips, while Taylor would bankroll our expeditions. I don't
38 know where Taylor got the money; I guessed Taylor had a lot of savings. That said, I suspected
39 Taylor was running low on funds because in January 2024, Taylor said we didn't have enough
40 money for more trips, which is why I was surprised when Taylor came to me in March 2024 with
41 this elaborate Oceania vacation plan for April 2024. When I asked Taylor how Taylor could pay
42 for the trip (Taylor offered to pay for the whole thing), Taylor said the trip would be covered by
43 an "alternative revenue stream." I didn't ask any more questions. In April 2024, the two of us
44 embarked on the trip that Taylor put together.

45 We started in New Zealand visiting the locations where Peter Jackson filmed *The Lord of*
46 *the Rings* trilogy (Taylor told me that Taylor was a massive fan of the films, though we had never
47 watched them together). After New Zealand, the plan was to go to Perth, Australia to take a tour
48 of the Outback where we would film some content for MeTube. I wanted to just fly, but Taylor
49 instead bought us passage on the Mid-Riverina Express, this high-end luxury train that would take
50 us from Sydney to Perth. We would board in Sydney on Monday, April 22, 2024 and would arrive
51 at Perth on April 25, 2024 (which was also Taylor's birthday). A train ride sounded romantic
52 enough, but if I could do it again, I would have pushed harder for the flight.

53 When we ended up in Australia, I again suggested we skip the train ride to do something
54 more exciting for Taylor's birthday, but Taylor insisted that we absolutely could not skip the train
55 ride and that it would be "exciting enough." Turns out Taylor was right because when we boarded
56 on April 22, 2024, I found out that we were only two cabins down from Avery Bancroft, the same
57 Bancroft who owned the Black Bear Casino, and the same Bancroft who is—or should I say, was—
58 Taylor's father. You see, Taylor told me that Taylor grew up not knowing who Taylor's father was
59 until Taylor was an adult. Most people would think that finding out they had a super wealthy parent
60 like Bancroft would be great, but from what I could tell, Taylor barely talked about Bancroft. I
61 don't blame Taylor. If Bancroft were my father, I wouldn't want to advertise it either (I even

remember telling Taylor that “I’m sorry that that man is your father” when Taylor first told me). That said, I realized I had a unique opportunity to get to know Taylor’s father, so I spent most of the train ride trying to figure out how to spend time with Bancroft.

Another thing I wasn’t prepared for was how many other people I would recognize on this train. While grabbing tea during the pre-dinner reception on April 22, 2024, I ran into Harley Kim, a photographer I had previously worked with during my travel writing days. Harley’s one of the best photographers in the business but wasn’t one of the most reliable. See, when I worked with Harley, Harley would either have a camera in their hands or a Vodka Red Bull (sometimes both). Thankfully, Harley seemed to be doing better; they told me that they had been sober for six months.

For the Welcome Dinner on April 22, 2024, we had assigned seats. Taylor and I were seated with Rory Shelton and this private detective Jordan Nathanson. I mostly spoke with Nathanson about their work since I find private detective work fascinating. Taylor and Rory, meanwhile, engaged in an extended conversation about something (I don’t know what), but it looked like the two had known each other before the trip, which made sense since Rory was also from Midlands. Later into the night, Taylor went over to Bancroft’s table to talk with Taylor’s father. I couldn’t hear what they were talking about, but it didn’t end well because Bancroft stormed out of the dining car after a few minutes.

On April 23, 2024, I figured I would try befriending Kirby Doolittle—Bancroft’s assistant—to understand Bancroft more. I tried talking to Kirby during our morning excursion to the Silver City, but Kirby was glued to Bancroft’s side the entire time. Bancroft kept berating Kirby and making quips at them like “Can’t you do anything right?” or “I can replace you in a second, and don’t think I won’t! You won’t be able to work anywhere when I’m finished with you!” I was starting to second guess whether getting to know Bancroft was a good idea.

After our morning excursion, Taylor and I had lunch in the dining car, and I decided to explore the Platinum Section of the train a bit more on my own. During my walkabout, I ran into another familiar face: my former coworker from my firefighting days, Alex Silva. Alex and I were actually quite close. We both worked the Chuggie’s fire, and Alex was there for me after the Black Bear Casino fire. Alex was in a hushed conversation with Dr. Hillary Edmund, another passenger in the Platinum Section. As I approached Alex to say hi, the two of them abruptly ended their conversation and Dr. Edmund walked away. As Edmund was leaving, I saw Alex hand Dr. Edmund something. It might have been an envelope, but I can’t be sure. Once Dr. Edmund

93 left, Alex and I started talking about the Black Bear Casino fire, a topic Alex and I had spoken
94 about on numerous occasions. Alex and I both believed that the Black Bear Casino fire had all the
95 trappings of foul play. Alex was telling me about Alex's new theory on how Bancroft (our most
96 likely suspect) might have pulled off the fire when Nathanson joined our conversation. Nathanson
97 didn't seem to have an opinion other than saying it didn't make sense that Bancroft would have
98 burned down his own casino and that someone might have been trying to frame Bancroft. Not
99 having the energy to deal with a conspiracy theory, I excused myself from the conversation and
100 left to find Taylor.

101 When I caught up to Taylor, Taylor was talking with Harley. It looked like Harley was
102 interviewing Taylor about Bancroft. I knew that Harley was currently working as a photojournalist
103 for Blitz News Network (or BNN for short). Taylor normally didn't talk about Bancroft, but maybe
104 the gin and tonic they had at lunch loosened them up because Taylor confirmed that they were
105 Bancroft's child. I could see Harley scribbling away furiously. I pulled Taylor aside and asked
106 what Taylor was doing. Taylor said, "The people deserve to know the truth about my father. If
107 someone asks, why shouldn't I tell them the truth?" To be honest, I was completely on Taylor's
108 side about this. Not only was Taylor right, but the publicity would be good my MeTube subscriber
109 count, and for our bank accounts. That said, Taylor talking to a journalist about Taylor's experience
110 with Bancroft was completely out of character. Even though it was strange, I let it go.

111 That afternoon, we had a choice of an excursion. We could either tour the Southern
112 Australian Museum or shop in Hahndorf. I wanted to go to the museum, but Taylor insisted on
113 shopping. We were joined by four other passengers—Rory Shelton, Dr. Dana Haskins, Dr. Hillary
114 Edmund, and Harley Kim—as well as one of the Mid-Riverina Express's employees who served
115 as our guide (their nametag read Zhang). Harley ended up tagging along with me and Taylor, but
116 it seemed like Harley was more interested in taking photographs of me and Taylor than enjoying
117 Hahndorf. Despite our personal paparazzi, Taylor and I enjoyed the quaint village. We toured the
118 various shops, including this lovely craft shop named Scher's Tool & Craft. I started to head back
119 to the train around 6:45pm (the Mid-Riverina Express was departing around 7:00pm), but Taylor
120 stayed behind to grab a couple last-minute things. I don't know exactly what all Taylor grabbed,
121 but Taylor had enough money since they were carrying nearly \$10,000 in cash. Harley stayed with
122 Taylor to take a few more photos.

123 The next morning (April 24, 2024), Taylor was sleeping in while I was having breakfast in
124 the dining car (I would have slept in, but Chef Farnsworth had prepared one of my favorite dishes
125 that morning). While in the dining car, I bumped into none other than Avery Bancroft himself.
126 This trip wasn't the first time I had seen Bancroft in person. During the summer of 2023, Taylor,
127 Shannon Shahid (Taylor's half-sibling and Bancroft's other child), and I had dinner at one of
128 Bancroft's European villas at Bancroft's invitation. It was truly one of the most awkward dinners
129 I have ever been to. Neither Shannon nor Taylor seemed to have a lot of love for their father, but
130 at least Taylor was able to behave. Shannon, in contrast, argued with Bancroft the entire night,
131 ultimately storming out and saying, "I don't know why I even bothered. Next time, spare the invite.
132 The only event of yours I'll ever go to is your funeral." Making eye contact with Bancroft on the
133 train, it looked like he recognized me, so I went over to say hello. He then invited me and Taylor
134 for afternoon tea, which was nice. But he got my name wrong, which was insulting.

135 I went back to our cabin (Cabin 3) to discuss it with Taylor. Taylor seemed hesitant to
136 connect with their father, but when I reminded them that having someone like Bancroft in our
137 corner might be financially helpful, Taylor agreed. So, we met with Bancroft in his cabin (Cabin 1)
138 for afternoon tea. When we entered the cabin, Bancroft was on the phone. I heard him say,
139 "Shannon, this time, blood isn't thicker than water. I've sent you more money than you deserve.
140 You won't see another cent from me!" Bancroft then hung up the phone and gestured to the chairs
141 across from him where Taylor and I sat. Bancroft offered us the choice of tea or Kiara Moonshine.
142 Taylor and I chose the tea. Everything was very awkward at the beginning to say the least. We
143 sipped on tea in silence. Eventually, Bancroft broke the silence by asking Taylor, "How much do
144 you want this time?" Taylor stayed silent. Bancroft continued, "Please, we both know what this is
145 about. You call asking for reconciliation. You show up out of the blue. You want something.
146 You've been like this since you were a kid when you were asking for money for your mom."
147 Taylor yelled back, "She was dying, you idiot!" Trying to keep myself out of this family affair, I
148 tried to distract myself with the paperwork scattered on the table in front of us, which turned out
149 to be a mistake. It turned out the paperwork related to a planned acquisition by Bancroft Estates
150 (Bancroft's company) of a logging company responsible for deforesting large portions of the
151 Amazon rainforest. Despite my better judgment, I pointed out the paperwork to Taylor, who started
152 screaming at Bancroft about destroying the planet on top of destroying Bancroft's family.

153 Taking this as my cue to leave, I stepped out of Bancroft's cabin. As I left Bancroft's cabin,
154 I bumped into Ashley Connel. Ashley looked to be skulking around and looked startled when I
155 stepped out of Bancroft's cabin. Ashley was so startled that I saw Ashley nearly fall over. I am not
156 too familiar with Ashley, but I know Ashley was close with Taylor's half-sibling Shannon Shahid
157 (Shahid had mentioned being good friends with renowned artist Ashley Connel during that dinner
158 at Bancroft's villa the summer of 2023). Ashley had been around Bancroft a lot during the trip.
159 For example, they sat with each other during the Welcome Dinner, and I know they both toured
160 the South Australian Museum since neither went to Hahndorf. So, I asked Ashley what Ashley
161 was doing. Ashley stammered and said something about hide and seek. The whole interaction was
162 strange. I could have sworn I saw Ashley holding a ripped-up magazine, but I only saw it for a few
163 seconds so cannot be one hundred percent sure.

164 The train made a planned stop at Nullarbor Plain starting at 4:00pm according to the
165 onboard digital clock. Figuring Taylor probably needed some space after the bombshells with
166 Bancroft, I decided to join Alex Silva for a hike to clear my head. We were joined by Harley Kim
167 (who thankfully decided to take photos of landscapes and not people this time) and Dr. Hillary
168 Edmund. Other than the occasional small talk, I hadn't talked to Dr. Edmund before the hike. And
169 I can't say Dr. Edmund made much of an impression on me during our hike (if you could call
170 walking on one of the flattest places in the region a hike). Dr. Edmund spent most of the time
171 quietly chatting with Alex. When I did have a chance to talk to Dr. Edmund, I asked about the
172 envelope I may have seen Alex hand Dr. Edmund, but Dr. Edmund just changed the subject.
173 Harley, on the other hand, did try asking me questions about whether I thought Bancroft was
174 behind the Black Bear Casino fire. Taking a page from Dr. Edmund's book, I stayed quiet.

175 I met up with Taylor again at dinner. Taylor seemed to be in much better spirits. When I
176 asked what was up, Taylor said that they finally figured out how to deal with their father, but
177 Taylor told me not to worry about it when I asked for specifics. Taylor wasn't the only one in good
178 spirits. Bancroft was also there having lively conversations with the rest of the guests. Things
179 changed, however, when Harley came up to Bancroft asking for an interview. Bancroft brushed
180 Harley away and started to head out of the dining car, but Bancroft was cut off by Kirby Doolittle.
181 It looked like they were having a heated conversation, so I went over to the bar. But I could still
182 make out some of what the two were saying. Bancroft told Kirby, "Not now, not with all these
183 people." Kirby angrily whispered back, "Then when? After all I've done, the casino license, the

184 Black Bear, you owe me.” Bancroft responded, “Fine, but after we get off this train tomorrow
185 morning.” That last response was so loud that everyone in the dining car turned to look at Bancroft,
186 and I got so startled that I dropped the drink I was holding. The response was also weird since we
187 didn’t arrive in Perth until the following afternoon. The only stop in the morning was a short supply
188 stop. I guess someone could just get off the train at that time. But I didn’t have a chance to ask any
189 clarifying questions as Kirby and Bancroft left the dining car, and I didn’t see either of them again
190 that night. I couldn’t ask Taylor either because Taylor also stepped away to deal with work, though
191 I wasn’t quite clear what Taylor did for a living if I’m being honest. I stayed around for the post-
192 dinner reception that night before turning in.

193 The next day (April 25, 2024, and Taylor’s birthday) was pandemonium. Taylor and I woke
194 up to Rory Shelton barging into our cabin insisting that we had to come and see something. We
195 walked over while Rory lagged behind. As we walked to Bancroft’s cabin, we saw a group of
196 people gathering. As they saw Taylor, everyone began making a path for us. We walked into
197 Bancroft’s cabin and saw Bancroft lying on the ground with Dr. Edmund and Alex Silva trying to
198 revive him. After what felt like hours (but was probably just minutes), Dr. Edmund declared
199 Bancroft dead. I remember holding Taylor and telling Taylor that everything was going to be okay.
200 I could feel Taylor crying into my shoulder. Still, it was so bizarre. Bancroft seemed totally healthy
201 the night before. But I guess heart attacks can strike at any time.

202 I know people are blaming Taylor for Bancroft’s death. That’s nonsense. Sure, the two
203 were not close, but he was still Taylor’s father. Yes, Taylor inherited the vast majority of
204 Bancroft’s estate in Bancroft’s will. Yes, it’s a lot of money. And yes, Taylor and I knew about
205 the potential inheritance. But having an inheritance doesn’t mean you killed your parent! Taylor
206 and I have been through so much since that train ride, and Shannon Shahid is only out here to make
207 things worse. Frankly, Shannon is simply bitter that Bancroft left the bulk of the estate to Taylor.
208 If anything, Bancroft should have just cut Shannon out of the will entirely. But, as with past
209 tragedies, there have been a couple silver linings from Bancroft’s death. First, after Bancroft’s
210 death, Taylor became interim CEO of Bancroft Estates, and one of first things Taylor did was
211 scuttle the acquisition of that logging company and invest that capital into renewables. Second,
212 after another reminder of our mortality, Taylor took the plunge and proposed. We’re getting
213 married! The wedding, of course, will be after this silly lawsuit is dealt with (weddings are

expensive, after all). And before you ask, no, Taylor and I won't have a prenuptial agreement. When we get married, we're going to share our entire lives together, including all our assets.

I am familiar with the following—and only the following—exhibits:

Exhibit 1 is a photo of Bancroft.

Exhibit 6 is Bancroft's will. Taylor kept a copy in their records, which is how I am familiar with this document. As for what exactly would be inherited, Exhibit 7 are schedules of assets for Bancroft. Taylor, on occasion, would tell me what all Bancroft owned. Exhibit 7 tracks with what Taylor told me.

Exhibit 10 is a brochure for the Mid-Riverina Express. Exhibit 11 is the layout of the Platinum Section. Exhibit 12 contains the trip itinerary and cabin assignments; the staff aboard the train generated it during the Welcome Dinner. To my knowledge, everything in Exhibits 10-12 is true and accurate except for the schedule for April 25, 2024 because of Bancroft's death.

Exhibit 14 is a complete and accurate transcript of my April 25, 2024 interrogation by the Australian authorities. I was extremely nervous the whole time. If anything in the interrogation contradicts something in this affidavit, this affidavit is correct per my oath to tell the truth.

Exhibit 15 is an accurate transcript of a portion of Taylor's interview on the Midlands Review with Paras and Frost. I listened to the episode the day it was released (May 8, 2024), and I could recognize Taylor's voice anywhere.

Exhibit 17 is a picture of Bancroft's medallion. I can tell it's Bancroft's specifically from the visible wear and tear. Bancroft was always wearing that medallion, something about his phoenix mentality (rise up from the ashes nonsense or something). But I guess something changed, because Taylor was wearing that medallion when we were coming back from Australia. The first time I had seen Taylor with the medallion was on April 25, 2024. I'm guessing Bancroft gifted it to Taylor when they apparently reconciled on April 24, 2024 while I was on my hike. But since I wasn't there, I don't know for sure.

Exhibit 20 is a medical record for Bancroft. Like Bancroft's will, Taylor had a copy of this record in Taylor's files. It says Taylor was there, so I guess that's why Taylor had it.

Exhibit 21 is the front page of the Midlands Courier Gazette covering the one-year anniversary of the Black Bear Casino fire. It pains me just looking at that front page photo.

243 Exhibit 25b is an email Taylor forwarded to me with details about the Mid-Riverina
244 Express. Attached to the email was the brochure for the Mid-Riverina Express (Exhibit 10).
245 Looking at this email, I just noticed that Taylor was forwarding me an email from Kirby Doolittle.
246 I guess it's a small world.

247 Exhibit 26a looks to be a report of text messages between me and Taylor from April 22-
248 25, 2024. These are accurate, and the dates and timestamps are Australian local time. As for what
249 Taylor meant by the various emojis they sent me on April 23, 2024, you'd have to ask Taylor. As
250 my response showed, I didn't know what Taylor was talking about.

251 Exhibit 31 is a receipt from Scher's Tool & Craft, that craft shop in Hahndorf. It looks like
252 other receipts I saw from that store. Looking at the timestamp, I was already back at the train when
253 this purchase happened.

254 Exhibit 34a appears to be a pair of sunglasses missing a lens. They look pretty similar to
255 the pair of sunglasses I was using during the trip (which Taylor gave me after our shopping
256 excursion in Hahndorf), but I misplaced them. I remember using them during my hike on April 24,
257 2024, but I don't remember seeing them after that. And when we returned to Midlands and I
258 unpacked my luggage, they weren't there either. I don't know what happened to them. Exhibit 34b
259 appears to be a loose lens for a pair of sunglasses. It looks like the missing lens from Exhibit 34a.

260 Exhibit 35 is an excerpt of Bancroft's memoir. When Taylor and I visited Bancroft's cabin,
261 I saw a copy of this sitting on the table. Oddly, this was the only page. I didn't see any other. While
262 Bancroft and Taylor were arguing, I skimmed the page. I remember asking Harley Kim about it
263 during our hike, but I don't remember Harley's response.

264 Exhibit 37 looks like the note I saw on the floor of Bancroft's cabin on April 25, 2024
265 when Taylor and I saw Bancroft die. The individual letters appear to have been cut or ripped out
266 of one or more magazines.

267 Exhibit 40b is a bottle of concentrated banana extract. Taylor and I saw this exact same
268 kind of extract on sale at Scher's Tool & Craft in Hahndorf. I considered buying it, so I read the
269 entirety of the label. Exhibit 40a is a printout of the label. Taylor said we didn't need it, so we
270 didn't buy it. Right before I headed back to the train, though, I had second thoughts. But when I
271 reentered Scher's Tool & Craft, they were sold out of the extract. I guess someone else ended up
272 buying it after Taylor and I left the store.

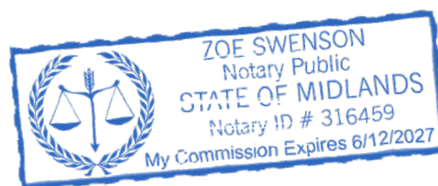
273 Exhibit 41b is a box of rodenticide. This looks to be the exact same kind of rodenticide
274 kept on the Mid-Riverina Express. The reason I know this is because Taylor and I arrived early to
275 the train station. While we were waiting to board the Mid-Riverina Express in Sydney, I saw Mid-
276 Riverina Express employees stock up the train, and one of the items I saw them bring into the train
277 was this brand of rodenticide. Exhibit 41a is a printout of the rodenticide box.

278 I swear or affirm the truthfulness of everything stated in this affidavit. Before giving this
279 statement, I was told I should include everything that I know may be relevant to my testimony,
280 and I followed those instructions. I know that I can and must update this affidavit if anything new
281 occurs to me until the moment before opening statements begin in this case.

Signed:

Subscribed and Sworn to me on this 19th day of July 2024:

Kelly Doos



Zoe Swenson
Notary Public

AFFIDAVIT OF KELLY DOOS (PLAINTIFF SIDE)

1 After being duly sworn upon oath, Kelly Doos hereby states as follows: I am over 18 and
2 competent to make this affidavit. I am not testifying voluntarily. I was subpoenaed and compelled
3 to testify.

4 My name is Kelly Doos, and I'm what you call a professional thrill-seeker, social media
5 influencer, and freelance travel writer. I have my own MeTube channel with over 400,000
6 subscribers. Well, technically, it's a little under 398,000, but I've learned to exaggerate numbers a
7 bit to generate better ad revenue. My channel used to be much smaller, but I got a huge subscriber
8 boost after testifying in a murder trial right before the pandemic. I pretty much became a Midlands
9 celebrity overnight (people even dress up as me for Halloween). However, since it's been many
10 years, my subscriber count has started to stagnate, so I'm hoping that taking the stand for a second
11 time will help me get to a million subscribers.

12 I was lucky that I got that original subscriber bump right before the pandemic because,
13 when everything shut down, I couldn't exactly be a travel writer anymore. I ended up hunkering
14 down in Midlands and focusing on my MeTube channel, but I got antsy. So, I decided to be a
15 volunteer firefighter. That way, I could get some exciting footage for my MeTube channel (and
16 also help the community). Unfortunately, even for a thrill-seeker, it proved to be too much for me.
17 I saw a lot of people die on the job. The first time was during a fire at Chuggie's (a local bar),
18 where a fellow firefighter died, but the straw that broke the camel's back was the Black Bear
19 Casino fire on December 17, 2022. 18 deaths. And it was almost 19. While fighting that fire, I got
20 pinned by some rubble and thought I was a goner, but Archie (Archibald) Weston—one of the
21 other firefighters—saved my life. He pulled me out of the rubble and carried me out of the building.
22 He ran back inside to help others, but the casino collapsed while he was inside. He didn't make it.
23 And I retired from firefighting shortly thereafter.

24 Little did I know that the whole Black Bear Casino fire thing would lead to one of the
25 biggest mistakes in my life: Taylor Hopson. We met at a candlelight vigil for victims of the fire. I
26 was there to mourn Archie when I literally bumped into Taylor, who told me they were there
27 because their significant other Max Bookman also died in the Black Bear Casino fire. What Taylor
28 conveniently left out was that Taylor's father was Avery Bancroft, the man most likely responsible
29 for the Black Bear Casino fire. Well, in my ignorance, we hit it off immediately. I thought we had
30 a lot in common. For example, we both volunteered at Trees for All, a non-profit dedicated to

31 preserving the rainforests (Taylor even served on the Board). But honestly, I needed someone to
32 lean on, and Taylor was that person. Our relationship became romantic. Some of our friends
33 thought we were rushing things, and I wish I had listened to them.

34 Starting in 2023, I was finally able to travel again. Taylor was able to join me on my thrill-
35 seeking adventures and became a regular guest on my MeTube channel. As the more seasoned
36 traveler, I would plan and book our trips, while Taylor would bankroll our expeditions. While
37 Taylor did a lot of volunteer work, I never saw Taylor work an actual job, so I have no idea where
38 Taylor got the money. At the time, I figured Taylor had a lot of savings. That said, I suspected
39 Taylor was running low on funds because in January 2024, Taylor said we didn't have enough
40 money for more trips, which is why I was surprised when Taylor came to me in March 2024 with
41 this elaborate Oceania vacation plan for April 2024. When I asked Taylor how Taylor could pay
42 for the trip (Taylor offered to pay for the whole thing), Taylor said the trip would be covered by
43 an "alternative revenue stream." I had a bad feeling, but a free trip is a free trip. So, in April 2024,
44 the two of us embarked on the trip that Taylor put together.

45 We started in New Zealand visiting the locations where Peter Jackson filmed The Lord of
46 the Rings trilogy (Taylor told me that Taylor was a massive fan of the films, though we had never
47 watched them together). After New Zealand, the plan was to go to Perth, Australia to take a tour
48 of the Outback where we would film some content for MeTube. I wanted to fly, but Taylor insisted
49 on taking the Mid-Riverina Express, this high-end luxury train that would take us from Sydney to
50 Perth. We would board in Sydney on Monday, April 22, 2024 and would arrive at Perth on April
51 25, 2024. When we ended up in Sydney, I again suggested skipping the train ride to do something
52 more exciting, but Taylor said we absolutely could not skip the train ride and that it would be
53 "exciting enough."

54 I understood what Taylor meant when we boarded on April 22, 2024. I found out that we
55 were only two cabins away from Avery Bancroft, the same Bancroft who owned the Black Bear
56 Casino and who was Taylor's father. Taylor did not look at all surprised about seeing Taylor's
57 father on board, but it was news to me. Taylor typically avoided talking about Bancroft. When
58 Taylor finally told me that Bancroft was their father, Taylor claimed that Taylor had grown up not
59 knowing who their father was until they were an adult. Knowing what I know now, I don't know
60 if Taylor was telling me the truth, but what I do know is that Taylor was not Bancroft's biggest

61 fan. During our entire relationship, I never heard Taylor say a good thing about Bancroft. As for
62 me, I was hoping to keep my distance from Bancroft for the duration of the trip.

63 Another surprise that Taylor didn't prepare me for was how many other people I would
64 recognize on this train. While grabbing tea during the pre-dinner reception on April 22, 2024, I ran
65 into Harley Kim, a photographer I had previously worked with during my travel writing days.
66 Harley's one of the best photographers in the business but wasn't one of the most reliable. See,
67 when I worked with Harley, Harley would either have a camera in their hands or a Vodka Red Bull
68 (sometimes both). Thankfully, Harley seemed to be doing better; they told me that they had been
69 sober for six months.

70 For the Welcome Dinner on April 22, 2024, we had assigned seats. Taylor and I were
71 seated with Rory Shelton and this private detective Jordan Nathanson. I mostly spoke with
72 Nathanson about their work since I find private detective work fascinating. Taylor and Rory were
73 apparently catching up. I wasn't really paying attention to what they were talking about, but they
74 looked like two old friends catching up after a long while. Later that night, Taylor went over to
75 Bancroft's table for some reason (Taylor didn't tell me why), but it didn't end well because
76 Bancroft stormed out of the dining car after a few minutes. When Taylor rejoined me, I could hear
77 Taylor muttering under their breath, "I'll get my birthright one way or the other."

78 On April 23, 2024, we had a morning excursion to the Silver City. During that excursion,
79 I saw Kirby Doolittle—Bancroft's assistant—glued to Bancroft's side the entire time. Bancroft
80 kept berating Kirby and making quips at them like "Can't you do anything right?" or "I can replace
81 you in a second, and don't think I won't! You won't be able to work anywhere when I'm finished
82 with you!" To Taylor's credit, I saw Taylor try to console Kirby, telling Kirby, "Don't worry,
83 Kirby. Just a couple more days."

84 After our morning excursion, Taylor and I had lunch in the dining car, and I decided to
85 explore the Platinum Section of the train a bit more on my own (which should have been
86 foreshadowing how it would end with Taylor). During my walkabout, I ran into another familiar
87 face: my former coworker from my firefighting days, Alex Silva. Alex and I were actually quite
88 close. We both worked the Chuggie's fire, and Alex was there for me after the Black Bear Casino
89 fire. I would do anything for Alex and vice-versa. Alex was in a hushed conversation with
90 Dr. Hillary Edmund, another passenger in the Platinum Section. As I approached Alex to say hi,
91 the two of them abruptly ended their conversation and Dr. Edmund walked away. As Dr. Edmund

92 was leaving, I saw Alex hand Dr. Edmund something. It might have been an envelope, but I can't
93 be sure. Once Dr. Edmund left, Alex and I started talking about the Black Bear Casino fire, a topic
94 Alex and I had spoken about on numerous occasions. Alex and I both believed that the Black Bear
95 Casino fire had all the trappings of foul play (and that Bancroft was responsible). Alex was telling
96 me about Alex's new theory about how Bancroft might have pulled off the fire when Nathanson
97 joined our conversation. Nathanson didn't seem to have an opinion other than saying it didn't make
98 sense that Bancroft would have burned down his own casino and that someone might have been
99 trying to get revenge against Bancroft since Bancroft was publicly known to love the Black Bear
100 Casino. Not having the energy to deal with a conspiracy theory, I excused myself from the
101 conversation and left to find Taylor.

102 When I caught up to Taylor, Taylor was talking with Harley. It looked like Harley was
103 interviewing Taylor about Bancroft. I knew that Harley was currently working as a photojournalist
104 for Blitz News Network (or BNN for short). Taylor normally didn't talk about Bancroft, but for
105 some reason, Taylor confirmed both that Taylor was Bancroft's child as well as that Bancroft had
106 a ton of enemies that would like to do him harm. I could see Harley scribbling away furiously. I
107 pulled Taylor aside and asked what Taylor was doing. Taylor said, "The people deserve to know
108 the truth about my father. About how there is no shortage of people who would want him dead."
109 To be honest, I was completely on Taylor's side about this. Not only was Taylor right, but the
110 publicity might have been helpful in having Bancroft being held accountable. That said, Taylor
111 talking to a journalist at all (let alone about Taylor's experience with Bancroft) was completely
112 out of character. But not wanting to be the person who defended Avery Bancroft, I let it go.

113 That afternoon, we had a choice of an excursion. We could either tour the Southern
114 Australian Museum or shop in Hahndorf. I wanted to go to the museum, but Taylor insisted on
115 shopping. Four other passengers joined us in Hahndorf—Rory Shelton, Dana Haskins, Dr. Hillary
116 Edmund, and Harley Kim—as well as one of the Mid-Riverina Express's employees who served
117 as our guide (their nametag read Zhang). Harley ended up tagging along with me and Taylor, but
118 it seemed like Harley was more interested in taking photographs of me and Taylor than enjoying
119 Hahndorf. We toured the various shops, including this lovely craft shop named Scher's Tool &
120 Craft. I started to head back to the train around 6:45pm (the Mid-Riverina Express was departing
121 around 7:00pm), but Taylor stayed behind to grab a couple last-minute things. Harley stayed with
122 Taylor to take a few more photos, and I guess Taylor liked whatever photos Harley took because,

on April 25, 2024, I watched Taylor pay Harley \$7,500 in cash (USD) for all of the photos Harley had taken on the trip (originals and any copies).

The next morning (April 24, 2024), Taylor was sleeping in while I was having breakfast in the dining car (I would have slept in, but Chef Farnsworth had prepared one of my favorite dishes that morning). While in the dining car, I bumped into Bancroft himself. This trip wasn't the first time I had seen Bancroft in person. During the summer of 2023, Taylor, Shannon Shahid (Taylor's half-sibling and Bancroft's other child), and I had dinner at one of Bancroft's European villas at Bancroft's invitation (which is when Taylor finally told me the truth about who their father was). It was truly one of the most awkward dinners I have ever been to. Neither Shannon nor Taylor seemed to have a lot of love for their father, but at least Shannon was able to behave. Taylor, in contrast, argued with Bancroft the entire night, ultimately storming out and saying, "I don't know why I even bothered. Next time, spare the invite. The only event of yours I'll ever go to is your funeral!" I was no fan of Bancroft, but even I felt embarrassed as I followed Taylor out of Bancroft's villa.

When Bancroft and I made eye contact in the dining car, it looked like he recognized me. He came over and invited me and Taylor for afternoon tea. I went back to my cabin (Cabin 3) to discuss it with Taylor. Taylor seemed hesitant, but ultimately thought it might be a good idea. So, we met with Bancroft in his cabin (Cabin 1) for afternoon tea. When we entered the cabin, Bancroft was on the phone. I heard him say, "Shannon, this time, blood isn't thicker than water. I've sent you more money than you deserve. No child of mine will ever see another cent from me!" Bancroft then hung up the phone and gestured to the chairs across from him where Taylor and I sat. Bancroft offered us the choice of tea or Kiara Moonshine. Taylor and I chose the tea. Everything was very awkward at the beginning to say the least. We sipped on tea in silence. Eventually, Bancroft broke the silence by asking Taylor, "How much do you want this time?" Taylor clenched their fist but stayed silent. Bancroft continued, "Please, we both know what this is about. You call asking for reconciliation. You show up out of the blue. You want something. You've been like this since you were a kid when you were asking for money for your mom." Taylor yelled back, "She died, you idiot! Because you were too greedy to pay for her treatment." Trying to keep myself out of this family affair, I tried to distract myself with the paperwork scattered on the table in front of us, which turned out to be a mistake. It turned out the paperwork related to a planned acquisition by Bancroft Estates (Bancroft's company) of a logging company responsible for deforesting large

154 portions of the Amazon rainforest. Despite my better judgment, I pointed out the paperwork to
155 Taylor, who started screaming at Bancroft about destroying the planet on top of destroying
156 Taylor's family.

157 Taking this as my cue to leave, I stepped out of Bancroft's cabin. As I left Bancroft's cabin,
158 I bumped into Ashley Connel. Ashley looked to be skulking around and looked startled when I
159 stepped out of Bancroft's cabin. Ashley was so startled that I saw Ashley nearly fall over. I am not
160 too familiar with Ashley, but I know Ashley was close with Taylor's half-sibling Shannon Shahid
161 (Shahid had mentioned being good friends with renowned artist Ashley Connel during that dinner
162 at Bancroft's villa the summer of 2023). Ashley had been around Bancroft a lot during the trip.
163 For example, they sat with each other during the Welcome Dinner, and I know they both toured
164 the South Australian Museum since neither went to Hahndorf. So, I asked Ashley what Ashley
165 was doing. Ashley stammered and said something about waiting for Taylor. The whole interaction
166 was strange. I could have sworn I saw Ashley holding a ripped-up magazine, but I only saw it for
167 a few seconds so cannot be one hundred percent sure.

168 The train made a planned stop at Nullarbor Plain starting at 4:00pm according to the
169 onboard digital clock. Figuring Taylor probably needed some space, I decided to join Alex Silva
170 for a hike to clear my head. We were joined by Harley Kim (who thankfully decided to take photos
171 of landscapes and not people this time) and Dr. Hillary Edmund. Other than the occasional small
172 talk, I hadn't talked to Dr. Edmund before the hike. And I can't say Dr. Edmund made much of an
173 impression on me during our hike (if you could call walking on one of the flattest places in the
174 region a hike). Dr. Edmund spent most of the time quietly chatting with Alex. When I did have a
175 chance to talk to Dr. Edmund, I asked about the envelope I may have seen Alex hand Dr. Edmund,
176 but Dr. Edmund just changed the subject. Harley, on the other hand, did try asking me questions
177 about whether I thought Bancroft was behind the Black Bear Casino fire. Taking a page from
178 Dr. Edmund's book, I stayed quiet.

179 I met up with Taylor again at dinner. Taylor seemed to be in much better spirits. When I
180 asked what was up, Taylor said that Taylor finally figured out the plan on how to deal with Taylor's
181 father and then winked to someone behind me (I don't know who). Taylor wasn't the only one in
182 good spirits. When I turned around, Bancroft (whose back was to me) was also there having lively
183 conversations with the rest of the guests. Things changed, however, when Harley came up to
184 Bancroft asking for an interview. Bancroft brushed Harley away and started to head out of the

dining car, but Bancroft was cut off by Kirby Doolittle. It looked like they were having a heated conversation, so I went over to the bar. But I could still make out some of what the two were saying. Bancroft told Kirby, “Not now, not with all these people.” Kirby angrily whispered back, “Then when? After all I’ve done, the casino license, the Black Bear, you owe me.” Bancroft responded, “Fine, but after we get off this train tomorrow morning.” That last response was so loud that everyone in the dining car turned to look at Bancroft, and it must have startled Taylor because Taylor dropped the drink they were holding. The response was also weird since we didn’t arrive in Perth until the following afternoon. The only stop in the morning was a short supply stop. I guess someone could just get off the train at that time. But I didn’t have a chance to ask any clarifying questions as Kirby and Bancroft left the dining car, and I didn’t see either of them again that night. I tried asking Taylor, but Taylor just muttered something about it being time for “Plan M” and left. I stayed around for the post-dinner reception that night before turning in.

The next day (April 25, 2024, and Taylor’s birthday) was pandemonium. Taylor and I woke up to Rory Shelton barging into our cabin insisting that we had to come and see something. We walked over while Rory lagged behind. As we walked to Bancroft’s cabin, we saw a group of people gathering. As they saw Taylor, everyone began making a path for us (I think one or two people also nodded at Taylor, but I didn’t register who). We walked into Bancroft’s cabin and saw him lying on the ground with Dr. Edmund and Alex Silva trying to revive him. After a few minutes, Dr. Edmund declared Bancroft dead. I remember Taylor burying their head into my shoulder. At the time, I thought Taylor was crying into my shoulder, but it’s also possible Taylor was laughing into my shoulder. Regardless, I thought this whole situation was a bit bizarre. Bancroft seemed totally healthy the night before. I thought it was suspicious.

I know people are blaming Taylor for Bancroft’s death. And I get it. With Bancroft dead, Taylor inherited the vast majority of Bancroft’s estate as per Bancroft’s will. It’s a lot of money, and Taylor knew about the potential inheritance. But more importantly, Taylor was just acting super suspicious, and it didn’t stop after we left the Mid-Riverina Express. When we returned to Midlands, Taylor proposed, but it was as far from romantic as humanly possible. Taylor told me that their half-sibling Shannon was going to file a lawsuit to contest the will and that Taylor was worried that Shannon would subpoena me to testify against Taylor. So, Taylor thought that, if we got married, I wouldn’t have to testify against Taylor. I was flabbergasted. After everything I put up with, even Taylor’s proposal had some ulterior motive. I broke up with Taylor on the spot, and

I let Taylor have a piece of my mind. I told Taylor how Taylor had wasted over a year of my life and that my life had become worse by having Taylor in it. I told Taylor that I never wanted to see Taylor again, and that if we were even in the same room, Taylor would regret it. The Taylor apple did not fall far from the Bancroft tree. Indeed, Taylor went on to take over Bancroft Estates and other than investing in renewables as opposed to logging (which I approve), Taylor's reign has been more of the same. I pray Shannon's lawsuit knocks Taylor down a peg, and if subpoenaed to testify, I'll be sure to do my part. Because, if subpoenaed, I'll be happy to testify. All Taylor seems to understand is money, so if I help stop Taylor from getting that inheritance money, maybe Taylor will finally reflect on their mistakes and become the person I know that Taylor can be.

I am familiar with the following—and only the following—exhibits:

Exhibit 1 is a photo of Bancroft.

Exhibit 6 is Bancroft's will. Taylor would always keep a copy on hand for some reason, which is how I am familiar with the document. As for what exactly would be inherited, Exhibit 7 contains schedules of Bancroft's assets. Taylor had this uncanny ability to recite all of Bancroft's assets. Exhibit 7 tracks with what Taylor would rattle off.

Exhibit 8 looks like a torn-up document that was put back together. It appears to be a handwritten will dated April 25, 2024. In addition to saying it's Bancroft's will, it looks exactly like Bancroft's handwriting, which I've seen before. It's also written in purple ink, and I've only seen Bancroft use purple pens when writing. And the paper matches the type of paper I saw in Bancroft's cabin. In fact, while in Bancroft's cabin on April 25, 2024, I remember seeing a torn-up document in the nearby trash can. I imagine this was that document.

Exhibit 10 is a brochure for the Mid-Riverina Express. Exhibit 11 is the layout of the Platinum Section. Exhibit 12 contains the trip itinerary and cabin assignments; the staff aboard the train generated it during the Welcome Dinner. To my knowledge, everything in Exhibits 10-12 is true and accurate except for the schedule for April 25, 2024 because of Bancroft's death.

Exhibit 14 is a complete and accurate transcript of my April 25, 2024 interrogation by the Australian authorities. I was extremely nervous the whole time. If anything in the interrogation contradicts something in this affidavit, this affidavit is correct per my oath to tell the truth.

Exhibit 15 is an accurate transcript of a portion of Taylor's interview on the Midlands Review with Paras and Frost. Taylor and I were still together, so I listened to the episode the day it was released (May 8, 2024), and for better or worse, I could recognize Taylor's voice anywhere.

Exhibit 16c appears to be a picture of a keychain for Chuggie's, that bar that burned down in 2020. It looks exactly like the Chuggie's keychain I found on the floor of our cabin (Cabin 3) on April 25, 2024. I found it while packing our luggage. It's not mine, and the only other passenger to enter our cabin was Taylor. I had never seen a Chuggie's keychain before April 25, 2024.

Exhibit 17 is a picture of Bancroft's medallion. I can tell it's Bancroft's specifically from the visible wear and tear. Bancroft was always wearing that medallion, something about his phoenix mentality (rise up from the ashes nonsense or something). But I guess something changed, because Taylor was wearing that medallion when we were coming back from Australia. The first time I had seen Taylor with the medallion was on April 25, 2024. But I did notice that the back of the cord (the portion not pictured in Exhibit 17) was recently repaired as if it had broken. I don't remember the cord looking like that when Bancroft wore it. Taylor definitely had the knowledge, skills, and tools to repair it. Taylor had previously repaired similar cords (a lot of Taylor's late mother's jewelry used similar cords) and brought their tools with them on our trip.

Exhibit 20 is a medical record for Bancroft. Like Bancroft's will, Taylor had a copy of this record in Taylor's files for some reason. I have no idea why Taylor kept this specific record.

Exhibit 21 is the front page of the Midlands Courier Gazette covering the one-year anniversary of the Black Bear Casino fire. It pains me just looking at that front page photo.

Exhibit 22 is a bank statement for one of Bancroft's accounts. Taylor was reviewing a copy of this when we returned to Midlands after our trip on the Mid-Riverina Express. The transactions explain both where Taylor's money came from and why it was drying up. It also suggests Bancroft had remorse over the Black Bear Casino fire (though, too little, too late).

Exhibit 25b is an email Taylor forwarded me with details about the Mid-Riverina Express. Attached to the email was the brochure for the Mid-Riverina Express (Exhibit 10). Looking at this email, I just noticed that Taylor was forwarding me an email from Kirby Doolittle. I contacted Kirby, who showed me Exhibit 25a, which looks to be the original email chain between Taylor and Kirby. I'm disappointed to see Taylor yet again hid something from me, but not surprised.

Exhibit 26a looks to be a report of text messages between me and Taylor from April 22-25, 2024. These are accurate, and the dates and timestamps are Australian local time. I imagine the report was pulled because Taylor deleted their texts when we returned to Midlands. Taylor asked me to do the same. As for what Taylor meant by the emojis they sent me on April 23, 2024, you'd have to ask Taylor. As my response showed, I didn't know what Taylor was talking about. I guess this is also a good time to talk about Taylor's "secret code." Taylor would sometimes embed hidden messages in their messages (texts, emails, notes, etc.). Taylor taught me the code when we started dating. As Taylor explained, every time Taylor signed a note with their first initial ("T"), there's a hidden message. If you take the first letter of every sentence (with a line break signifying a new word), you uncover the message. Take my texts with Taylor on April 24, 2024 as an example. I asked Taylor, "Everything good?" Normal. Taylor responded, "Couldn't be better. Over at the lounge doing work. Very beautiful view. Everything I dreamed of. Really peaceful, too. [Line break] Might be able to wrap up in time for bed. Enjoy the reception!" and then signed it "T," meaning there's a hidden message. Taking the first letter of each sentence and considering the line break, Taylor's hidden message reads, "COVER ME." You'll see that I responded in code as well: "GOT IT," though, admittedly, I don't know what I was covering for or why. In short, if Taylor signed a message with "T," expect a hidden message. Taylor told me that they learned this code from their father Bancroft. According to Taylor, Bancroft would use the exact same code for any and all messages that Bancroft would sign as "A." Like parent, like child, I guess.

Exhibit 31 is a receipt from Scher's Tool & Craft, that craft shop in Hahndorf. It looks like other receipts I saw from that store. Looking at the timestamp, I was already back at the train when this purchase happened, but this would have been exactly when Taylor was buying some last-minute items. Taylor told me they were specifically going to Scher's Tool & Craft. I also know that Taylor definitely bought sunglasses and sunscreen, since both of those items were for me.

Exhibit 32 is a drawing by Bailey Connel. Among the chaos, Bailey was trying to show off a drawing they made in the middle of the night. I think I was the only one to take a look aside from Ashley Connel. It wasn't bad, which I guess makes sense since Bailey's parent is an artist. The hoodie in the drawing looked very familiar. It reminded me of Taylor's orange hoodie that Taylor packed for the trip. In fact, Taylor was the only one who came to mind since I never saw any of the other passengers with an orange hoodie. Bailey told me they drew the person they saw visit

303 Bancroft the night before. When I told Bailey they did a great job, Bailey did explain that they
304 were not great at drawing body shapes yet, but that they got the color of the hoodie just right.

305 Exhibit 33 is a screenshot of Taylor's search history. I would sometimes use Taylor's
306 phone, especially if mine was acting up. I used Taylor's phone to find the address for our hotel
307 post-interrogation (after Taylor unlocked it for me using both their face and their fingerprint), so I
308 can confirm that this screenshot accurately reflects Taylor's search history as of the evening of
309 April 25, 2024. Taylor is the only person I saw using their phone during our entire trip on board
310 the Mid-Riverina Express, and I saw Taylor clear their search history when we boarded the Mid-
311 Riverina Express. So, Taylor did all of these searches during our trip.

312 Exhibit 34a appears to be a pair of sunglasses missing a lens. They look identical to the
313 pair of sunglasses I was using during the trip, except mine wasn't missing a lens. However, I did
314 misplace them. I remember using them during my hike on April 24, 2024 and then taking them off
315 when I returned to my cabin, but I don't remember seeing them after that (either fully intact or
316 missing a lens). And when I returned to Midlands and I unpacked my luggage, they weren't there
317 either. I don't know what happened to them. Exhibit 34b appears to be a loose lens for a pair of
318 sunglasses. It looks like the missing lens from Exhibit 34a.

319 Exhibit 35 is an excerpt of Bancroft's memoir. When Taylor and I visited Bancroft's cabin,
320 I saw a copy of this sitting on the table. Oddly, this was the only page. I didn't see any other. While
321 Bancroft and Taylor were arguing, I skimmed the page. I remember asking Harley Kim about it
322 during our hike. Harley didn't give me a clear answer, but did say, "Taylor already asked me about
323 that yesterday. I'm surprised Taylor didn't tell you."

324 Exhibit 37 looks like the note I saw on the floor of Bancroft's cabin on April 25, 2024
325 when I saw Bancroft die. The individual letters appear to have been cut or ripped out of one or
326 more magazines.

327 Exhibit 38 is an old birthday card dated April 25, 2004 that I found in Taylor's bags when
328 I was unpacking on our first day on the Mid-Riverina Express. I asked Taylor about the card.
329 Taylor told me it was Taylor's fifteenth birthday card from Bancroft (which lines up with it being
330 from 2004 since Taylor was born in 1989). I asked why Taylor brought the card on this trip,
331 especially since Bancroft being here was a surprise to both of us. Taylor told me that they always

brought that particular birthday card with them. I let it go, but that didn't sound right to me. Taylor and I had traveled almost all of 2023 together, and I had never once seen that birthday card.

Exhibit 40b is a bottle of concentrated banana extract. I saw this exact same kind of extract on sale at Scher's Tool & Craft in Hahndorf. Taylor kept saying we should buy it, so I took a close look at it, including reading the entirety of the label. Exhibit 40a is a printout of the label.

Exhibit 41b is a box of rodenticide. This looks to be the exact same kind of rodenticide kept on the Mid-Riverina Express. The reason I know this is because Taylor and I arrived early to the train station. While we were waiting to board the Mid-Riverina Express in Sydney, I saw Mid-Riverina Express employees stock up the train, and one of the items I saw them bring into the train was this brand of rodenticide. They likely stored it in the storage area, which was in an isolated portion of the train (I never went, but Taylor told me they would occasionally go there to do work since Taylor found the quiet peaceful). Exhibit 41a is a printout of the rodenticide box.

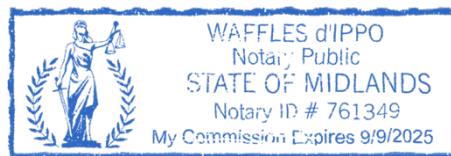
As stated, I am familiar with the following handwritten exhibits: Exhibits 8 and 38. I am aware there are other handwritten exhibits: Exhibits 39 and 42. I have never seen Exhibit 39 or Exhibit 42 before. But if shown those exhibits, I will be able to compare them against the handwritten exhibits I am familiar with in order to opine whether or not the handwritings are similar.

I swear or affirm the truthfulness of everything stated in this affidavit. Before giving this statement, I was told I should include everything that I know may be relevant to my testimony, and I followed those instructions. I know that I can and must update this affidavit if anything new occurs to me until the moment before opening statements begin in this case.

Signed:

Subscribed and Sworn to me on this 15th day of August 2024:

Kelly Doos



Waffles d'Ippo
Notary Public

AFFIDAVIT OF HARLEY KIM

1 After being duly sworn upon oath, Harley Kim hereby states as follows: I am over 18 and
2 competent to make this affidavit. I am not testifying voluntarily. I was subpoenaed and compelled
3 to testify.

4 My name is Harley Kim. I'm a photojournalist for Blitz News Network (or BNN), and this
5 is unfortunately not the first time I have needed to write an affidavit regarding a high-profile
6 Midlander seeking public office. At the start of my career, I simply held the camera for the on-air
7 talent who did all of the talking. And if I had done just that—kept my mouth shut—I'd probably
8 still be working prime time. After a debate between Professor Lane Hamilton and then-
9 gubernatorial candidate Drew Walton, I saw Walton crouching over Hamilton's body with a gun
10 in hand. It looked like a murder. So, I shared what I saw with BNN reporter Reagan Thomas, who
11 went on the air with what I had seen. It felt cool to break such a big story, but that feeling went
12 away when BNN was sued for defamation. I testified, but Walton's attorney kept hammering that
13 I was a "three-pint drinking eyewitness" who shouldn't be believed. The jury agreed and found
14 BNN liable for \$10 million, which Walton used to become governor.

15 Following the verdict, BNN cut my salary by 20 percent and demoted me to Camera Two
16 operator for the network's 3:35am to 3:57am program, currently Midlands Before Dawn with Alex
17 Grace, which just covers fluff pieces (sometimes literally; we once had a debate of the best kind
18 of marshmallow crème). We usually rank third in the ratings: behind an infomercial for wooden
19 siding, and another infomercial for vinyl siding. I've tried finding a new job, but thanks to the
20 advent of MeTube, footage of the Walton trial lives on. The one bright side is that people will stop
21 me on the street for a selfie with the three-pint drinking eyewitness.

22 I pretty much resigned myself to BNN purgatory, but I became hopeful in 2022 when
23 Chandler Michaels took over as BNN's CEO. I figured this was a chance for a clean slate, so I set
24 up a meeting. Little did I know, Michaels had their own angle. During our meeting, Michaels
25 brought up my younger sibling Lee, saying, "So, my sources tell me that Lee has had a little too
26 much fun playing at the Black Bear Casino's roulette tables. Almost \$200,000 in debt?" Look,
27 Lee's not perfect, but Lee is all I have after our parents passed away. So, I accept Lee, gambling
28 problem and all, including the \$200,000 in debt that Lee had reluctantly confirmed to me. That
29 said, I never told anyone. I asked who told Michaels, but Michaels didn't answer my question.
30 Instead, Michaels continued, "Leave it to Avery Ban-Crook to extend easy credit to those desperate

31 to gamble and rack up a mountain of debt.” I figured Michaels was referring to Avery Bancroft—
32 the owner of the Black Bear Casino—whom I personally blame for Lee’s debt.

33 Michaels told me there were rumors that Bancroft was contemplating a run for Midlands
34 governor, which Michaels thought would be a disaster (and I agreed). Michaels had been digging
35 into Bancroft but thought he was almost bulletproof. “The only weak spot,” Michaels said, “is his
36 casino, the Black Bear. I need someone to capture his crimes on film. Can I count on you? For
37 Lee?” I accepted before Michaels could finish the pitch.

38 I went to the Black Bear Casino on December 17, 2022 armed with a camera phone (to
39 avoid raising suspicion). My plan was to secretly interview a Black Bear Casino higher up, like a
40 floor manager or someone in charge of credit lending, but all senior employees were missing. One
41 of the dealers said that “per Bancroft, all senior-level employees were ordered to go home until
42 further notice.” I never knew that casino workers could work remotely. Discouraged, I went to the
43 bar. I was thrilled to discover that the Black Bear Casino had my favorite top-shelf liquor: Kiara
44 Moonshine. Kiara is one of the very best. I lost count of the number of drinks I ordered.

45 Next thing I remember was fire. The casino was on fire. I scrambled for something,
46 anything to bring back to Michaels. I remember seeing someone in an orange hoodie standing
47 suspiciously near where the fire seemed to be coming from. But before I could take a picture,
48 something fell on me. The next thing I remember was waking up on a stretcher outside of the
49 burning casino. I later learned that a support beam had fallen and knocked me unconscious, and a
50 firefighter named Kelly Doos had carried me out. I wanted to photograph the blaze, thinking it
51 would make a great front-page photo, but I must have dropped my phone when I was knocked out.

52 Fortunately, I made a full recovery. Unfortunately, Michaels wasn’t too pleased with me.
53 Although the Black Bear Casino fire put Bancroft’s gubernatorial aspirations on pause, I also failed
54 to deliver, and Michaels seemed to blame my failure on the booze and not the beam. So, I was
55 exiled to the BNN field office in Alaska (formerly Siberia before we moved the office) for the
56 entirety of 2023 to primarily film “The Science of Cold.” It was cold enough to make me miss
57 Midlands Before Dawn. The one benefit is that I got to travel more for work. Granted, they weren’t
58 the premier assignments, but travel was travel. I was also able to freelance on the side, including
59 for Kelly Doos who—in addition to being a firefighter—runs a popular MeTube channel.

60 My work abroad was actually how I got another crack at Bancroft, who had been in self-
61 imposed exile since the Black Bear Casino fire. In mid-April 2024, I was in Sydney covering the
62 Smiley Day parade when I heard from Chandler Michaels for the first time since they exiled me
63 to the field office. When Michaels called me, Michaels acted like no time had passed. Michaels
64 told me that, according to sources, Bancroft was going to be in Australia from April 22-25, 2024
65 riding the Mid-Riverina Express. Reagan Thomas (who somehow escaped punishment all those
66 years ago) was flying in to confront Bancroft, and Reagan needed a cameraperson. Michaels asked
67 if I could do it since I was already in Sydney, and Michaels said that if this went well, I might
68 expect a homecoming in my future. I agreed, and Michaels added that rumor had it that Bancroft
69 was also planning a homecoming to take another run at governor. If that was true, Michaels said,
70 I needed to do whatever was necessary to make sure that didn't happen.

71 I boarded the Mid-Riverina Express in Sydney around 5:00pm (according to the onboard
72 digital clock) on Monday, April 22, 2024. I waited for Reagan, but Reagan never arrived. Despite
73 perfect weather (not a cloud in the sky), Reagan's flight didn't arrive in time. Michaels left me a
74 message to say that the confrontation was off and that I could get off the train. However, I didn't
75 notice the message until after the train departed, so I figured I might as well enjoy the trip.

76 That evening, there was a pre-dinner reception. That's when I learned that a couple of
77 familiar faces were joining me and Bancroft on this trip. Kelly Doos was in Cabin 3 with—of all
78 people—Taylor Hopson, Bancroft's child. I also saw my good friend Kirby Doolittle (we were
79 drinking buddies until I got sent to Alaska), who was now Bancroft's assistant. My plan was to
80 leverage my relationships with Kelly Doos and Kirby Doolittle (oh, they have the same initials) to
81 gain access to Hopson and Bancroft, respectively.

82 But first, it seemed like there were some fences I had to mend. During my pre-dinner
83 conversation with Kelly, it became readily apparent that Kelly was not the biggest fan of some of
84 the video shorts I had previously filmed for Kelly's MeTube page. While Kelly loved some of
85 them, Kelly complained that, for others, the resolution was blurry, the lighting was off, and that
86 Kelly was barely in frame. Kelly told me that, if I ever wanted to work with Kelly again, I would
87 need to lay off the Vodka Red Bulls. For the sake of getting the scoop on Bancroft's family, it was
88 important for me to regain Kelly's trust, which is why I shared with Kelly that I was six months
89 sober. And that was the truth. After botching the whole Black Bear Casino story and wanting to
90 be a good role model for Lee, I realized I needed to face my own demons.

91 Unfortunately, although I made headway with Kelly, that's where my conversation with
92 Kelly ended that night because it was time for the Welcome Dinner, and the two of us were
93 assigned to different tables. I was seated with two doctors of sorts—Hillary Edmund and Dana
94 Haskins—as well as some government official named Alex Silva (guess that's where my tax
95 dollars go). Edmund and Haskins pretty much talked shop the whole time (I didn't understand any
96 of it), so I mainly spoke with Silva. Apparently, Silva was at the Black Bear Casino fire. For some
97 reason, Silva had a vivid memory of not only seeing me but having spoken to me at length the
98 night of December 17, 2022. I'm not calling Silva a liar, but I don't recall that happening. After
99 dinner, I considered trying to engage either Kelly or Kirby, but Bancroft and Hopson got into an
100 argument (I didn't hear specifics) that ended with Bancroft storming off. I figured things were too
101 tense and called it a night.

102 Unable to get any scoop on Bancroft that night, I started early on the morning of April 23,
103 2024. I was the first to arrive for breakfast. The food was delicious, and I would take the occasional
104 sip from my flask (nothing alcoholic, but force of habit). I had hoped to run into Bancroft or
105 Hopson, but I had no such luck. Instead, Silva joined me as soon as I sat down. And as soon as
106 Silva did, I got a strong smell of alcohol from Silva's breath. Looking at an onboard digital clock,
107 it was 6:00am, but I wasn't judging (I have no room to judge). I asked Silva what was up, and
108 Silva said that Silva was still shaken from seeing Bancroft the night before after what he did to the
109 Black Bear Casino. I figured Silva was one of those conspiracy theorists that thought Bancroft was
110 behind the Black Bear Casino fire. Look, I'm the last person to defend Avery Bancroft, but I can't
111 see him burning down the Black Bear Casino. He was making a fortune by exploiting people like
112 Lee. Why would he burn down his golden goose?

113 But I never learned Silva's theory of the Black Bear Casino fire because Kirby joined us. I
114 asked when Kirby became Bancroft's personal assistant, and Kirby said late 2022, which makes
115 sense why I never knew since that was when I was sent to Alaska. Anyway, the new goal that
116 morning was to get Kirby to spill Kirby's guts about Bancroft. Was Bancroft running for governor?
117 What did Bancroft know about the Black Bear Casino fire? Did Bancroft and Hopson get along?

118 It helped that Kirby was ordering round after round of Bloody Marys for the table.
119 Although I was tempted to drink—the bar was well-stocked with Kiara—I didn't have any alcohol
120 (though I may have pretended to in order to fit in). But Kirby and Silva more than made up for my
121 lack of participation. As mentioned, Silva already reeked of alcohol, and after a few rounds, Kirby

122 kept slurring their words. And once Kirby's words were slurring, that's when I got the juicy details.
123 Kirby confirmed that Bancroft was planning to return to Midlands and "silence the haters" before
124 making a run for governor. Kirby said that both Kirby and Bancroft were across town when the
125 Black Bear Casino fire happened. And Kirby expressed fear that Hopson and Shannon Shahid
126 (Bancroft's other child) were going to find out that Bancroft was going to write them both out of
127 his will. Kirby added to never underestimate what Taylor was capable of doing. I tried to ask Kirby
128 more details, but Kirby told me to forget I heard anything and that it was just the Bloody Marys
129 talking. Kirby then left the table. Silva was passed out at the table. I left the table to explore the
130 train, but we had arrived at the Silver City.

131 Other than Silva, Haskins, Edmund, and Rory Shelton, everyone participated in the Silver
132 City excursion. Kirby's claims about Hopson piqued my interest, so I kept tabs on Hopson. Hopson
133 was mostly by Kelly's side for the excursion, but Hopson was alone for a small window when
134 Kelly went to the restroom. I used that opportunity to ask Hopson about the "rumor" that Bancroft
135 was writing his children out of the will. Hopson's smile dropped and said, "I don't know what
136 you're talking about. If you will excuse me." Hopson then walked away and pulled out their phone.
137 After a couple of moments, they put their phone away (checking my own phone, I noticed we had
138 no service) and walked towards a payphone (they still use payphones in Australia). I stealthed over
139 in order to eavesdrop on Hopson. Unfortunately, the only part I was able to hear was Hopson
140 saying, "You know what we do to rats." Hopson then hung up the phone and rejoined Kelly.

141 We returned to the Mid-Riverina Express in time for lunch. I wasn't very hungry, so I chose
142 to take a nap instead. I woke up in time for the afternoon excursion, which was a choice between
143 touring the South Australian Museum or touring and shopping in Hahndorf. It looked like Bancroft
144 and Hopson were picking different options. I needed to decide, but Hopson ended up making the
145 decision for me. As I was deciding between the options, Hopson came to talk to me. I don't know
146 what changed, but Hopson was more than willing to spill the tea about their father. Hopson went
147 on a rant about how their father was a failed businessperson. According to Hopson, when Bancroft
148 inherited Bancroft Estates (the main Bancroft company that owned all the business assets), it was
149 worth over \$1.5 billion, but it was now "only" worth \$400 million. Hopson said that Bancroft had
150 managed to wipe out over \$1 billion and if left to his own devices, there wouldn't be a Bancroft
151 Estates left at all. Hopson also ranted about Bancroft killing the future by investing in deforestation

152 efforts, but I really didn't understand what Hopson was talking about. What I did understand was
153 Hopson was willing to talk, so I was going to follow Hopson to Hahndorf.

154 For the first part of the Hahndorf excursion, we did a city tour via bus. I spent time with
155 another Platinum Section passenger, Rory Shelton. It turns out that Rory was another proverbial
156 card-carrying member of the ABC (Anti-Bancroft Club). Rory shared that Bancroft owed Rory
157 \$150,000, but Bancroft didn't pay his debt (the irony was palpable). Usually, I don't tell strangers
158 about Lee's situation, but I felt a kindred spirit with Rory, as if we had a common goal. I told Rory
159 how Bancroft enabled Lee's gambling, how Lee owed over \$200,000, and how Lee had been living
160 out of Lee's car for over a year now because of Bancroft. I wish I could do anything for Lee.

161 Anyway, after the city tour, we had some free time to shop. For this leg, I mostly spent
162 time with Kelly and Hopson. Under the guise of taking photos of the happy couple (I learned they
163 were dating), I took as many pictures as possible to see if I caught anything useful. As Kelly,
164 Hopson, and I were heading back to the train, Hopson suddenly turned around saying they forgot
165 to buy a few items. As Hopson ran back, I offered to go, too. I followed behind Hopson, but by
166 the time I reached Hopson, Hopson was already leaving the store (Scher's Tool & Craft).

167 Having spent most of the day focusing on the Hopson angle, I figured I would spend the
168 evening of April 23, 2024 on the Bancroft angle. And by that, I mean that I spent the post-dinner
169 reception sneaking into Cabin 1 (Bancroft's cabin). Thankfully, no one caught me, so I was able
170 to look around. I then snuck out to make my way back to the post-dinner reception (which was in
171 the dining car). However, as I entered the lounge, I ran into Kelly, but Kelly seemed to believe me
172 when I said I was in the lounge taking pictures of the Australian night sky. I then headed toward
173 the dining car while Kelly headed toward Kelly's cabin (in the same direction as Bancroft's cabin).

174 The next day (April 24, 2024), I wandered around the train hoping to run into either Hopson
175 or Bancroft, but I'm guessing they were up to their own things. That afternoon, the train stopped
176 at the Nullarbor Plain. There were no formal excursions, but we were free to explore the area. I
177 opted yes, only to learn too late that both Hopson and Bancroft were staying on board. Knowing
178 it would be too suspicious to go back, I elected to go on a hike with Kelly. With us were Silva and
179 Edmund. During the hike, Silva again brought up this alleged conversation we had the day of the
180 Black Bear Casino fire and asked if I was on the trip "to even the score." I feigned knowing what
181 was going on to see if I could learn anything more, so I nodded. Silva responded, "Perfect, because
182 I never forgot. I can't forget. We need a confession. No matter what." I guess my poker face broke

183 because, almost immediately, Silva backtracked by saying, “Wait, you don’t . . . you know what,
184 never mind. You were more helpful as a drunk.” I guess my fake drinking didn’t fool everyone.
185 Anyway, after burning whatever that bridge was, I pivoted to asking Kelly more questions about
186 Bancroft, namely about the Black Bear Casino fire given my exchange with Silva. But I’m
187 guessing Kelly has received media training of some sort since I got literally nothing of note.

188 Well, if Kelly wasn’t talking, I figured Hopson was no longer in a talking mood. I instead
189 went with my “Bancroft approach” after we returned to the train: sneak into Hopson and Kelly’s
190 cabin. Like with my Bancroft caper, I waited until the post-dinner reception to make my move. I
191 was able to sneak into Cabin 3 without getting caught. I looked through Hopson and Kelly’s stuff,
192 making sure to leave everything exactly where I found it. There were a few items that caught my
193 eye, but the one that stood out the most to me was this orange hoodie. It strongly reminded me of
194 the orange hoodie I saw the night of the Black Bear Casino fire.

195 Unfortunately, the hoodie must have distracted me more than I thought because, next thing
196 I know, the cabin door behind me opened, and Hopson walked in. Hopson took one look at me and
197 said, “Oh, Harley, what has the three-pint drinking eyewitness gotten into now? Did you stumble
198 into the wrong cabin?” Thinking on my feet, I decided to play into it. Slurring my words, I said,
199 “No, this is my cabin! Cabin 4! Why are you in my cabin? And where’s my stuff?” Hopson pointed
200 out that we were, in fact, in Cabin 3, at which point I just kept apologizing as I made my way out.
201 Barely escaping that situation, I called it for the night and went straight to bed.

202 On Thursday, April 25, 2024, I woke up to screams. I immediately grabbed my camera and
203 followed the screams to Cabin 1. Bancroft was lying on the ground! But I guess I was late to the
204 party because not only had a crowd already gathered, but someone in the crowd also confirmed
205 that Edmund and Alex Silva had been trying to revive Bancroft for almost thirty minutes. Hoping
206 to capture their heroic feats, I started taking pictures of their attempted rescue, but instead, I ended
207 up capturing Edmund calling Bancroft’s time of death. I then noticed Hopson in the room and
208 turned the camera towards Hopson. One moment, Hopson was crying and incoherent, as if out of
209 a movie. The next, Hopson told me to get out. I understood, so I went back to my cabin.

210 Hopson wasn’t done with me, however. A little bit later (but before the Australian
211 authorities arrived), Hopson knocked on my cabin door. I let Hopson in, and I noticed Hopson was
212 holding a thick envelope. Hopson apologized for their earlier outburst (which I said was fine given
213 their father had just died). Hopson then followed up with a request: Hopson wanted all of the

214 pictures I took during the trip. Hopson clarified that Hopson both wanted the originals and for me
215 to delete all copies. Hopson explained that Hopson wanted the pictures to remember their father,
216 but they also didn't want them to end up on some paparazzi site. In exchange, Hopson was willing
217 to give me \$7,500 (USD) in cash, which is what was in the envelope. I gave it a lot of thought. I
218 knew the photos would be worth a lot, but given my employment contract with BNN, I wasn't
219 allowed to sell them to our competitors (and BNN doesn't have to pay me over my salary for
220 photos I give them). I also didn't need the photos since BNN didn't expect anything from me since
221 my assignment was canceled when Reagan Thomas didn't make it. So, I took the money. I gave
222 Hopson copies of all of the photos and deleted all of the copies in my possession. And once the
223 police cleared the train and we arrived in Perth, I deposited the money into my bank account.

224 After the trip, Michaels called me back to Midlands and into their office. Michaels thanked
225 me for being willing to hop onto the Mid-Riverina Express last minute and said it was time for me
226 to come home. However, be careful what you wish for. Although I'm back in Midlands, I'm now
227 the Camera Three operator on Midlands Before Dawn with Alex Grace. But the show only uses
228 two camera angles (there's a good chance my camera isn't plugged into anything). Maybe if I'm
229 able to help crack the next big story in Midlands, I might have a chance to get out of the doghouse.
230 But to be clear, if I hadn't been subpoenaed, I would not be testifying. Make a fool of me once,
231 shame on you. Make a fool of me twice . . .

232 I am familiar with the following—and only the following—exhibits:

233 Exhibit 1 is a photo of Bancroft.

234 Exhibit 3 is Edmund's CV. Edmund showed it to me during the Welcome Dinner.

235 Exhibit 4 is Haskins's CV. After returning to Midlands, I did background research on some
236 of the other passengers. While doing that, I came across Haskins's CV online.

237 Exhibit 9 is an Instagram post. I remember seeing it on February 1, 2024.

238 Exhibit 10 is a brochure for the Mid-Riverina Express. Exhibit 11 is the layout of the
239 Platinum Section. Exhibit 12 contains the trip itinerary and cabin assignments; the staff aboard the
240 train generated it during the Welcome Dinner. To my knowledge, everything in Exhibits 10-12 is
241 true and accurate except for the schedule for April 25, 2024 because of Bancroft's death.

242 Exhibit 16b is a picture of a set of keys I saw with Kelly the evening of April 23, 2024.
243 When I ran into Kelly (and just Kelly) after I had snuck out of Bancroft's cabin, I remember Kelly

244 holding Exhibit 16b. I never saw Taylor with Exhibit 16b. Exhibit 16c looks like a picture of a
245 Chuggie's keychain. Those are super rare. I've spent years on online auctions trying to buy one
246 without luck. But I remember seeing one in Cabin 3 while I was looking around on April 24, 2024.

247 Exhibit 17 is a picture of a medallion that Hopson was carrying on them when they visited
248 my cabin on April 25, 2024. I specifically remember the cord had snapped on the back. It looked
249 like someone had yanked on it too hard. I asked Hopson if they needed any help with that, to which
250 Hopson said they had the tools to repair it.

251 Exhibit 21 is the December 18, 2023 edition of the Midlands Courier Gazette. I was
252 interviewed for the front-page article. Exhibit 21 accurately reflects what I said. What was odd
253 was that Silva had a copy. During our hike together, Silva pulled out a copy of Exhibit 21.

254 Exhibit 22 is a bank statement for one of Bancroft's accounts. I saw this in Bancroft's cabin
255 on April 23, 2024. I noticed that, between May 2022 and April 2023, approximately \$600,000 had
256 been transferred from Bancroft to Hopson. Bancroft doesn't have a reputation for being charitable,
257 so I suspect that Hopson somehow siphoned the money. Good for Hopson.

258 Exhibit 23 is a complaint that Bancroft apparently filed against Ashley Connel and others.
259 I found it while doing background research on some of the passengers. Having personal experience
260 with a defamation lawsuit, I can safely say that Bancroft had no chance of succeeding. Bancroft
261 was suing because Connel and others said Bancroft wasn't a billionaire, but on the Mid-Riverina
262 Express, Hopson confirmed that Bancroft was worth millions, not billions. And although that's
263 still more money than I'll make in several lifetimes, as I learned during the crash course in
264 defamation law that I got last time I brushed up against the legal system, it's not defamation if
265 you're telling the truth. It looks like the truth to me. That said, I wouldn't be surprised if Bancroft
266 filed the lawsuit to force Connel to pay legal fees, which can get really pricey.

267 Exhibit 26a appears to be a report of text messages between Hopson and Kelly. I can
268 confirm this report looks accurate. When I was transferring the photos to Hopson on April 25,
269 2024, I managed to sneak a peek at their texts with Kelly. The only text I cannot personally verify
270 is the one sent on April 25, 2024 since that was sent after I finished transferring the photos.

271 Exhibit 31 is a receipt from Scher's Tool & Craft from April 23, 2024. That's the same day
272 I saw Hopson coming from that store. The items on the receipt also match up. I saw both the
273 sunblock and sunglasses in Hopson's hands after leaving Scher's Tool & Craft. And although I

274 didn't see the concentrated banana extract that day (Hopson had a bag, but I couldn't see inside),
275 I saw it in Hopson's cabin on April 24, 2024.

276 Exhibit 33 is a screenshot of Hopson's search history as of April 25, 2024. I was the one
277 who grabbed the screenshot. When I was transferring photos to Hopson on April 25, 2024, I also
278 looked at their search history, took a screenshot of it, texted it to myself, and deleted the sent text
279 from Hopson's phone. Given the number of photos I was transferring, Hopson didn't catch me.
280 Throughout the entire trip, except for when I was transferring photos to Hopson, the only person I
281 saw using Hopson's phone was Hopson (I never even saw Kelly use it). Plus, even if someone had
282 got their hands on Hopson's phone, Hopson's phone was biometrically locked. When Hopson
283 handed me their phone to transfer the photos, Hopson had to unlock their phone using both their
284 face and their fingerprint.

285 Exhibit 34a is a pair of sunglasses missing a lens while Exhibit 34b looks like the missing
286 lens. Hopson bought a nearly identical pair of sunglasses from Scher's Tool & Craft (that version
287 still had both lenses). When I searched Hopson's cabin on April 24, 2024, the sunglasses were still
288 intact. On April 25, 2024, I saw Exhibit 34b on the floor of Bancroft's cabin, after which I don't
289 remember seeing Hopson's sunglasses. Additionally, no one else had similar sunglasses as
290 Hopson. Everyone else's lenses were a different color than Exhibits 34a and 34b.

291 Exhibit 35 is an excerpt from Bancroft's now-unfinished memoir. I found a copy of
292 Exhibit 35 when searching Bancroft's cabin on April 23, 2024. I recognized some of the names as
293 some of the other passengers, namely Ashley Connel, Taylor Hopson, Dana Haskins, and me. I
294 also noticed that Edmund's spouse Merritt Gilbertson was named in the memoir. Since it
295 mentioned that Bancroft was going to reveal all of their secrets next month, I figured the right
296 thing to do was to give them a heads up. So, I spent part of the morning of April 24, 2024 telling
297 Ashley, Hopson, Haskins, and Edmund about Exhibit 35. As for what secrets Bancroft had on me,
298 I have no idea. The Walton trial is already available online for everyone to see and laugh.

299 Exhibit 37 is a note that I saw on the floor of Bancroft's cabin on April 25, 2024.

300 Exhibit 38 is an old birthday card dated April 25, 2004 that I found while searching
301 Hopson's cabin on April 24, 2024. During one of our conversations, Hopson confirmed that
302 Hopson's birthday was April 25, 1989, meaning this was for Hopson's fifteenth birthday.

303 However, it didn't seem like "A" was confident on Hopson's exact age. Anyway, who keeps a
304 birthday card for this long, let alone brings it with them on vacation?

305 Exhibit 39 is Alex Silva's handwritten notes from April 25, 2024 when Silva and Edmund
306 treated Bancroft. From where I was standing, I saw Silva making those notes in real time as things
307 were unfolding. For example, right after Silva checked Bancroft's pulse, Silva made the note about
308 the pulse, and after Silva asked Kirby if Bancroft had any major medical issues to Kirby's
309 knowledge, Silva wrote down Kirby's response as Kirby was answering.

310 Exhibit 40 is a label for concentrated banana extract. Exhibit 40a is a printout of the label
311 while Exhibit 40b is the label placed on a bottle. I found a bottle of this stuff when I searched
312 Hopson's cabin on April 24, 2024. It specifically stood out to me because I have never seen
313 Woodward Therapeutics supplements in the U.S. Not only that, but Kelly and Hopson also had a
314 toiletry bag full of vitamins and supplements while this potassium supplement was concealed in
315 that orange hoodie I found in their cabin. Though, thinking about it, that wasn't the only time I
316 heard about potassium during the trip. That same morning (April 24, 2024), when I was grabbing
317 breakfast, Bancroft and Edmund were talking pretty loudly about medical stuff. At one point in
318 that conversation, I remember Bancroft saying that he needed to reduce his potassium intake for
319 health reasons (I'm guessing for some new fad diet). There were about six to eight of us in the
320 dining car at the time excluding train employees, but other than me, Bancroft, Edmund, and Rory
321 Shelton (who I remember because they bumped into me as they were rushing out of the dining car
322 towards the crew cabin right after Bancroft mentioned the bit about potassium), I don't remember
323 exactly who was there in the dining car.

324 As stated, I am familiar with the following handwritten exhibits: Exhibits 38 and 39. I am
325 aware there are other handwritten exhibits: Exhibits 8 and 42. I have never seen Exhibit 8 or
326 Exhibit 42 before. But if shown those exhibits, I will be able to compare them against the
327 handwritten exhibits I am familiar with in order to opine whether or not the handwritings are
328 similar.

329 I swear or affirm the truthfulness of everything stated in this affidavit. Before giving this
330 statement, I was told I should include everything that I know may be relevant to my testimony,
331 and I followed those instructions. I know that I can and must update this affidavit if anything new
332 occurs to me until the moment before opening statements begin in this case.

Signed:

Subscribed and Sworn to me on this 5th day of July 2024:

Harley Kim



Allegra Stark
Notary Public

AFFIDAVIT OF RORY SHELTON

1 After being duly sworn upon oath, Rory Shelton hereby states as follows: I am over 18 and
2 competent to make this affidavit. I am testifying voluntarily and was not subpoenaed or compelled
3 to testify.

4 My name is Rory Shelton. I grew up in Midlands but am currently living in Melbourne,
5 Australia, where I work as the team mascot for the Melbourne Marsupials. My parents are both
6 professors at Midlands State University, but I was never much for school. All I wanted to do was
7 make people happy and be the center of attention, so obviously, I went into mascotting. I started
8 on the amateur circuit when I was in middle and high school before making it big as the Racheter
9 Raptor at RacheterWorld, an old amusement park in Midlands. Although the role was a dream
10 come true, it didn't pay the bills. So, I had to hang up the dinosaur head and pick up the books. I
11 got my bachelor's degree in geology from Midlands State (tuition-free because of my parents). I
12 then got a master's degree in paleontology from the University of Oregon in hopes to study
13 dinosaurs for a living.

14 Unfortunately, I didn't have much luck finding a paleontology job, and graduate school
15 was expensive (I had to take out student loans that haven't been forgiven). I ended up taking odd
16 jobs whenever I could, and couch surfed to save on rent and other expenses. I originally left
17 mascotting because of the money, but the grass was not greener on the other side (I was certainly
18 making a lot less green). So, I started applying for mascotting jobs again. But, having been out of
19 the mascotting game for years, my comeback was rough. I applied to pretty much every mascot
20 job this side of the Mississippi and got nothing but rejections. I eventually expanded my search to
21 international mascotting jobs. In February 2024 (around Valentine's Day), I found a job posting
22 for a Melbourne football team looking for a new mascot. I applied immediately and got the job a
23 week later. I was going to be a football mascot!

24 Well, it wasn't American football. It wasn't even European football (or soccer).
25 Apparently, Australia has its own kind of football, which I didn't learn until I showed up for my
26 first day in Melbourne. That initial surprise aside, it's been a good gig. I'll admit that it took me a
27 little time to figure out when the breaks in action were (I may have interrupted a few matches as a
28 result), and I hardly ever get booed anymore. Plus, it pays well enough. I have a nice little place in
29 Melbourne, though I don't see it much because I'm usually traveling with the team.

30 That's actually how I got roped into all of this. The team had a match on Saturday, April
31 20, 2024 in Sydney with their next match on April 26 in Perth. After the game in Sydney, I stayed
32 on the field for a while to sign autographs (no one took me up on it), but by the time I made it back
33 to the locker room, the team had already left. Long story short, the team's plane left without me. I
34 called my boss, but she told me to either find a way to Perth before the next game or head back to
35 Midlands. I tried booking a flight to Perth, but all flights were grounded because of fog. The only
36 option I could find was this super-luxury tourist train—the Mid-Riverina Express—that goes from
37 Sydney to Perth. The only ticket left was for a bunk cabin (so I'd possibly have a random
38 roommate) in the "Platinum Section." It would cost me a fortune (or at least I think it did—I still
39 haven't figured out how the exchange rate works), but I didn't have a choice. The train was
40 scheduled to leave Sydney on Monday evening (April 22, 2024) and arrive in Perth on Thursday
41 evening (April 25, 2024), and I couldn't think of any other way to get from Sydney to Perth in
42 time for Friday's game.

43 I arrived right at 4:00pm (as soon as boarding started) to check out the Platinum Section.
44 It was a bunch of private cabins, plus a private lounge and dining car reserved just for the Platinum
45 Section (in fact, the whole Platinum Section was isolated from the rest of the train). It was super
46 swanky, and the Platinum Section was at the very end of the train, farthest from the engine noise.
47 My ticket was for Cabin 8 (the bunk cabin), meaning I was supposed to share Cabin 8 with another
48 passenger. However, while I was unpacking, a staff member (their nametag read Mothersbaugh, I
49 believe) told me that my roommate was supposed to be Casey French, but that French was a no
50 show. So, I was going to get a cabin all to myself, which was pretty sweet. After a power nap, I
51 went to the dining car right at 6:00pm. There was a pre-dinner reception for the Platinum Section
52 starting at 7:00pm, but I figured I'd show up early. I was the first to arrive, but as other passengers
53 started to trickle in starting at 7:00pm, I realized I already knew a bunch of them!

54 Dr. Hillary Edmund was one of the first to arrive. A couple years ago, I went on an
55 adventure expedition to Antarctica, and Dr. Edmund was the medical advisor on that trip. On our
56 first day off the boat in Antarctica, I got frostbite on my toes after forgetting to wear winter boots.
57 Dr. Edmund saved my toes, so I guess I owe Dr. Edmund for that (even though they also called
58 me an idiot and quarantined me on the ship for the rest of the trip). Shortly after Dr. Edmund came
59 in, I saw Ashley Connel—someone I also knew—and a young child (whom I figured was Connel's
60 kid). Ashley is some big-time artist. Back when I was in grad school, I served as a subject matter

61 expert for one of Ashley's sculptures inspired by dinosaurs, but I haven't seen Ashley since. Some
62 more passengers arrived (none of whom I recognized) before Taylor Hopson walked in. I knew
63 Taylor from my days working at RacheterWorld since Taylor used to come to the park all the time.
64 I wouldn't say we were close, but we were friendly—we had this thing where I'd run up in my
65 dinosaur costume and say "Heeeeeeeeeeeere's Taylor!" and Taylor would pretend not to see me.

66 Right behind Taylor was someone else I recognized: Kirby Doolittle. Kirby and I used to
67 frequent Chuggie's, this indie dive bar in Midlands City, Midlands (until it burned down). We
68 never went together, but I definitely ran into Kirby there on multiple occasions. Kirby was going
69 around talking to all of the other passengers, each of whom would either dismiss Kirby or shake
70 their head. Kirby eventually found their way to me. Kirby told me they were sharing a cabin with
71 their boss, but because Kirby's boss wanted the cabin to himself, Kirby was asking around whether
72 anyone would be willing to share a room with Kirby. Kirby seemed stressed, so I said yes.
73 Unfortunately, it was only after I made the deal with Kirby that Strathmore—another one of the
74 train staff—explained that I had a roommate after all because they gave Casey French's ticket to
75 someone else (Jordan Nathanson). I turned to Kirby, but I didn't have the heart to kick Kirby out
76 of Cabin 8. Fortunately, Strathmore took pity on me and told me that I could sleep in the crew
77 cabin, and I agreed.

78 The Welcome Dinner started around 8:00pm. There were assigned seats for this dinner. I
79 was sitting with Jordan Nathanson (the person now staying in Cabin 8 with Kirby), Taylor Hopson,
80 and someone I learned was Taylor's significant other, Kelly Doos. Kirby was at the next table over
81 along with Ashley, Ashley's kid Bailey, and an empty chair. But that chair didn't stay empty for
82 long, and I finally learned the identity of Kirby's boss: Avery Bancroft. I knew exactly who Avery
83 Bancroft was. I had done some odd jobs for Bancroft in the past, and in fact, Bancroft still owed
84 me \$100,000 for the work I did for him. I wanted to confront him, but I didn't have a good opening
85 at first. Bancroft was talking with Kirby and Ashley, and even after Ashley left early (I'm guessing
86 it was Bailey's bedtime), Taylor joined Bancroft at his table. And it looked like they were engaging
87 in some serious conversation, but I could barely hear what they were saying. What I did hear was
88 Taylor complaining about someone named "Shannon" and how Shannon didn't deserve a piece of
89 the company. Bancroft, in response, mentioned something about Shannon not being the one
90 Bancroft was concerned about. I didn't catch anything else.

91 It wasn't until dessert that I mustered up the courage to confront Bancroft, though it might
92 have been liquid courage as I had a few drinks that night (unlimited refills, even on top-shelf stuff
93 like Kiara Moonshine). I was definitely a little tipsy, and I would guess pretty much everyone was
94 tipsy (except for Ashley and Bailey since they were gone and one passenger (I later learned this
95 was Harley Kim) who seemed to be only drinking soda water all night). Anyway, after finishing
96 dessert (a lovely banana tart topped with bananas foster), I got up and walked over to Bancroft. He
97 was still talking to Taylor. He hadn't even touched his dessert (he seemed to have eaten everything
98 except the dessert item). I said something like, "Hey! Remember me? You owe me \$100,000!" I
99 don't remember my exact words, but I might have been a little loud. Bancroft looked up at me and
100 said, "I don't even know who you are." But I could tell that he recognized me. Before I could say
101 anything further, Bancroft stood up and walked away. I wanted to chase him down, but the
102 bartender (Fritsch, I think) told me to get back to my table. I remember telling Bancroft as he
103 walked away something like "this isn't over, buddy—it's a long ride to Perth." I then took his
104 dessert and said to no one in particular, "I'm taking this banana tart as a down payment. I can't
105 imagine why you didn't even try it." I then headed back to my table. Not my proudest moment.
106 After that, I headed to the crew cabin and slept on the floor (all of the bunks were taken).

107 The next day (Tuesday, April 23, 2024), the morning schedule was breakfast followed by
108 a stopover at the Silver City. Unfortunately, after the night before, I just slept in until lunch and
109 missed both. It was a pretty uneventful morning in the crew cabin. I did hear a couple people
110 shouting from somewhere in the Platinum Section (it was definitely coming from inside the train
111 and since the Platinum Section is isolated from the Gold Section, you can't hear anything from the
112 Gold Section). I couldn't hear who was shouting (or what they were shouting), but I can tell you
113 who it wasn't. According to the onboard digital clock, it was around 10:05am, so it couldn't be
114 anyone visiting the Silver City. And all of the Platinum Section employees were in the crew cabin,
115 except for the one leading the Silver City tour. So, it had to be two of the Platinum Section
116 passengers who skipped out on the Silver City, but I can't tell you specifically who.

117 I rejoined the other passengers for lunch. I ended up sitting with Ashley Connel and their
118 child, Bailey. It was nice catching up with Ashley, and it was fun getting to know Bailey (who was
119 quite talkative). Our lunch conversation did get interrupted for a bit when Ashley got a phone call.
120 Ashley's hands were full (and Ashley's earbuds weren't working), so Ashley put the conversation
121 on speaker. Ashley opened the conversation saying, "How's my favorite psychic?" The speaker

on the other end (whose voice I did not recognize) responded, “Save the pleasantries, Connel. I’m checking in on that favor you owe me. If Avery’s planning a change, I need you to take care of it.” Ashley said, “Look, Shannon . . .” before taking the phone off speaker and walking out of earshot to finish the conversation. I turned to Bailey, who simply added that Shannon was the family psychic. That raised a lot of questions, but I wasn’t about to interrogate a child.

After lunch, I had a choice of one of two excursions. I could either go to the South Australian Museum or tour Hahndorf. I went with the latter. It’s a little German village in the middle of Australian farmland, and it was just like being in Germany (or so our tour guide Zhang said—I’ve never been to Germany). There were six of us—me, Taylor, Kelly, Harley Kim, Dr. Dana Haskins, and Dr. Hillary Edmund. During the tour, I sat next to Harley and got to know them. We spent time gossiping about the other Platinum Section passengers (turns out Harley knew a lot of them ahead of time, too). We bonded over our mutual dislike of Bancroft. I shared how Bancroft stiffed me on a pretty big paycheck, but Harley one-upped me. Harley shared that Bancroft ruined Harley’s sibling’s life. Harley said their sibling was addicted to gambling and lost all their money at the Black Bear Casino (before it burned down). Apparently, the Black Bear Casino kept loaning Harley’s sibling money, but when Harley’s sibling lost their job, Bancroft and the Black Bear Casino took Harley’s sibling’s savings, house, and basically all of Harley’s sibling’s possessions. Harley said the last time they saw their sibling, they were living in a car. Harley said, “And you know Bancroft was the one who approved all those loans! I despise that man, and I hope karma pays him back in a big way!” Harley sounded really bitter, and I could relate. I wasn’t living in my car, but that \$100,000 I was owed was life-changing money.

After the tour, we had time to shop in town. I went into a craft shop called Scher’s Tool & Craft. I noticed that Taylor Hopson and Kelly Doos were also in the shop. I don’t think they saw me come in. Their backs were to the front door, and they were looking at this display stand of fancy vinegars, oils, and whatnot (the kind of things that are somehow for sale in every tourist place everywhere). I heard Kelly ask, “Wait, do we need calcium or potassium?” The two of them pulled out their phones (it looked like they were looking something up), after which Taylor said, “Definitely potassium.” One of the store employees came over and asked if they needed help. Taylor started to shoo them away, but then seemed to change their mind. Instead, Taylor picked up a bottle—I couldn’t read the label, but it had a picture of a banana, I think—and asked, “was this sustainably sourced?” I dipped out of the shop before the employee could respond.

I was able to wake up bright and early on Wednesday (April 24, 2024). I was the first one in the dining room for breakfast. The next person to arrive was Dr. Dana Haskins, who joined me at my table. Dana was an excellent conversationalist, which made sense since Dana explained that they were a professional therapist. I asked Dana what brought Dana to Australia. Dana said that Dana was officially there for a conference, but that, unofficially, an old patient had also reached out asking for a favor. Before I could ask any questions, Dana said, “Speak of the devil,” and Kelly Doos (and just Kelly Doos) walked over to our table. I saw Dana hand something to Kelly, and then the two of them walked off, presumably to chat privately. Like I said, Dana was an excellent conversationalist, but not that great at ending a conversation apparently.

The train made a two-and-a-half hour stop that afternoon in the Nullarbor Plain. Some passengers decided to take a hike or otherwise explore the area. Having been in Australia for the last few months, I didn’t have the desire to wander about, so I stayed on board. At some point, I decided to check out the lounge, which I really hadn’t visited during the trip. Since most of the passengers were sightseeing, I was alone, or so I thought. I started hearing another argument break out from a nearby cabin (what’s with passengers arguing with each other during these train stops?). Unlike last time, I decided to investigate. Following the voices, I was able to trace it to Cabin 1, which was Avery Bancroft’s cabin. Putting my ear to the door, I could hear two voices: Bancroft’s and Taylor’s. I didn’t hear any other voices, but it’s possible someone else was there and just not saying anything. It sounded like they were arguing about business. Taylor was complaining that Bancroft was running the family business to the ground. Bancroft roared, “How dare you? Bancroft Estates is a \$400 million company.” Taylor responded, “Exactly. It was worth over a billion when you inherited it from your mother. You already managed to burn over \$600 million. And now you want to bet against renewable energy? Are you trying to turn the entire company to ash?” Bancroft scoffed and said, “Well, it’s my money to burn,” to which Taylor said, “For now.” “Maybe forever, you ungrateful brat,” exclaimed Bancroft.

I then heard footsteps heading toward the door, so I dashed back to the lounge. Moments later, I saw Taylor stomping by. Acting as if I didn’t overhear their conversation, I asked Taylor what was up, to which Taylor just said, “My father.” I then told Taylor to join me on my walk to the crew cabin (where I was staying), hoping to help cheer Taylor up. As we walked together, I used all my mascot training to raise Taylor’s spirits, and by the time we reached the crew cabin, Taylor seemed to be in good spirits. Taylor even said, “Thanks a lot, Rory. I can see why you’re

the best mascot in the business. I think I'm going to call my sibling to give them an update." I then stayed in the crew cabin to binge-watch my favorite show (How to Get Away with Murder). I asked Taylor to join me, but Taylor declined, saying they had never heard of that show before and that they needed to make that call to their sibling. Taylor then closed the cabin door and headed in the direction of their cabin. The rest of the day was uneventful in my opinion.

On Thursday (April 25, 2024) morning, I ended up waking up around 4:30am because the employees were buzzing around getting ready for breakfast and a supply stop that morning. A little over 30 minutes later, I was in the dining car sipping on a cup of coffee (breakfast hadn't started yet, but Fritsch the bartender let me in early since I had helped the employees throughout the trip by grabbing things from the storage area for them (can't remember exactly what all these months later)) when, all of a sudden, I heard someone screaming. This scream was louder than any of the yelling I had heard over the last couple days. I couldn't tell who was screaming, but I could tell what they were screaming: "Help, he's dying!" Curious, I dashed over, and yet again, I found my way to Cabin 1 (Bancroft's cabin). I figured Bancroft was the one in trouble. I managed to make my way into the cabin to see what was happening. I saw Bancroft crumpled on the floor. Bancroft looked just like a family member of mine that had a heart attack. Bancroft could barely speak. His phone was lying near him. He had a purple pen in his hand pointing at this small lockbox in the corner of the room while saying, "must . . . sign . . ." I don't know what Bancroft needed to sign because he then passed out. Kirby entered the cabin with Dr. Edmund. Then Dr. Edmund and Alex Silva (another passenger) started trying to help Bancroft, though Dr. Edmund was definitely the main one (which makes sense since Dr. Edmund was the medical doctor). The two of them worked hard, but after about 30 minutes, nothing seemed to work. Bancroft died.

By the time Bancroft died, there were a lot of people in the cabin. Like I said, I was there, as was Kirby, Dr. Edmund, and Alex Silva. At some point, I guess, both Taylor Hopson and Kelly Doos found their way into the cabin. To be honest, Taylor didn't seem that upset (Taylor looked more upset after their argument with Bancroft the day before); Taylor's expression was pretty neutral. Taylor's face only changed when Harley Kim (who also managed to show up) started taking photos of the scene. As soon as Harley started taking photos, Kelly elbowed Taylor, who immediately began to look upset and then angry. Taylor then told Harley (and me) to leave the cabin. We both left. The train staff then told all of us to stay in our cabins until the Australian authorities arrived. I was told to go to Cabin 8 since that was my originally assigned cabin. I was

215 in Cabin 8 by myself (I guess Kirby and Jordan were elsewhere). The Australian police briefly
216 interviewed me in Cabin 8 (they mainly asked about what I saw that Thursday (April 25, 2024),
217 and I told them all of my Thursday observations contained in this affidavit). Later, from my
218 window, I saw the Australian police take Taylor and Kelly away, though I don't know the exact
219 reason why. Since the Platinum Section was now a crime scene, we were relocated into the Gold
220 Section and arrived late in Perth. Thankfully, I was able to make it to our game on Friday.
221 Unfortunately, I apparently left my costume in Sydney.

222 Finally, I understand that I may be asked to testify in this trial, and I am more than okay
223 with that. This case isn't my first involvement with the court system. Back when I was the Racheter
224 Raptor, the place was robbed, and I got to testify as an eyewitness at trial. And honestly, other than
225 mascotting, that was the most exciting thing that ever happened to me. I was even a minor celebrity
226 for a while (it was the first time I was ever recognized on the street outside of costume)! After that
227 trial, I even wrote a book about my life as a professional mascot and the whole robbery and trial:
228 "I am Rory Shelton: The Rory Shelton Story, by Rory Shelton." The book was almost picked up
229 for a miniseries. It's the perfect time for a sequel, and this experience would be the perfect subject
230 matter. I mean, I saw the Black Bear Casino's Avery Bancroft die right in front of me. My
231 testimony—and this trial as a whole—would be the perfect Act 3 for my book. And the more
232 exciting my testimony, the more hype there will be for my upcoming book.

233 I am familiar with the following—and only the following—exhibits:

234 Exhibit 1 is a photo of Avery Bancroft.

235 Exhibit 4 is a copy of Dana Haskins's CV. When I saw Dana hand Kelly Doos something,
236 Dana dug through Dana's bag and pulled out multiple documents. One of them was Exhibit 4.

237 Exhibit 8 is a handwritten document that I found in Bancroft's cabin the morning of April
238 25, 2024. While Taylor was telling Harley Kim to leave, I noticed a torn-up document in Bancroft's
239 trash written in purple ink (the same color as the pen in Bancroft's hand). I also noticed a paper
240 fragment clinging to Bancroft's clothes that was the same color as the torn-up document in the
241 trash. I figured it might be important, so I collected the pieces before Taylor kicked me out of the
242 cabin. Later, after I was interviewed by the police (so I never told the Australian police about this
243 document), I taped together the torn document. It looks like a handwritten will by Avery Bancroft.
244 And it seems like at least Taylor was expecting it, because Taylor called me in May 2024 asking

245 if I saw anything in Bancroft's cabin suggesting he was revising his will. I didn't know what to
246 say, so I just said no.

247 Exhibit 9 is an Instagram post I saw in February 2024.

248 Exhibit 10 is a brochure for the Mid-Riverina Express. Exhibit 11 is the layout of the
249 Platinum Section. Exhibit 12 contains the trip itinerary and cabin assignments; the staff aboard the
250 train generated it during the Welcome Dinner. To my knowledge, everything in Exhibits 10-12 is
251 true and accurate except for the schedule for April 25, 2024 because Bancroft died.

252 Exhibit 15 is a transcript for a part of Taylor's interview on the Midlands Review with
253 Paras and Frost. I support my friends, so when I heard that Taylor was the guest, I had to listen. I
254 could tell it was Taylor immediately, and I can confirm the transcript is accurate.

255 Exhibit 16b is a picture of a set of keys. I saw Taylor with an identical set of keys when
256 the two of us walked to the crew cabin after Taylor's argument with their father. I didn't give much
257 thought to the keys. I figured that they were Kelly Doos's keys given the "KD" keychain, and that
258 Taylor simply had them because they were traveling together. Exhibit 16c is a picture of a
259 Chuggie's keychain. The bar handed those out to their most frequent patrons (I didn't even get
260 one, and I spent a lot of time in Chuggie's). But I guess either Taylor or Kelly was a big Chuggie's
261 person. When I was returning to my cabin after Bancroft died, the door to Cabin 3 (Taylor and
262 Kelly's cabin) was wide open. I took a peek inside, and on the floor was a Chuggie's keychain.

263 Exhibit 21 is the front page of the December 18, 2023 edition of the Midlands Courier
264 Gazette. This was yet another document that Dr. Dana Haskins pulled out of Dana's bag when
265 they were trying to hand Kelly something during our breakfast together.

266 Exhibit 22 is a bank statement from the First Bank of Midlands (that's my bank). This one
267 looks to belong to Avery Bancroft. While I can't verify most of the transactions, I can confirm all
268 of the transactions to me. As I mentioned, Avery would have me do odd jobs. Started out small,
269 things like driving some of Bancroft's associates to various banks while in my mascot costume.
270 After a bit, he would ask me to take pictures of local buildings, particularly of any doors and
271 cameras. This ultimately led up to the big \$100,000 job, which was simple enough. During a
272 Halloween gala, I was supposed to let in guests coming via the helipad. It was a super easy job
273 since only one helicopter landed, but despite doing a perfect job, Bancroft ghosted me. I constantly
274 pestered him, but he only responded once. In December 2022, he told me to meet him at the Black

Bear Casino on December 17, 2022 to sort things out. I originally said yes but ended up out of town at the last minute (so last minute, I didn't even give Bancroft the heads up). Bancroft then continued to ghost me, and once he started traveling internationally, I couldn't pester him anymore.

Exhibit 24 appears to be a copy of Dana's resignation letter from a former job. Dana also took this document out of Dana's bag when they were handing Kelly something.

Exhibit 28 are text messages between Ashley Connel and someone named Shannon Shahid. When I had lunch with Ashley and Bailey, Ashley gave me their phone to take some photos of the two of them. While handling the phone, I accidentally opened Ashley's texts and specifically opened the texts between Ashley and Shannon. I also noticed that it was Shannon who called (according to the incoming call list, which I also accidentally opened). To clarify, since I looked at Ashley's phone on Tuesday, April 23, 2024, I did not see that April 24, 2024 text.

Exhibit 30 is a note found on Bancroft's phone. I saw Bancroft's phone lying next to him on April 25, 2024 (I know it was Bancroft's phone since I had frequently seen him using it). Dr. Edmund and Alex Silva managed to open the phone (I'm guessing it had no passcode). After they did, I looked over their shoulders and saw this note. I'm guessing Bancroft wrote it shortly before he collapsed.

Exhibit 34a looks to be a pair of sunglasses that's missing a lens. It looks exactly like the type of sunglasses being sold at Scher's Tool & Craft. I briefly saw Kelly looking at those sunglasses while at Scher's Tool & Craft, and then later on the train, I saw Taylor gift similar sunglasses to Kelly (which was sweet). But to be clear, the sunglasses I saw gifted had both lenses. Exhibit 34b looks to be a loose lens that matches the sunglasses in Exhibit 34a. I remember seeing a loose lens that looked exactly like Exhibit 34b on the floor of Bancroft's cabin the morning of April 25, 2024.

Exhibit 36 is an article titled "Lying to Yourself: The Science of Manipulating Self-Assessments" that seems to be by Dana Haskins. I think this might be the document I saw Dana hand Kelly, which had the same title. However, in full disclosure, I was only able to read the title of the document Dana handed over, so I cannot confirm that the rest of whatever Dana handed over matches Exhibit 36.

Exhibit 37 is a note I saw on the floor of Bancroft's cabin the morning of April 25, 2024.

304 Exhibit 40 looks to be a label for concentrated banana extract (Exhibit 40a is a printout
305 while Exhibit 40b is the label applied to a bottle). The banana on the label looks similar to the
306 banana image I saw (or at least what I thought looked like a banana) while at Scher's Tool & Craft,
307 but I can't be sure since I didn't get a close look at whatever Taylor was looking at in the shop.
308 Though, you can probably ask Dr. Edmund. As I was dipping out of the shop, I noticed Dr. Edmund
309 was also checking out the same display stand as Taylor.

310 Exhibit 41b is a box for rodenticide (Exhibit 41a is a printout of the packaging). It's the
311 same kind of rodenticide I saw in the storage area of the Mid-Riverina Express. I would know
312 because I had to walk through the storage area to go to the crew cabin. It was stored slightly
313 elevated, so a kid like Bailey wouldn't be able to reach it (but every other passenger in the Platinum
314 Section would be able to reach it). I don't remember seeing anyone handle rodenticide during the
315 trip. However, the only passengers (other than me) that I know went into the storage area are
316 Taylor Hopson and Kirby Doolittle. Taylor walked through it to accompany me to the crew cabin
317 (and then would have walked through it again alone to get back to their cabin). Similarly, Kirby
318 dropped by the crew cabin to thank me again for giving up Cabin 8, meaning Kirby would have
319 had to walk through the storage area to visit me.

320 Exhibit 42 is a handwritten note. Comparing it to Exhibit 8, it looks like it was written by
321 the same person, so probably Avery Bancroft. This note was also written in purple ink (the same
322 color pen that Avery died with). Not only that, but the paper also looks to be similar to the paper
323 used for Exhibit 8. I'm guessing Avery used the same type of paper (maybe a legal pad or
324 notebook?) to write both Exhibits 42 and 8.

325 As stated, I am familiar with the following handwritten exhibits: Exhibits 8 and 42. I am
326 aware there are other handwritten exhibits: Exhibits 38 and 39. I have never seen Exhibit 38 or
327 Exhibit 39 before. But if shown those exhibits, I will be able to compare them against the
328 handwritten exhibits I am familiar with in order to opine whether or not the handwritings are
329 similar.

330 I swear or affirm the truthfulness of everything stated in this affidavit. Before giving this
331 statement, I was told I should include everything that I know may be relevant to my testimony,
332 and I followed those instructions. I know that I can and must update this affidavit if anything new
333 occurs to me until the moment before opening statements begin in this case.

Signed:

Subscribed and Sworn to me on this 2nd day of August 2024:

Rory Shelton



Enya Eettickal
Notary Public

**Exhibit
2**

WHY HIRE NATHANSON INVESTIGATIONS?

Jordan Nathanson is the most qualified
and experienced private investigator in
Midlands!

Degrees in psychology and biochemistry



25 years with the FBI as a criminal profiler



Experienced in conducting investigative
audits of law enforcement agency work
product



Experienced in cases involving murder,
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- Background Investigations
- Asset Searches
- Criminal Investigations
- Computer Forensics
- Surveillance
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WHAT CAN WE DO FOR YOU?

INSURANCE CLAIMS

Domestic and international life and disability insurance claim investigations. We investigate fraud, disappearance, homicide, background histories, etc., through interviews/statements, evidence documentation, surveillance/activity checks, medical record verification, and public record searches.

LOCATOR SERVICES

We provide services to locate missing persons and beneficiaries. Our investigations meet “diligent search” requirements of the Missing Participant Program of the Pension Benefit Guaranty Corporation (PBGC) and the Code of Federal Regulations (Title 29 §4050.4—Diligent Search). We combine technology, public records searches, and the internet to identify the person or persons sought, to determine their current address, telephone number, email, social media accounts, employer and/or relatives.

SURVEILLANCE

We specialize in all types of surveillance. We can tell you where people are going, when, who they're meeting with, and what they're talking about—without ever being noticed. If there's dirt to be found (and even if there isn't!), we'll find it.

BACKGROUND INVESTIGATIONS

We conduct individual background searches to uncover facts to evaluate the character and trustworthiness of an individual. We will determine the individual's true identity, personal and professional addresses, business ownerships and sources of income, internet history, criminal background, credit worthiness, and associations. We conduct business background searches to uncover the ownership and management structure and condition of any business entity, including its key executives, facility locations, business activities, civil and criminal litigation, and regulatory compliance history.

ASSET SEARCHES

We provide insight into the financial condition of opposing parties in litigation, decedents in estate administration matters, and in divorce proceedings. We provide valuable insight in understanding the scope and nature of a decedent's estate to ensure all assets are captured and transferred in accordance with the decedent's wishes, as well as during asset division, settlement negotiations, or in seeking to collect on a judgment.

CRIMINAL INVESTIGATIONS

We rely upon our decades of experience in law enforcement to provide services to victims and to those wrongly accused, to track down and hold accountable those actually responsible for criminal acts. We provide a valuable alternative to overburdened and often biased local law enforcement agencies.

COMPUTER FORENSICS

We have multiple years of experience handling all kinds of data, including network, mobile device, social media, and other cloud-based data. We can identify and untangle webs connecting people, entities, money, and others to the event being investigated. We will (legally!) hack emails, text messages, even encrypted messaging apps to find out who they're talking to, and about what.

TRIAL TESTIMONY

Much of the work we do results in evidence that can be useful at trial—civil or criminal. We have testified in many high-profile cases, and present as professional, knowledgeable, and sometimes even entertaining. We know how to present the “facts” in a way that gets you what you're looking for.

TESTIMONIALS

“I was accused of a crime I didn't commit. Jordan was hired by the victim's parents to prove I was guilty—but instead Jordan concluded I was innocent! I'm free today because of Jordan Nathanson's integrity.”

“I hired Jordan Nathanson to do background checks on all my employees. Jordan discovered three of them were involved in an auto theft ring, even though they'd never been convicted—and were planning on stealing my Maserati! Jordan saved my company, and my car.”

“Jordan caught my spouse cheating on me with four different partners. He's in a very high-profile job and couldn't afford for this to be made public. Thanks to Jordan and the photos, videos, emails, and text messages Jordan uncovered, I got a VERY generous divorce settlement. Thanks Jordan!”

Hillary Edmund, M.D.

edmund@maew.org | 2001 Holman Lane, Rapid River Valley, ML

Exhibit
3

EXPERIENCE

Medical Consultant (Various Mountaineering Companies) (2000-Present)

On-site treatment and expert consulting

BNN Alaska (2021-Present)

Frequent contributor and guest of "The Science of Cold"

Edmund Pulmonary Associates (2009-2022)

Owner and Chief Pulmonologist

EDUCATION

University of Alaska Hospitals, Anchorage, AK

Residency, Pulmonary Medicine

Internship, Internal Medicine

Stritch School of Medicine, Maywood, IL

M.D.

Colorado College, Colorado Springs, CO

B.S., Biochemistry

CERTIFICATIONS

American Board of Medicine

Pulmonology – Critical Care

Pulmonology – General Practice

Emergency Medicine – General Practice

Internal Medicine – General Practice

American College of Internal Medicine

Board Certification

PROFESSIONAL AFFILIATIONS

American College of Chest Physicians (ACCP)

Professional organization dedicated to advancing the practice of chest medicine

International Society of Internal Medicine (ISIM)

Global organization that promotes knowledge of the human body and its organs

Midlands Association of Expert Witnesses (MAEW)

Association for Midlands experts; *Appearing Credible on Cross Sub-Committee, Co-Chair*

Campaign Legal Center of Midlands (CLCM)

Non-profit geared towards eliminating dark money from Midlands elections

SELECT PUBLICATIONS

"10 Ways to Keep it Hot When It's So Cold," Hillary Edmund, M.D., *Glamour Magazine*

"We Move as One: The Importance of Heart and Kidney Health in Pulmonology," Hillary Edmund, M.D., *Journal of Clinical Medicine & Biology*

"Nature's Poison: The Impact of a Physician's Personal Bias on Patient Treatment," Hillary Edmund, M.D., *Journal of Psychosomatic Research*

Dana Haskins, R.N., Ph.D.2005 Kissner Road | Evanston, ML | haskins@maew.org**PROFESSIONAL EXPERIENCE**

Self-Employed , Evanston, ML Clinical Psychologist	2023 — Present
Hon. Ryan Sullivan , State Center, ML Media Consultant (2023-Present) Campaign Advisor (2021-2022)	2021 — Present
Polk County Psychological Service Department , Newton, ML Resident Psychologist	2004 — 2023
Polk County Children's Hospital , Midlands Center, ML Nurse	1997 — 2000

EDUCATION

Midlands State University , Midlands City, ML <i>Ph.D.</i> , Clinical Psychology	2003
Boston College , Chestnut Hill, MA <i>BSN</i>	1996

SELECTED PUBLICATIONS

"Lying to Yourself: The Science of Manipulating Self-Assessments," *Midlands Journal on Personality and Psychology* (April 2024)

"Surviving Black Bear: Emotional Burns That May Last a Lifetime," *Midlands Journal on Trauma* (November 2023)

"Psychology Not Psychics: The Issues with Criminal Profiling," *Midlands Journal of Criminal Psychology* (July 2021)

PROFESSIONAL AFFILIATIONS

Midlands Association of Psychologists

- Family Practice Committee, Chair

Midlands Association of Expert Witnesses [MAEW]

- Appearing Credible on Cross Sub-Committee, Co-Chair

Trees for All

- Fundraising Committee, Deputy Chair

INTERESTS

Agatha Christie (books not movies), Midlands Center Bake-Off (Runner-Up for best banana bread three years and counting), indoor cycling

IN THE CIRCUIT COURT OF POLK COUNTY, MIDLANDS

Shannon Shahid,

Plaintiff,

v.

Taylor Hopson,

Defendant.

Case No. CV 24-401985

Action filed: May 3, 2024

Judge Richard M. Calkins

Deposition of Bailey Connel

Taken: May 31, 2024

Examination by Anna Dubnoff, for Plaintiff. Witness represented by Mara Friedman of Srikanth, Palmar, Chambers & Kumar LLP. In attendance is Curtis Herbert, for Defendant. Also in attendance is deponent's parent Ashley Connel, who is watching through one-way glass in an observation room with no ability to communicate with deponent.

The deponent herein, after having been first duly sworn, testified as follows:

1 **Q.** Please state your name for the record.

2 **A.** Bailey Connel.

3 **Q.** Bailey, is there any reason you cannot give accurate testimony today?

4 **A.** No.

5 **Q.** How old are you, Bailey?

6 **A.** 11.

7 **Q.** Where were you between April 22 and April 25, 2024?

8 **A.** I was on the Mid-Riverina Express with one of my parents.

9 **Q.** Which parent?

10 **A.** Ashley Connel.

11 **Q.** Thanks, Bailey. And if you can refer to Ashley by name for the rest of this, that would be great.

12 What were the two of you doing on the Mid-Riverina Express?

13 **A.** My . . . Ashley was traveling Australia for an art show. We were taking the train to Perth.

14 **Q.** Let's start with your first day on the train, April 22, 2024. How did that day go?

15 **A.** Fine. Me and Ashley were in Cabin 2. We had dinner. I went to bed.

16 **Q.** Alright, let's move to April 23, 2024. How did that day start?

17 **A.** Fine. We had breakfast. We visited this old Australian place. The sculptures were pretty cool,
18 but that was about it. We then came back to the train for lunch.

19 **Q.** Did anything happen during lunch?

20 **A.** My drawing tablet wasn't working, so I was drawing on paper. This friendly person named
21 Rory joined me, but it seemed like Rory was just practicing their handwriting or something.

- 22 Q. What happened after lunch?
- 23 A. We could either go shopping or to a museum. I wanted to go shopping, but Ashley made us
24 go to the museum, saying they wanted to talk to a man about a lawsuit.
- 25 Q. Did Ashley talk to a man about a lawsuit?
- 26 A. Yep. I heard Ashley asking this man named Avery to drop this stupid lawsuit, except Ashley
27 didn't use stupid. Avery said no. I don't think I've ever seen Ashley so mad before.
- 28 Q. What happened after your trip to the museum?
- 29 A. I was doing arts and crafts in the lounge. Ashley had gotten me some magazines, two pairs of
30 scissors, and glue. This time, Taylor from Cabin 3 joined me. I gave Taylor the extra scissors,
31 and they also cut things out and glued them onto a sheet of paper.
- 32 Q. Did you see what Taylor made?
- 33 A. No. Taylor was still working on it when I left to go to bed.
- 34 Q. Moving to April 24, 2024, how did that day begin?
- 35 A. With a rat scare at breakfast.
- 36 Q. What do you mean a rat scare at breakfast?
- 37 A. We were at breakfast. This person named Harley started yelling that they saw something move,
38 but no one else saw anything. Harley said it must have been a rat and asked the waiter if there
39 was any rat poison. The waiter said there was some in the storage area, and that was it.
- 40 Q. Did you see Harley do anything after being told where the rat poison was?
- 41 A. No. Harley was calm all of a sudden. It was weird, but adults are weird.
- 42 Q. Who else was there when the waiter said there was rat poison on board?
- 43 A. I don't know. Me and Ashley were there. Harley was there. I remember seeing Taylor there.
44 There might have been others, but I'm not sure.
- 45 Q. What happened after breakfast?
- 46 A. Not much. We mostly stayed on the train. We stopped in the afternoon. Me, Ashley, and two
47 other passengers explored the area and found this secret oasis. It was pretty cool.
- 48 Q. Anything happen when you got back to the train?
- 49 A. Yeah. Um, before dinner, I was grabbing water from the dining car when I ran into one of the
50 passengers who found the secret oasis with me. I think their name was Doolittle or something.
51 Anyways, I saw Doolittle crying. I didn't know what to do, so I just pretended I didn't see
52 them and walked by. I did hear Doolittle say something like, "Am I sure about this?"
- 53 Q. Anything else?
- 54 A. Nope, not till I went to bed.
- 55 Q. What do you mean till you went to bed?
- 56 A. I woke up in the middle of the night and couldn't go back to sleep. So, I started drawing.

- 57 Q. Did you see anyone while you were drawing?
- 58 A. I did. Around 3:00am, I heard footsteps in the hallway, so I took a peek. I saw someone heading
59 towards Cabin 1.
- 60 Q. Can you describe the person you saw heading towards Cabin 1?
- 61 A. I never saw their face or anything. I didn't really get their height or their skin color, I guess.
62 The only thing I know is that they were wearing an orange hoodie with the hood up.
- 63 Q. Sitting here, can you tell us which passenger was in that orange hoodie?
- 64 A. I can't. I'm sorry.
- 65 Q. That's perfectly fine, Bailey. Is there any more info you can give us?
- 66 A. Well, when I saw the person in orange, I drew them.
- 67 Q. Showing Exhibit 32. Is this your drawing of the person you saw that night?
- 68 A. Yes, it is. Like I said, I was drawing, so as soon as I saw the person, I decided to draw them.
- 69 Q. How accurate is your drawing?
- 70 A. I got the color right. I'm actually really proud of that since I normally don't use orange. But
71 that's exactly what the person was wearing, including the orange hoodie with the hood up.
- 72 Q. How accurate is your drawing for the person's body shape?
- 73 A. I'm still working on people's body shapes. That and hands. So, I just used the default body
74 shape I normally use when drawing.
- 75 Q. Sitting here today, do you remember whether the person's body shape was larger, the same
76 size, or smaller than the body shape in your drawing.
- 77 A. Sorry, no. It was super long ago. I just don't remember. But they were absolutely wearing the
78 hoodie in my drawing. I'm completely sure of that. But I'm not sure about their body shape.
- 79 Q. That's alright, Bailey. What do you remember this person doing after this moment in the
80 drawing?
- 81 A. I saw them go into Cabin 1.
- 82 Q. Did you see them leave Cabin 1?
- 83 A. No. Around 4:00am, I saw Doolittle approach Cabin 1 and knock on the door. They then
84 whispered something like "Are you okay?" or "Are you done?" I can't be sure which one.
85 Anyways, I then saw Doolittle walk away. I felt tired, so I went to bed. I never saw the orange-
86 hoodie person leave Cabin 1.
- 87 Q. When Doolittle whispered something, did someone inside Cabin 1 respond?
- 88 A. I don't know, maybe. The rooms were pretty soundproof. I think that's why I couldn't really
89 hear what Doolittle said. So, maybe someone responded, and I didn't hear?
- 90 Q. Okay, so what happened after you went to bed for a second time that night?
- 91 A. Ashley and I woke up because someone was yelling. I wanted to see what was happening, but
92 Ashley said we should stay put. So, I stayed put.

- 93 Q. Did you ever learn what the yelling was about?
- 94 A. Yeah, one of the people who worked on the train came to our cabin. They told us that Avery
95 had died from a heart attack and that we should stay in our cabins until the police arrive.
- 96 Q. Did you stay in your cabin until the police arrived?
- 97 A. Mostly. I wanted to, but when Taylor and I were doing arts and crafts together, Taylor
98 mentioned that Avery was Taylor's dad. I wanted to see if Taylor was okay. So, I went to their
99 cabin. But they were in Cabin 3, which was right next door. So, I really didn't go that far.
- 100 Q. Don't worry, Bailey. You're not in trouble. What happened when you visited Cabin 3?
- 101 A. I thought Taylor was going to be sad or something. Instead, they were arguing with the other
102 person in Cabin 3.
- 103 Q. What were they arguing about?
- 104 A. Taylor was holding these broken sunglasses and said, "The rest of it has to be here somewhere.
105 Because, if it's not, we're in big trouble."
- 106 Q. How were these sunglasses broken?
- 107 A. Well, they were mostly fine. They were just missing one lens.
- 108 Q. Showing Exhibit 34a. Are these the broken sunglasses you saw Taylor holding?
- 109 A. Yep, those are the ones.
- 110 Q. What did you do after overhearing Taylor?
- 111 A. I knocked. Taylor stopped arguing. I told Taylor I was sorry for their loss. Taylor told me,
112 "Thank you very much, Bailey. But don't worry. I'm now in a better place." I figured Taylor
113 got the phrase wrong, but Ashley told me that people don't like getting corrected. So, I just
114 nodded and went back to Cabin 2.
- 115 Q. No further questions.
- 116 Q. [Attorney Herbert] No questions from the defense.
- 117 I, Mason Paine, declare under penalty of perjury that the foregoing is true and correct.
- 118 Mason Paine May 31, 2024
119 Court Reporter Date
- 120 I, Bailey Connel, certify that I have read the foregoing transcript of my deposition and I swear it
121 is a true, correct, and complete transcript of my deposition. I have no changes or amendments.
- 122 Bailey Connel July 1, 2024
123 Deponent Date

WILL OF AVERY P. BANCROFT

I, Avery P. Bancroft, also known as Avery Parker Bancroft and Avery Bancroft, a resident of Polk County, Midlands, revoke any prior wills and codicils made by me and declare this to be my Will (my “Will”).

1. FAMILY INFORMATION.

I was previously married to my late wife, Shirley J. Bancroft, who passed away on July 16, 2003. I have two children. Their names and dates of birth are Taylor B. Hopson, born on April 25, 1989; and Shannon Shahid, born on October 9, 2000. All references in my Will to my children are references to these children. All references in my Will to my descendants are references to my children and their descendants, including descendants of any deceased child.

Except as otherwise provided in this instrument, I am intentionally disinheriting, omitting, and not providing for any other person or persons who claim to be my descendants or heirs under any circumstances and without regard to the nature of any evidence which may indicate status as descendants or heirs. I acknowledge and understand that, except as otherwise provided in this instrument, I am generally disinheriting, omitting, and not providing for any person or persons that may qualify as a pretermitted or omitted heir, spouse, or child.

2. SPECIFIC AND GENERAL GIFTS.

- a. *Disposition of Estate.* I give all my tangible and intangible personal property, real estate, business interests, and all the remainder of my estate as follows:

Beneficiary	Share
Taylor B. Hopson	95%
Shannon Shahid	5%

My Executor will make the division of property according to the Executor’s discretion. My Executor will not incur any liability to any party for decisions made by my Executor with respect to the division of my property. Any decision made by my Executor will be final and binding on all of my beneficiaries.

Until property distributed in accordance with this Article is delivered to the appropriate beneficiary or to the beneficiary’s legal representative, my Executor will pay the reasonable expenses of securing, storing, insuring, packing, transporting, and otherwise caring for the property as an administration expense. Except as otherwise provided in my Will, my Executor will distribute property under this Article subject to all liens, security interests, and other encumbrances on the property.

If a person named above as a beneficiary under this Article is not living at the date of distribution, that person’s share shall pass to his or her descendants, per stirpes. But if a beneficiary does not have any descendants, then that beneficiary’s share shall pass to the share for the other named beneficiary.

3. REMOTE CONTINGENT DISTRIBUTION.

If at any time after my death there is no person or entity then qualified to receive final distribution of my estate, or any part of it, under the foregoing provisions of my Will, then the portion of my estate with respect to which the failure of qualified recipients has occurred shall be distributed as follows:

Beneficiary	Share
Polk County Hospital	50%
Midlands Center Sailing Club	50%

4. **DESIGNATION OF EXECUTOR.** I nominate Reese Campbell, of the law firm of Shah Mothersbaugh, LLP, of Midlands Center, Midlands, to serve as my Executor. If Reese Campbell is unable or unwilling to serve as my Executor, or if Reese Campbell is not affiliated with the law firm of Shah Mothersbaugh, LLP at the time of my death, I nominate any attorney in good standing appointed by the executive committee of the law firm of Shah Mothersbaugh, LLP to serve as my Executor.

5. **GENERAL ADMINISTRATIVE PROVISIONS.**

- a. *No Bond.* No Executor is required to furnish any bond for the faithful performance of the Executor's duties, unless required by a court of competent jurisdiction and only if the court finds that a bond is needed to protect the interests of the beneficiaries. No surety is required on any bond required by any law or rule of court, unless the court specifies that a surety is necessary.
 - b. *Informal Proceedings.* I authorize my Executor to exercise all powers under the Midlands Uniform Probate Code, and the election of whether the administration of my estate is formal or informal, and with or without court supervision, shall be made in the sole and absolute discretion of my Executor.
 - c. *Executor Compensation.* An individual serving as my Executor is entitled to fair and reasonable compensation for the services rendered as a Executor. My Executor may charge additional fees for services it provides that are not comprised within its duties as my Executor such as fees for legal services, tax return preparation and corporate finance or investment banking services. In addition to receiving compensation, my Executor may be reimbursed for reasonable costs and expenses incurred in carrying out its duties under my Will.
 - d. *Representative of a Beneficiary.* The guardian of a beneficiary may act for such beneficiary for all purposes under my Will or may receive information on behalf of such beneficiary.
 - e. *Delegation of Authority; Power of Attorney.* Any Executor may, by an instrument in writing, delegate to any other Executor the right to exercise any power, including a discretionary power, granted the Executor in my Will. During the time a delegation under this Section is in effect, the Executor to whom the delegation was made may exercise the power to the same extent as if the delegating Executor had personally joined in the exercise of the power. The delegating Executor may revoke the delegation at any time by giving written notice to the Executor to whom the power was delegated. The Executor may execute and deliver a revocable or irrevocable power of attorney appointing any individual or corporation to transact any and all business on behalf of the trust. The power of attorney may grant to the attorney-in-fact all of the rights, powers, and discretion that the Executor could have exercised.
6. **POWERS OF MY EXECUTOR.** My Executor may perform every act reasonably necessary to administer my estate and any trust established under my Will and may, without prior authority from any court, exercise all powers conferred by my Will or by common law or by the Midlands Uniform Probate Code, or other statute of the State of Midlands or any other jurisdiction whose law applies to my Will. My Executor has absolute discretion in exercising these powers. Except as specifically limited by my Will, these powers extend to all property held by my Executor until the actual distribution of the property.

7. PROVISIONS FOR PAYMENT OF DEBTS, EXPENSES AND TAXES.

- a. *Payment of Debts and Expenses.* I direct that all my legally enforceable debts, secured and unsecured, be paid as soon as practicable after my death unless I have specifically directed that a devisee of a bequest of specific property take the specific property subject to all liens and encumbrances. If I have directed that a devisee take property subject to all liens and encumbrances, the devisee is not entitled to have the liens and encumbrances paid out of my estate.
- b. *Apportionment.* Except as otherwise specified in this Article or elsewhere in my Will, my Executor shall apportion taxes among the beneficiaries as those beneficiaries are determined for the purpose of the tax. The values used in determining the tax are to be used for tax apportionment purposes.

8. DEFINITIONS. For purposes of my Will and for the purposes of any trust established under my Will, the following definitions apply:

- a. *Good Faith.* For the purposes of this Will, a Executor has acted in “good faith” if (i) its action or inaction is not a result of intentional wrongdoing, (ii) the Executor did not make the decision with reckless indifference to the interests of the beneficiaries, and (iii) its action or inaction does not result in an improper personal pecuniary benefit to the Executor.
- b. *Per Stirpes.* Whenever a distribution is to be made to a person’s descendants “per stirpes,” the distribution will be divided into as many equal shares as there are then-living children of that person and deceased children of that person who left then-living descendants. Each then-living child will receive one share and the share of each deceased child will be divided among the deceased child’s then-living descendants in the same manner.
- c. *Shall and May.* Unless otherwise specifically provided in my Will or by the context in which used, I use the word “shall” in my Will to command, direct or require, and the word “may” to allow or permit, but not require. In the context of my Trustee, when I use the word “may” I intend that my Trustee may act in its sole and absolute discretion unless otherwise stated in my Will.
- d. *Other Definitions.* Except as otherwise provided in my Will, terms shall be as defined in the Midlands Uniform Probate Code.

9. GENERAL PROVISIONS. The following general provisions and rules of construction apply to my Will:

- a. *Contest Provision.* If any person directly or indirectly attempts to contest or oppose the validity of my Will, (including any codicil to my Will), or commences, continues or prosecutes any legal proceedings to set my Will aside, then that person will forfeit his or her share, cease to have any right or interest in my estate, and will, for purposes of my Will, be deemed to have predeceased me.
- b. *Survivorship Presumption.* If any beneficiary is living at my death, but dies within 90 days thereafter, then the beneficiary will be deemed to have predeceased me for all purposes of my Will.
- c. *Governing State Law.* My Will shall be governed, construed and administered according to the laws of Midlands as from time to time amended. Questions of administration of any trust established under my Will are to be determined by the laws of the situs of administration of that trust.
- d. *Notices.* Whenever my Will calls for notice, the notice will be in writing and will be personally delivered with proof of delivery, or mailed postage prepaid by certified mail, return receipt requested, to the last known address of the party requiring notice. Notice will be effective on the date personally delivered or on the date of the return receipt.

May 1, 2024

Karen Sun, Esq.
Sun, Dubnoff, & Marx LLP
123 Cavalier Ct.
Midlands City, ML 05551

RE: Estate Value, Avery P. Bancroft

Dear Ms. Sun:

I write in my capacity as Executor of the Estate of Avery P. Bancroft to follow up on our phone conversation this morning, in which you asked whether we were able to provide to you on behalf of your client, Shannon Shahid, a date-of-death balance sheet evidencing the assets constituting Mr. Bancroft's estate.

While we do not have a balance sheet in our files, we are preparing, and will file, a Form 706 Estate Tax Return on behalf of Mr. Bancroft's estate. I attach our current draft of that filing.

It is important to note that this draft is incomplete and will not be completed for some time. The Estate Tax Return is typically due within nine months of the date of death; however, for complicated and larger estates it is not uncommon to file for an extension, and we will almost certainly be doing so. As such this Estate Tax Return is not likely to be completed and filed until next summer at the earliest.

That said, we have been counsel to Mr. Bancroft for some time and therefore have a clear picture of his financial position as of the time of his death. We have already prepared the relevant schedules of assets (including the various business interests owned by Mr. Bancroft which he referred to, collectively, as "Bancroft Estates") which will accompany his estate tax return (specifically Schedules A, B, C, and F); I am confident these schedules are accurate and will not be amended or modified prior to filing this return.

As we discussed on the phone, I am aware of the pending litigation between Mr. Bancroft's beneficiaries. We have fiduciary duties to all beneficiaries of the estate, and so must remain strictly neutral in such litigation. To that end I have advised counsel for Taylor B. Hopson of our conversation and am copying them on this correspondence, and providing them with a copy of our draft Form 706 as well.

Kind regards,

(Dictated but not read)

King Deas, as Executor of the
Estate of Avery P. Bancroft

cc: Pema, Herbert, & Davis, LLP

Form

706

(Rev. August 2019)

Department of the Treasury
Internal Revenue Service**United States Estate (and Generation-Skipping Transfer)
Tax Return**► Estate of a citizen or resident of the United States (see instructions). To be filed for
decedents dying after December 31, 2018.

OMB No. 1545-0015

► Go to www.irs.gov/Form706 for instructions and the latest information.

Part 1—Decedent and Executor	1a Decedent's first name and middle initial (and maiden name, if any) Avery P.	1b Decedent's last name Bancroft		2 Decedent's social security no. ***-**-5841
	3a City, town, or post office; county; state or province; country; and ZIP or foreign postal code 71 Cliff View Lane Midlands City, ML 05553	3b Year domicile established 1985	4 Date of birth 07/16/1967	5 Date of death 04/25/2024
		6b Executor's address (number and street including apartment or suite no.; city, town, or post office; state or province; country; and ZIP or foreign postal code) and phone no. Shah Mothersbaugh LLP 22 Park Plaza Suite 1015 Midlands City, ML 05551 Phone no. (642) 555-0330		
	6a Name of executor (see instructions) King Deas			
	6c Executor's social security number (see instructions) ***-**-2541			
	6d If there are multiple executors, check here <input type="checkbox"/> and attach a list showing the names, addresses, telephone numbers, and SSNs of the additional executors.			
Part 2—Tax Computation	7a Name and location of court where will was probated or estate administered Polk County Probate and Family Court			7b Case number BR24P2553EA
	8 If decedent died testate, check here <input checked="" type="checkbox"/> and attach a certified copy of the will. 9 If you extended the time to file this Form 706, check here <input type="checkbox"/>			
	10 If Schedule R-1 is attached, check here <input type="checkbox"/> 11 If you are estimating value of assets included in gross estate on line 1 pursuant to special rule of Reg. section 20.2010-2(a)(7)(ii), check here <input type="checkbox"/>			
	1 Total gross estate less exclusion (from Part 5—Recapitulation, item 13)	1	404,727,252.58	
	2 Tentative total allowable deductions (from Part 5—Recapitulation, item 24)	2	0.00	
	3a Tentative taxable estate (subtract line 2 from line 1)	3a	404,727,252.58	
	b State death tax deduction	3b	0.00	
	c Taxable estate (subtract line 3b from line 3a)	3c	404,727,252.58	
	4 Adjusted taxable gifts (see instructions)	4	0.00	
	5 Add lines 3c and 4	5	404,727,252.58	
	6 Tentative tax on the amount on line 5 from Table A in the instructions	6	161,836,701.03	
	7 Total gift tax paid or payable (see instructions)	7	0.00	
	8 Gross estate tax (subtract line 7 from line 6)	8	161,836,701.03	
	9a Basic exclusion amount	9a	13,610,000.00	
	b Deceased spousal unused exclusion (DSUE) amount from predeceased spouse(s), if any (from Section D, Part 6—Portability of Deceased Spousal Unused Exclusion)	9b	0.00	
	c Restored exclusion amount (see instructions)	9c	0.00	
	d Applicable exclusion amount (add lines 9a, 9b, and 9c)	9d	13,610,000.00	
	e Applicable credit amount (tentative tax on the amount in line 9d from Table A in the instructions)	9e	5,389,800.00	
	10 Adjustment to applicable credit amount (May not exceed \$6,000. See instructions.)	10	0.00	
	11 Allowable applicable credit amount (subtract line 10 from line 9e)	11	5,389,800.00	
	12 Subtract line 11 from line 8 (but do not enter less than zero)	12	156,446,901.03	
	13 Credit for foreign death taxes (from Schedule P). (Attach Form(s) 706-CE.)	13	0.00	
	14 Credit for tax on prior transfers (from Schedule Q)	14	0.00	
	15 Total credits (add lines 13 and 14)	15	0.00	
	16 Net estate tax (subtract line 15 from line 12)	16	156,446,901.03	
	17 Generation-skipping transfer (GST) taxes payable (from Schedule R, Part 2, line 10)	17	0.00	
	18 Total transfer taxes (add lines 16 and 17)	18	156,446,901.03	
	19 Prior payments (explain in an attached statement)	19	0.00	
	20 Balance due (or overpayment) (subtract line 19 from line 18)	20	156,446,901.03	

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than the executor) is based on all information of which preparer has any knowledge.

Sign Here	Signature of executor King Deas	Date			
	Signature of executor	Date			
Paid Preparer Use Only	Print/Type preparer's name King Deas	Preparer's signature	Date	Check <input type="checkbox"/> if self-employed	PTIN
	Firm's name ► Shah Mothersbaugh LLP			Firm's EIN ►	
	Firm's address ► 22 Park Plaza Suite 1015 Midlands City, ML 05551			Phone no. (642) 555-0330	

Estate of: Avery P. Bancroft	Decedent's social security number ***-**-5841
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Part 3—Elections by the Executor

Note: For information on electing portability of the decedent's DSUE amount, including how to opt out of the election, see Part 6-Portability of Deceased Spousal Unused Exclusion.

Note: Some of the following elections may require the posting of bonds or liens.

Please check "Yes" or "No" for each question. See instructions.

		Yes	No
1 Do you elect alternate valuation?	1		X
2 Do you elect special-use valuation? If "Yes," you must complete and attach Schedule A-1	2		X
3 Do you elect to pay the taxes in installments as described in section 6166? If "Yes," you must attach the additional information described in the instructions. Note: By electing section 6166 installment payments, you may be required to provide security for estate tax deferred under section 6166 and interest in the form of a surety bond or a section 6324A lien.	3		X
4 Do you elect to postpone the part of the taxes due to a reversionary or remainder interest as described in section 6163?	4		X

Part 4—General Information

Note: Please attach the necessary supplemental documents. **You must attach the death certificate.** See instructions.

Authorization to receive confidential tax information under Reg. section 601.504(b)(2)(i); to act as the estate's representative before the IRS; and to make written or oral presentations on behalf of the estate:

Name of representative (print or type)	State	Address (number, street, and room or suite no., city, state, and ZIP code)
King Deas	ML	Shah Mothersbaugh LLP 22 Park Plaza Suite 1015 Midlands City, ML 05551

I declare that I am the ☒ attorney/ ☐ certified public accountant/ ☐ enrolled agent (check the applicable box) for the executor. I am not under suspension or disbarment from practice before the Internal Revenue Service and am qualified to practice in the state shown above.

Signature	CAF number	Date	Telephone number
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1	Death certificate number and issuing authority (attach a copy of the death certificate to this return). ML-052320240135, Midlands
2	Decedent's business or occupation. If retired, check here <input checked="" type="checkbox"/> and state decedent's former business or occupation. Entrepreneur and Investor
3a	Marital status of the decedent at time of death: <input type="checkbox"/> Married <input checked="" type="checkbox"/> Widow/widower <input type="checkbox"/> Single <input type="checkbox"/> Legally separated <input type="checkbox"/> Divorced
3b	For all prior marriages, list the name and SSN of the former spouse, the date the marriage ended, and whether the marriage ended by annulment, divorce, or death. Attach additional statements of the same size if necessary. Shirley J. Bancroft ***-**-0754 Marriage ended 07/16/2003 by death

4a Surviving spouse's name None	4b Social security number	4c Amount received (see instructions)
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5 Individuals (other than the surviving spouse), trusts, or other estates who receive benefits from the estate (do not include charitable beneficiaries shown in Schedule O) (see instructions).			
Name of individual, trust, or estate receiving \$5,000 or more	Identifying number	Relationship to decedent	Amount (see instructions)
All unascertainable beneficiaries and those who receive less than \$5,000			0.00
Total			0.00

If you answer "Yes" to any of the following questions, you must attach additional information as described.

		Yes	No
6 Is the estate filing a protective claim for refund? If "Yes," complete and attach two copies of Schedule PC for each claim.	6		X
7 Does the gross estate contain any section 2044 property (qualified terminable interest property (QTIP) from a prior gift or estate)? See instructions	7		X
8a Have federal gift tax returns ever been filed? If "Yes," attach copies of the returns, if available, and furnish the following information.	8a		X
b Period(s) covered	c Internal Revenue office(s) where filed		
9a Was there any insurance on the decedent's life that is not included on the return as part of the gross estate?	9a		X
b Did the decedent own any insurance on the life of another that is not included in the gross estate?	b		X

Estate of: Avery P. Bancroft

Decedent's social security number

***-**-5841

Part 4—General Information (continued)

If you answer "Yes" to any of the following questions, you must attach additional information as described.		Yes	No
10	Did the decedent at the time of death own any property as a joint tenant with right of survivorship in which (a) one or more of the other joint tenants was someone other than the decedent's spouse, and (b) less than the full value of the property is included on the return as part of the gross estate? If "Yes," you must complete and attach Schedule E		X
11a	Did the decedent, at the time of death, own any interest in a partnership (for example, a family limited partnership), an unincorporated business, or a limited liability company; or own any stock in an inactive or closely held corporation?	X	
b	If "Yes," was the value of any interest owned (from above) discounted on this estate tax return? If "Yes," see the instructions on reporting the total accumulated or effective discounts taken on Schedule F or G		X
12	Did the decedent make any transfer described in section 2035, 2036, 2037, or 2038? See instructions. If "Yes," you must complete and attach Schedule G		X
13a	Were there in existence at the time of the decedent's death any trusts created by the decedent during his or her lifetime? . . .		X
b	Were there in existence at the time of the decedent's death any trusts not created by the decedent under which the decedent possessed any power, beneficial interest, or trusteeship?		X
c	Was the decedent receiving income from a trust created after October 22, 1986, by a parent or grandparent? If "Yes," was there a GST taxable termination (under section 2612) on the death of the decedent?		X
d	If there was a GST taxable termination (under section 2612), attach a statement to explain. Provide a copy of the trust or will creating the trust, and give the name, address, and phone number of the current trustee(s).		
e	Did the decedent at any time during his or her lifetime transfer or sell an interest in a partnership, limited liability company, or closely held corporation to a trust described in line 13a or 13b? If "Yes," provide the EIN for this transferred/sold item. ▶		X
14	Did the decedent ever possess, exercise, or release any general power of appointment? If "Yes," you must complete and attach Schedule H		X
15	Did the decedent have an interest in or a signature or other authority over a financial account in a foreign country, such as a bank account, securities account, or other financial account?		X
16	Was the decedent, immediately before death, receiving an annuity described in the "General" paragraph of the instructions for Schedule I or a private annuity? If "Yes," you must complete and attach Schedule I		X
17	Was the decedent ever the beneficiary of a trust for which a deduction was claimed by the estate of a predeceased spouse under section 2056(b)(7) and which is not reported on this return? If "Yes," attach an explanation		X

Part 5 — Recapitulation. Note: If estimating the value of one or more assets pursuant to the special rule of Reg. section 20.2010-2(a)(7)(ii), enter on both lines 10 and 23 the amount noted in the instructions for the corresponding range of values. See instructions for details.

Item no.	Gross estate	Alternate value	Value at date of death
1	Schedule A—Real Estate	1	38,417,100.00
2	Schedule B—Stocks and Bonds	2	267,752,280.00
3	Schedule C—Mortgages, Notes, and Cash	3	68,680,272.58
4	Schedule D—Insurance on the Decedent's Life (attach Form(s) 712)	4	0.00
5	Schedule E—Jointly Owned Property (attach Form(s) 712 for life insurance)	5	0.00
6	Schedule F—Other Miscellaneous Property (attach Form(s) 712 for life insurance)	6	29,877,600.00
7	Schedule G—Transfers During Decedent's Life (att. Form(s) 712 for life insurance)	7	0.00
8	Schedule H—Powers of Appointment	8	0.00
9	Schedule I—Annuities	9	0.00
10	Estimated value of assets subject to the special rule of Reg. section 20.2010-2(a)(7)(ii)	10	0.00
11	Total gross estate (add items 1 through 10)	11	404,727,252.58
12	Schedule U—Qualified Conservation Easement Exclusion	12	0.00
13	Total gross estate less exclusion (subtract item 12 from item 11). Enter here and on line 1 of Part 2—Tax Computation	13	404,727,252.58
Item no.	Deductions		Amount
14	Schedule J—Funeral Expenses and Expenses Incurred in Administering Property Subject to Claims	14	0.00
15	Schedule K—Debts of the Decedent	15	0.00
16	Schedule K—Mortgages and Liens	16	0.00
17	Total of items 14 through 16	17	0.00
18	Allowable amount of deductions from item 17 (see the instructions for item 18 of the Recapitulation)	18	0.00
19	Schedule L—Net Losses During Administration	19	0.00
20	Schedule L—Expenses Incurred in Administering Property Not Subject to Claims	20	0.00
21	Schedule M—Bequests, etc., to Surviving Spouse	21	0.00
22	Schedule O—Charitable, Public, and Similar Gifts and Bequests	22	0.00
23	Estimated value of deductible assets subject to the special rule of Reg. section 20.2010-2(a)(7)(ii)	23	0.00
24	Tentative total allowable deductions (add items 18 through 23). Enter here and on line 2 of the Tax Computation	24	0.00

Estate of: Avery P. Bancroft

Decedent's social security number
***-**-5841**SCHEDULE A—Real Estate**

- For jointly owned property that must be disclosed on Schedule E, see instructions.
- Real estate that is part of a sole proprietorship should be shown on Schedule F.
- Real estate that is included in the gross estate under sections 2035, 2036, 2037, or 2038 should be shown on Schedule G.
- Real estate that is included in the gross estate under section 2041 should be shown on Schedule H.
- If you elect section 2032A valuation, you must complete Schedule A and Schedule A-1.

Note: If the value of the gross estate, together with the amount of adjusted taxable gifts, is less than the basic exclusion amount and Form 706 is being filed solely to elect portability of the DSUE amount, consideration should be given as to whether you are required to report the value of assets eligible for the marital or charitable deduction on this schedule. See the instructions for more information. If you are not required to report the value of an asset, identify the property but make no entries in the last three columns.

Item number	Description	Alternate valuation date	Alternate value	Value at date of death
1	Marauders Arena, Midlands, ML			18,350,000.00
2	1 Racetrack Drive, Santa Ivo, ML (Horseracing track)			7,275,100.00
3	2323 West Cole Road, Midlands Hills, ML (Residential)			2,330,000.00
4	71 Cliff View Lane, Midlands City, ML (Residential)			3,750,000.00
5	4 Palm Tree Terrace Unit 1750, La Jolla, CA 92037 (Residential)			2,990,000.00
6	100 Black Bear Blvd, Midlands City, ML (Vacant Lot)			350,000.00
7	Lone Pine Mall, 1 Lone Pine Road, Bunting, ML (Retail; Vacant)			1,250,000.00
8	Miller Tower Unit #3922, Santa Ivo, ML (Office Condominium)			2,122,000.00
Total from continuation schedules or additional statements attached to this schedule . . .				0.00
TOTAL (Also enter on Part 5—Recapitulation, page 3, at item 1.)				38,417,100.00

(If more space is needed, attach the continuation schedule from the end of this package or additional statements of the same size.)

Estate of: Avery P. Bancroft

Decedent's social security number

*** -**-5841

SCHEDULE B—Stocks and Bonds

(For jointly owned property that must be disclosed on Schedule E, see instructions.)

Note: If the value of the gross estate, together with the amount of adjusted taxable gifts, is less than the basic exclusion amount and Form 706 is being filed solely to elect portability of the DSUE amount, consideration should be given as to whether you are required to report the value of assets eligible for the marital or charitable deduction on this schedule. See the instructions for more information. If you are not required to report the value of an asset, identify the property but make no entries in the last four columns.

Item number	Description, including face amount of bonds or number of shares and par value for identification. Give CUSIP number. If trust, partnership, or closely held entity, give EIN.	CUSIP number or EIN, where applicable	Unit value	Alternate valuation date	Alternate value	Value at date of death
	SEE SCHEDULE ATTACHED					
Total from continuation schedules (or additional statements) attached to this schedule						267,752,280.00
TOTAL (Also enter on Part 5—Recapitulation, page 3, at item 2.)						267,752,280.00

(If more space is needed, attach the continuation schedule from the end of this package or additional statements of the same size.)

Estate of: Avery P. Bancroft

***-**-5841

Schedule B - Stocks and Bonds

Item number	Description	Unit value CUSIP/EIN	Alternate valuation date	Alternate value	Value at date of death
1	Bancroft Glue & Adhesives Ltd.	123			12,300,000.00
2	Santa Ivo Horse Track & Stables, LLC	143,000			14,300,000.00
3	Midlands Marauders Holding Inc.	1,100,000			27,500,000.00
4	BBC Holdings, LLC	0			0.00
5	Neptune Adventures Holding LLC	31.64			31,640.00
6	466 W Central Realty Partners, LLC	995			2,487,500.00
7	468 W Central Realty Partners, LLC	221			552,500.00
8	470 W Central Realty Partners, LLC	98			245,000.00
9	BNN Broadcasting Ltd.	72.94			182,350.00
10	Bancroft Enterprises, Inc.	15,500			15,500,000.00
11	APB Realty Partnership LP	57,440			57,440,000.00
12	APB Realty Partnership LLC	57,440			57,440.00
13	HappyLand Toy Company, Inc.	2.68			2,680.00
14	AMZN	173.67			7,988,820.00
15	AAPL	169.89			11,892,300.00
16	GS	420.05			5,040,600.00
17	HD	331.98			2,489,850.00
18	JNJ	146.82			5,872,800.00
19	PG	162.55			6,502,000.00
20	VOO	462.58			27,754,800.00
21	QQQ	424.45			25,467,000.00
22	VXUS	58.86			44,145,000.00

TOTAL. (Carry forward to main schedule)

267,752,280.00

Estate of: Avery P. Bancroft

Decedent's social security number

***-**-5841

SCHEDULE C—Mortgages, Notes, and Cash

(For jointly owned property that must be disclosed on Schedule E, see instructions.)

Note: If the value of the gross estate, together with the amount of adjusted taxable gifts, is less than the basic exclusion amount and Form 706 is being filed solely to elect portability of the DSUE amount, consideration should be given as to whether you are required to report the value of assets eligible for the marital or charitable deduction on this schedule. See the instructions for more information. If you are not required to report the value of an asset, identify the property but make no entries in the last three columns.

Item number	Description	Alternate valuation date	Alternate value	Value at date of death
1	Third National Bank of Midlands Checking Acct # XXX-XXXXXXX-2128			6,255,432.11
2	First Bank of Midlands Money Market Acct # MM1-XXXXXX-9734			19,496,411.24
3	Central Caymans Bank and Trust Acct # X-XXX-XX-XXXXXXX-6021			42,642,958.23
4	Promissory Note of Taylor J. Hopson dated 1/17/2022 Orig. Princ. \$250,000.00			285,471.00
Total from continuation schedules (or additional statements) attached to this schedule				0.00
TOTAL (Also enter on Part 5—Recapitulation, page 3, at item 3.)				68,680,272.58

(If more space is needed, attach the continuation schedule from the end of this package or additional statements of the same size.)

Estate of: Avery P. Bancroft

Decedent's social security number

***-**-5841

SCHEDULE F—Other Miscellaneous Property Not Reportable Under Any Other Schedule(For jointly owned property that must be disclosed on Schedule E, see instructions.)
(If you elect section 2032A valuation, you must complete Schedule F and Schedule A-1.)

Note: If the value of the gross estate, together with the amount of adjusted taxable gifts, is less than the basic exclusion amount and Form 706 is being filed solely to elect portability of the DSUE amount, consideration should be given as to whether you are required to report the value of assets eligible for the marital or charitable deduction on this schedule. See the instructions for more information. If you are not required to report the value of an asset, identify the property but make no entries in the last three columns.

	Yes	No
1 Did the decedent own any works of art, items, or any collections whose artistic or collectible value at date of death exceeded \$3,000?		
If "Yes," submit full details on this schedule and attach appraisals.		
2 Has the decedent's estate, spouse, or any other person received (or will receive) any bonus or award as a result of the decedent's employment or death?		
If "Yes," submit full details on this schedule.		
3 Did the decedent at the time of death have, or have access to, a safe deposit box?		
If "Yes," state location, and if held jointly by decedent and another, state name and relationship of joint depositor.		

If any of the contents of the safe deposit box are omitted from the schedules in this return, explain fully why omitted.

Item number	Description. For securities, give CUSIP number. If trust, partnership, or closely held entity, give EIN.	Alternate valuation date	Alternate value	Value at date of death
1	Automobile- 2022 Mercedes-Benz AMG G63	CUSIP number or EIN, where applicable		184,000.00
2	Automobile- 2005 Maserati Quattroporte			9,400.00
3	Automobile- 1993 Autozam AZ-1			18,000.00
4	Automobile- 2009 Bertone Mantide			2,350,000.00
5	Automobile- 1963 Aston Martin DB5			745,000.00
6	Automobile- 1985 Porsche Ruf BTR II Cabriolet			301,500.00
7	Vessel- 2018 Hinckley 37 Picnic Boat MKIII			1,050,000.00
8	Jewelry- Rolex Submariner Stainless Steel 1973			23,450.00
9	Jewelry- Heuer Carrera 12 Stainless Steel 1969			14,250.00
10	Jewelry- Rolex Chronometre Yellow Gold 1944			9,750.00
Total from continuation schedules (or additional statements) attached to this schedule .				25,172,250.00
TOTAL (Also enter on Part 5—Recapitulation, page 3, at item 6.)				29,877,600.00

(If more space is needed, attach the continuation schedule from the end of this package or additional statements of the same size.)

Estate of: Avery P. Bancroft

***-**-5841

Schedule F - Miscellaneous Property

Item number	Description	Unit value CUSIP/EIN	Alternate valuation date	Alternate value	Value at date of death
11	Jewelry- Vacheron & Constantin Teardrop Yellow Gold 1944				6,700.00
12	Jewelry- Longines 13ZN 2 Register Stainless Steel 1939				5,750.00
13	Jewelry- Rolex Oyster Perp. Ref. Gold/Stainless 1964				4,950.00
14	Jewelry- Movado 3-Register Chrono Stainless Steel 1955				4,850.00
15	Art- Paysanne Nouvelle dans les Terres, Morisot				3,500,000.00
16	Art- Halva Dans les Terres, Morisot				3,500,000.00
17	Art- Dans les Terres du Milieu, Morisot				8,750,000.00
18	Art- Portrait of the Artist as a Young Man, Rembrandt				2,250,000.00
19	Art- The Concert, Vermeer				3,900,000.00
20	Art- Three Mounted Jockeys, Degas				3,250,000.00

TOTAL. (Carry forward to main schedule)

25,172,250.00

Last Will & Testament of Avery Bancroft

I, Avery P. Bancroft, being of sound mind and body, hereby revoke my prior will and declare this to be my Last Will & Testament.

I give the entirety of my estate — all 100% of it — to the Black Bear Casino Fire Victims Fund, Inc., a Midlands nonprofit.

I nominate ^{AB} ~~Reese Campbell~~ King Deas, of the law firm Shah Mothersbaugh, to serve as Executor of my estate. If not King, the law firm Shah Mothersbaugh can determine my Executor.

If any person tries to contest this Will or tries to set it aside, that person will have no right to anything. This explicitly includes Taylor Hopson.

I, Avery P. Bancroft, freely and voluntarily execute this document as my Last Will & Testament.

Dated: April 25, 2024

Signature: _____



AUSTRALIA BY TRAIN ON THE
MID-RIVERINA EXPRESS



SYDNEY TO PERTH 2024



DAY 1

Board the Mid-Riverina Express in Sydney

The Mid-Riverina Express departs from the architectural gem that is Sydney's Central Station. Arrive early and take a day tour of Sydney, then board the train from 4:00 pm – 6:00 pm. Find your cabin and unpack, meet your fellow travelers, and socialize in the dining room. Dinner will be served at 8:00 pm after the train departs Sydney.

Spend some more time with your new friends after dinner in the lounge cars, where beverages will be served until 11:00 pm.



DAY 2

The Silver City and Adelaide

Day Two begins with open seating breakfast from 6:00 am – 8:00 am. We arrive at our first stopover in Broken Hill, the Silver City, at 9:00 am. Here you can see the magnificent Living Desert Sculpture site. Return to the train by 11:00 am for an on-board lunch as we proceed to Adelaide.

We arrive in Adelaide at 3:00 pm, where you'll have your choice of a visit to the South Australian Museum or a tour of the village of Hahndorf, a quaint German village nestled in the Adelaide hills. There will also be plenty of time for shopping before the train departs at 7:00 pm!



DAY 3

Nullarbor Plain

Breakfast again is from 6:00 am – 8:00 am. The Outback is world famous for a reason, and today you will see why as we experience the longest stretch of straight railroad in the world across the Nullarbor Plain.

Relax in your cabin or the lounge and enjoy the wide-open plain stretching to the horizon in every direction. Catch a view of some of Australia's famous wildlife. We stop at a way station at 4:00 pm for a chance to stretch your legs, go on a short hike, or just enjoy the scenery; the train will depart at 6:30 pm.



DAY 4

Arrive in Perth

Enjoy breakfast from 6:00 am to 8:00 am as we travel through the Avon Valley on our approach to Perth. We will make a quick one-hour supply stop at 9:00 am outside Perth where you can do a little shopping, followed by lunch on board; we are scheduled to arrive in Perth at 7:12 pm.

The capital of Western Australia has something for everyone—sandy beaches, world-class ballet and opera, and panoramic views from the Botanic Garden on Mount Eliza.

PLATINUM CLASS

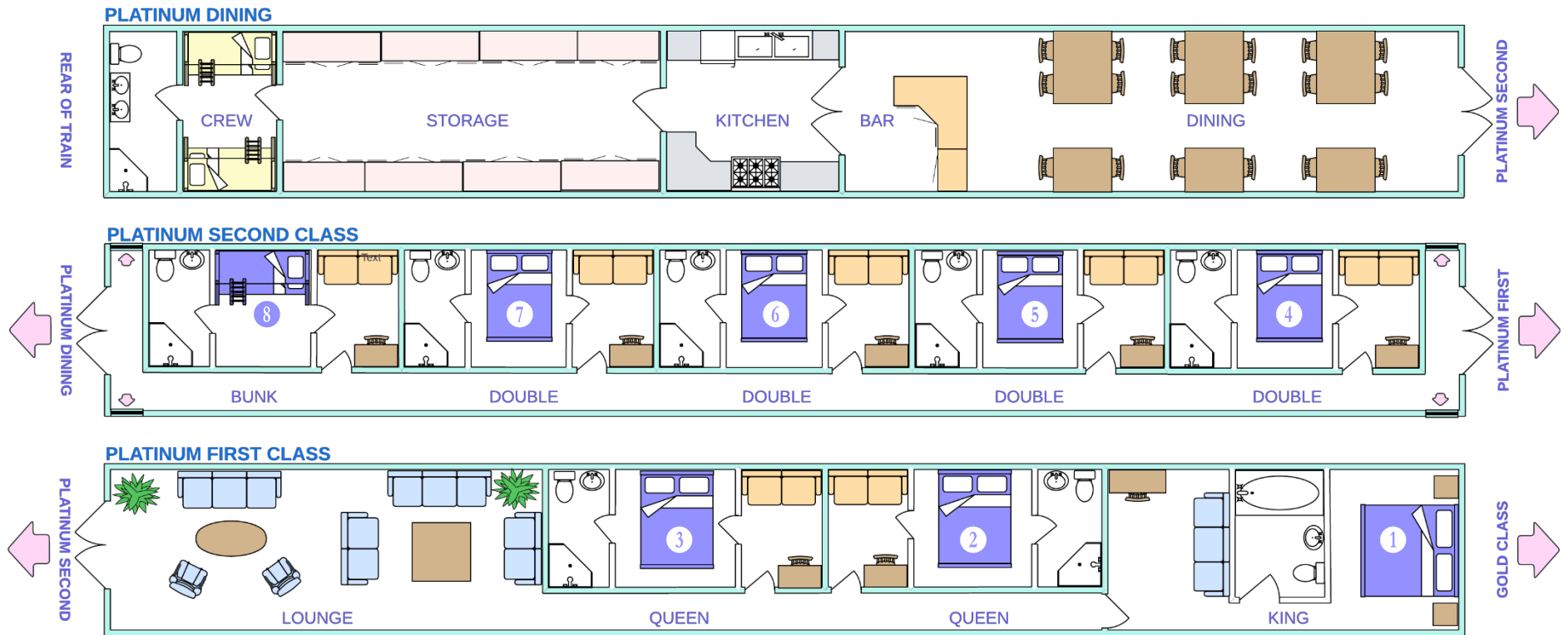
- Private cabins with a sitting area, separate bedroom, and private bath with full shower
- Private Platinum-class lounge with drink service, and dining car with open bar
- All meals included with unlimited beverages
- Special gourmet menu and wine pairings exclusive to Platinum class
- Luxury toiletries and linens in every cabin
- Small group—no more than sixteen Platinum-class passengers per trip
- Included small-group tours with dedicated guides at each stop

GOLD CLASS

- Private cabins with a chaise that converts to two bunks, and private bath with full shower
- Ten cabin cars plus lounge and dining cars with sitting area, cash bar, and dining
- All meals included with unlimited tea, coffee and soft drinks
- Optional guided tours at each stop



CABIN	JAN - MAR	APR - MAY	JUN - JUL	AUG - SEP	OCT - DEC
Platinum King	\$9,499	\$8,999	\$8,499	\$9,499	\$9,999
Platinum Queen	\$7,999	\$7,499	\$6,999	\$7,999	\$8,499
Platinum Double	\$7,499	\$6,999	\$6,499	\$7,499	\$7,999
Platinum Bunk	\$6,499	\$5,999	\$5,499	\$6,499	\$6,999
Gold Class	\$4,499	\$3,999	\$3,499	\$5,199	\$5,499
ALL PRICES IN AUSTRALIAN DOLLARS. PRICES ARE PER PERSON BASED ON DOUBLE OCCUPANCY. ADVANCE PURCHASE FARES ARE SUBJECT TO AVAILABILITY. PRICES ARE SUBJECT TO CHANGE. SEE WEBSITE FOR FURTHER TERMS AND CONDITIONS AND LIABILITY WAIVER.					





MID-RIVERINA EXPRESS

TRAIN 1985 • SYDNEY TO PERTH • APRIL 22, 2024 – APRIL 25, 2024

hour-by-hour itinerary

Exhibit
12

CABIN ASSIGNMENTS

CABIN 1
Avery Bancroft

CABIN 2
Ashley Connel
Bailey Connel

CABIN 3
Taylor Hopson
Kelly Doos

CABIN 4
Harley Kim

CABIN 5
Alex Silva

CABIN 6
Dana Haskins

CABIN 7
Hillary Edmund

CABIN 8
Kirby Doolittle
Jordan Nathanson

MONDAY, APRIL 22, 2024

6:00 - 7:00 pm
Settle In

7:00 - 8:00 pm
Pre-Dinner Reception

8:00 - 10:00 pm
Dinner (Assigned Seating)

TUESDAY, APRIL 23, 2024

6:00 - 8:00 am
Breakfast (Free Seating)

9:00 - 11:30 am
The Silver City

12:00 - 2:00 pm
Lunch (Free Seating)

3:00 - 7:00 pm
South Australian Museum
Hahndorf / Shopping

8:00 - 10:00 pm
Dinner (Free Seating)

10:00 - 11:00 pm
Post-Dinner Reception

WEDNESDAY, APRIL 24, 2024

6:00 - 8:00 am
Breakfast (Free Seating)

12:00 - 2:00 pm
Lunch (Free Seating)

4:00 - 6:30 pm
Nullarbor Plain
(short hike or exploration)

8:00 - 10:00 pm
Dinner (Free Seating)

10:00 - 11:00 pm
Post-Dinner Reception

THURSDAY, APRIL 25, 2024

6:00 - 8:00 am
Breakfast (Free Seating)

9:00 - 10:00 am
Supply Stop

12:00 - 2:00 pm
Lunch (Free Seating)

7:12 pm
Arrive in Perth

INTERROGATION OF TAYLOR HOPSON

AUSTRALIAN FEDERAL POLICE PERTH FIELD OFFICE

DATE: APRIL 25, 2024

TIME: 18:03

1 **DAVIDSON:** This is Detective Laniya Davidson with the Australian Federal Police. I am here with
2 Taylor Hopson. Taylor, I want to make sure that you understand that this interview is being
3 recorded. I also want to make clear that you're not under arrest – we asked you to come down to
4 the station, completely voluntarily and of your own free will, to answer a few questions we had.
5 Do you understand all of that?

6 **HOPSON:** Yes, I do.

7 **DAVIDSON:** Do you understand that you have the right to have a lawyer present and are voluntarily
8 choosing to proceed with this interview without one?

9 **HOPSON:** Yes. I just want to get this over with.

10 **DAVIDSON:** Okay. Look, we know you're not under oath, but we want to get to the bottom of
11 what happened on the Mid-Riverina Express today. So, it's important that you tell us the truth.

12 **HOPSON:** Understood.

13 **DAVIDSON:** Can you please state your full name for our records?

14 **HOPSON:** Taylor . . . [unintelligible] . . . Hopson.

15 **DAVIDSON:** I didn't catch your middle name.

16 **HOPSON:** Bancroft.

17 **DAVIDSON:** I see. And where are you from, Taylor?

18 **HOPSON:** Midlands.

19 **DAVIDSON:** Midlands? Where is that, exactly?

20 **HOPSON:** Fair question. It's in the United States.

21 **DAVIDSON:** And what's your current address?

22 **HOPSON:** 67 Lake Shore Drive, Midlands City, Midlands.

23 **DAVIDSON:** Date of birth?

24 **HOPSON:** April 25, 1989.

25 **DAVIDSON:** Well, circumstances notwithstanding, happy birthday. Does that make you a Taurus?

26 **HOPSON:** Maybe? I'm not really into the whole astrology thing. For that, you'd want to talk to
27 Shannon . . . Shannon Shahid, my half-sibling.

28 **DAVIDSON:** Before we talk about what happened today, I want to say that I'm sorry for your loss.

29 **HOPSON:** Yeah, a real loss . . . [unintelligible].

30 **DAVIDSON:** What was that?

31 **HOPSON:** Huh? Nothing.

32 **DAVIDSON:** Can you tell us how you came to be in Australia?

33 **HOPSON:** Sure. I booked a vacation on the Mid-Riverina Express a while ago. It was supposed
34 to be this tour across Australia – that kind of thing.

35 **DAVIDSON:** Are you traveling alone?

36 **HOPSON:** No, I'm traveling with my partner Kelly Doos.

37 **DAVIDSON:** Did you know anybody else on the train?

38 **HOPSON:** I mean, I guess so. There were a lot of folks from Midlands on the train, and I think
39 I knew a couple of them from before.

40 **DAVIDSON:** What about Avery Bancroft?

41 **HOPSON:** Oh, yes, of course, sorry. It's been a long day. I've been through a lot.

42 **DAVIDSON:** I understand.

43 **HOPSON:** Bancroft, I mean Avery is . . . was my father.

44 **DAVIDSON:** So, was this a family trip then? Can you tell us when you and your father booked
45 your tickets?

46 **HOPSON:** Oh . . . we didn't travel together or anything like that. This was a complete
47 coincidence. I didn't coordinate with Avery or anything. He just happened to be there.

48 **DAVIDSON:** You didn't know your father was going to be on the same train with you while you
49 were on vacation?

50 **HOPSON:** Well, no – sorry, I think I misspoke. I knew he was planning to take the Mid-Riverina
51 Express at some point. I didn't know exactly when. I figured there was a chance we'd be on the
52 train at the same time, but I wasn't exactly sure. I hope that clarifies everything.

53 **DAVIDSON:** How did you know that your father was planning to take the Mid-Riverina Express?

54 **HOPSON:** I think his personal assistant Kirby Doolittle may have told me at some point. I can't
55 remember sitting here.

56 **DAVIDSON:** How do you know Kirby Doolittle?

57 **HOPSON:** Like I said, Kirby has been my father's personal assistant for a while. I think we met
58 through that, but I don't really remember. It's possible we met at a Bancroft Estates event.

59 **DAVIDSON:** What's Bancroft Estates?

60 **HOPSON:** You've never heard of it?

61 **DAVIDSON:** No, I haven't.

62 **HOPSON:** Avery Bancroft? The Black Bear Casino? The Devil of Midlands City? None of that
63 rings a bell to you?

64 **DAVIDSON:** No.

65 **HOPSON:** Lucky you. I guess his notoriety was based in Midlands. Maybe should have
66 considered moving.

67 **DAVIDSON:** Do you mind telling me what Bancroft Estates is, exactly?

68 **HOPSON:** Yeah, sorry . . . it's my father's company. It owns all of his other companies and
69 assets and stuff. It's a pretty big organization.

70 **DAVIDSON:** And did you work for Bancroft Estates?

71 **HOPSON:** Not really. Sure, I sometimes helped out here or there, but I was never a formal
72 employee. My father didn't want the appearance of nepotism, so he didn't want to hand me
73 anything. He said I had to eat what I killed if I wanted to survive in this world.

74 **DAVIDSON:** I take it your father was a self-made man of some sort?

75 **HOPSON:** He inherited the entirety of his wealth and Bancroft Estates from his mother, my
76 grandmother. If that counts as being self-made, then sure, he was.

77 **DAVIDSON:** Well, I just have a few more questions for you for today. Did your dad have any
78 medical conditions we should know about?

79 **HOPSON:** Medical conditions? No, of course not. I mean, yeah, my father died of a heart attack.
80 But other than that, he was the picture of health.

81 **DAVIDSON:** You can't think of any medication he might have been taking, things like that?

82 **HOPSON:** I really can't remember. I'm sorry . . . it's just . . . I'm having a rough day here.

83 **DAVIDSON:** It's okay, Taylor. Just take your time. Try to think about the question, and if you can't
84 remember now, that's alright. Are there any medical conditions or anything like that you can
85 remember?

86 **HOPSON:** Not that I can think of.

87 **DAVIDSON:** Do you have any reason to believe that maybe your father's death wasn't an accident?

88 **HOPSON:** What? You're saying . . . what? You think he was murdered? He died from a heart
89 attack.

90 **DAVIDSON:** To your knowledge, did your father have any enemies?

91 **HOPSON:** Sure, like half of Midlands. He was a public figure. A controversial one. You don't
92 reach my father's level of fame without breaking a few eggs.

93 **DAVIDSON:** Does anyone specific come to mind when you talk about these people who didn't like
94 your father?

95 **HOPSON:** No. I mean, it was just an accident anyways. You make it seem like it was foul play
96 or something. Did you . . . did you find something suggesting murder?

97 **DAVIDSON:** Is everything okay, Taylor? You seem a bit jumpy.

98 **HOPSON:** No, no, no. Sorry. I just . . . I've been through a lot today. Is there anything else?

99 **DAVIDSON:** I think that's all I have for now.

100 **HOPSON:** Got it. Though, to be clear . . . are you investigating this as a murder? Is that what
101 you're saying.

102 **DAVIDSON:** Right now, Taylor, we're just investigating and considering all possibilities.

103 **HOPSON:** Okay.

104 **DAVIDSON:** Is there anything you need from us?

105 **HOPSON:** No. I have a copy of his will, so I can handle everything from here. I know father
106 wanted to be cremated ASAP, so I have to figure that out.

107 **DAVIDSON:** Wait, you have a copy of his will on you?

108 **HOPSON:** Yeah, I brought it with me from home. You can never be too careful.

109 **DAVIDSON:** I'll take your word for it. Well, we'll be in touch if we have any more questions.
110 Make sure to get some rest, and again, we're sorry for your loss.

[END]

INTERROGATION OF KELLY DOOS

**Exhibit
14**

AUSTRALIAN FEDERAL POLICE PERTH FIELD OFFICE

DATE: APRIL 25, 2024

TIME: 17:58

1 **DECOSTE:** This is Detective Stephen DeCoste with the Australian Federal Police. I am here with
2 Kelly Doos. Doos is not under arrest nor under oath. Doos is here as part of a voluntary interview
3 and is here on their own free will. Kelly, is that your understanding?

4 **DOOS:** Yes.

5 **DECOSTE:** Additionally, do you understand that you have a right to have a lawyer present and
6 are electing to proceed with this interview without a lawyer?

7 **DOOS:** Yeah, I have nothing to hide.

8 **DECOSTE:** To begin, Kelly, I have to admit, my kids are big fans.

9 **DOOS:** Love to hear it. If you want, I'd be happy to give you an autograph for them.

10 **DECOSTE:** Unfortunately, I can't accept anything like that in the middle of an investigation.

11 **DOOS:** Investigation? Is all of this really necessary?

12 **DECOSTE:** A man died suddenly, and you are asking if this is necessary?

13 **DOOS:** No . . . that's not what I meant. I just meant that this was clearly a heart attack. But
14 whatever, just ask your questions.

15 **DECOSTE:** Let's start with where you were the night of April 24 to the morning of April 25.

16 **DOOS:** I was on the train? Sleeping?

17 **DECOSTE:** What about when you weren't sleeping? Witnesses at the scene said they saw you at
18 dinner the night of April 24.

19 **DOOS:** Sure. I was at dinner. Everyone was there. We all had to eat.

20 **DECOSTE:** Okay, what were you doing at dinner? And before you say it, other than eating dinner?

21 **DOOS:** I was spending time with Taylor Hopson, my significant other. I spoke with other
22 passengers on the train. Is that all you need?

23 **DECOSTE:** Did you talk to Bancroft at all that night?

24 **DOOS:** Definitely not . . . I mean, there was no need. Taylor organized this whole trip on the
25 Mid-Riverina Express to spend time with their dad, so I wanted to branch out that night.

26 **DECOSTE:** Did you see anything that stood out to you at all regarding Bancroft that night?

27 **DOOS:** Sure. I saw him arguing with one of the other passengers, Kirby Doolittle. I can't
28 recall exactly what was said, but I remember Doolittle saying "this isn't over" after Bancroft left
29 that conversation. It seemed really heated.

30 **DECOSTE:** Did you tell anyone about this?

31 **DOOS:** Well, I wanted to tell Taylor, but Taylor had already dipped out.

32 **DECOSTE:** Why?

33 **DOOS:** Oh, work stuff. You know how that goes.

34 **DECOSTE:** Do you know where Taylor went?

35 **DOOS:** You'd have to ask Taylor. I just went back to our cabin after dinner, and Taylor was
36 still out working. But Taylor was in bed next to me when we woke up in the morning. Though,
37 less waking up in the morning and more waking up to Rory Shelton banging on our door screaming
38 bloody murder.

39 **DECOSTE:** Murder?

40 **DOOS:** It's an expression.

41 **DECOSTE:** Well, let me be blunt. Were you involved in Avery Bancroft's death?

42 **DOOS:** That is blunt. But really, what reason would I have to want Bancroft dead?

43 **DECOSTE:** I'm not hearing a denial.

44 **DOOS:** Fine, I deny. That a denial enough for you?

45 **DECOSTE:** Alright, let's go back to Taylor. According to your story, Taylor doesn't have an alibi
46 from after dinner until you woke up this morning?

47 **DOOS:** What are you getting at?

48 **DECOSTE:** I'm just trying to get the facts, mate.

49 **DOOS:** I'm not your mate. Taylor did nothing wrong. Taylor would have no reason to hurt
50 Bancroft. Taylor loves their dad. Like I said, Taylor was just busy working. If you're looking for
51 the Bancroft kid who wanted dear old dad dead, Shannon Shahid is your person.

52 **DECOSTE:** And who is Shannon Shahid?

53 **DOOS:** Look, I'm not doing your job for you. This interview is over.

[END]

Paras: You know, as they say, the money is in recruitment.

Frost: Anyways, in the time left, let's shift gears to a topic our audience definitely wants us to cover, the Mid-Riverina Express. First, how did you end up on the same trip as your father?

Hopson: Well, Tristan, I'm not one who believes in coincidence, and this certainly wasn't one. My father and I had fully coordinated the whole thing. He reached out wanting to spend time with me for my birthday, and we settled on the Mid-Riverina Express.

Paras: Wow, hearing Big Bad Bancroft wanting to spend time with his child on their birthday. Sounds almost . . .

Hopson: Human? Yeah. It's tough. I know he's wronged a lot of people . . .

Paras: He sued us for a billion dollars!

Hopson: . . . and that's the legacy he has to live with. At the same time, he was my father, and I cared for him.

Frost: Complicated parents, I get it. But are you sure you're not laying on the sympathy a little thick?

Paras: Yeah, I mean you are being sued for allegedly killing your father.

Hopson: A baseless allegation. Read my lips, it won't even go to trial. But I bear no ill will towards my younger sibling Shannon. We all grieve in our own way. Though, one does have to ask where Shannon was.

Paras: Are you insinuating that Shannon may have had something to do with Bancroft's death?

Hopson: All I'm saying is that I've heard reputable claims that Shannon might have snuck into Australia around the same time, and this lawsuit is the perfect way to obfuscate the truth.

Frost: Well, that'll be a question to ask Shannon when we interview them next week for the Midlands Review.

Hopson: Wait, you're interviewing Shannon?

Frost: Anyways, back on topic, lawsuits aside, do you have thoughts on what you're going to do with your inheritance? Almost \$400 million is a lot.

Paras: Yeah, are you planning to donate it like Bancroft was planning to?

Hopson: First of all, complete rumor. Bancroft wasn't donating anything.

Paras: You sure? Sources claim that, before his death, Bancroft had donated \$500,000 to the Black Bear Casino Fire Victims Fund.

Hopson: Look, I'm the first person who would like to find good in Ban. . . my father. But there is no redemption story here. I've seen my father's bank statements. If there were large donations to some Victims Fund, I would have seen them. There aren't any.

Paras: Well, that's a shame.

Frost: But you can change that, right?

Hopson: What do you mean?

Frost: I mean, you're now in charge of Bancroft Estates. And, if Shannon Shahid's lawsuit is as bogus as you say, you'll have full control of your inheritance. You'll be free to donate that inheritance to charity.

Paras: That's right! Just because Bancroft is a crook doesn't mean you have to be. Those millions could change the lives of the victims of the Black Bear Casino fire. And you believe they deserve justice, right?

Hopson: . . . of course.

Frost: So, you'll donate?

Hopson: Well . . . I . . . I can't think of a reason sitting here right now why I would disagree, so yes, I'll donate.

Paras: That is fantastic news! And listeners, that's a Midlands Review with Paras and Frost exclusive! Taylor Hopson, child of infamous business entrepreneur Avery Bancroft plans to do good with blood money by donating to the Black Bear Casino Fire Victims Fund.

Frost: Do you have a sense of when you'll make the donation?

Paras: Also, do you have thoughts on how the money could be used?

Hopson: Well, hold your horses first of all. My father's style was to shoot from the hip, and we see where that got him and the community. As the new head of Bancroft Estates, my job is to take things in a new direction. To make sure we do things right. That might take time, but that's time worth taking. Plus, I should wait till after the lawsuit. You know, for the optics. Don't want to look like I'm counting chickens and whatnot.

Paras: I guess that makes sense. Not as exciting of news, but at least we're moving in a better direction. Some money from you is at least better than getting absolutely no money from that cheapskate Bancroft.

Frost: That's it for today's episode. Thank you again for joining us, Taylor. Today's episode was sponsored by Warhater Energy Drinks . . .










MIDLANDS STATE CERTIFICATE OF DEATH

1. DECEDENT'S LEGAL NAME (First, Middle, Last) Avery P. Bancroft				2. SEX Male		3. SOCIAL SECURITY NUMBER ***-**-5841	
4a. AGE 56		4b. UNDER 1 YEAR Months Days		4c. UNDER 1 DAY Hours Minutes		5. DATE OF BIRTH (Mo/Day/Yr) 07/16/1967	
7a. RESIDENCE-STATE Midlands				7b. RESIDENCE-COUNTY Polk County		7c. RESIDENCE-CITY OR TOWN Midlands City	
7d. STREET NUMBER 71 Cliff View Ln				7e. APT. NO. N/A		7f. ZIP CODE 05553	
7g. RESIDENCE INSIDE CITY LIMITS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No							
8. EVER IN US ARMED FORCES? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				9. MARITAL STATUS AT TIME OF DEATH <input type="checkbox"/> Married <input type="checkbox"/> Married, but separated <input checked="" type="checkbox"/> Widowed <input type="checkbox"/> Divorced <input type="checkbox"/> Never Married <input type="checkbox"/> Unknown			
10. If applicable, SPOUSE'S NAME Shirley J. Bancroft							
11. FATHER'S NAME (First, Middle, Last) Jonathan C. Bancroft				12. MOTHER'S NAME (First, Middle, Last) Leticia L. Bancroft			
13a. INFORMANT'S NAME King Deas		13b. RELATIONSHIP TO DECEDENT Executor of Estate		13c. MAILING ADDRESS (Street and Number, City, State, Zip Code) 22 Park Plaza, Ste. 1015, Midlands City, ML 05551			
14. PLACE OF DEATH (See below)							
IF DEATH OCCURRED IN A HOSPITAL: <input type="checkbox"/> Inpatient <input type="checkbox"/> Emergency Room/Outpatient <input type="checkbox"/> Dead on Arrival							
IF DEATH OCCURRED SOMEWHERE OTHER THAN A HOSPITAL: <input type="checkbox"/> Medical facility <input type="checkbox"/> Nursing home/Long term care facility <input checked="" type="checkbox"/> Other (Specify at item 15):							
15. LOCATION OF DEATH Mid-Riverina Express				16. CITY OR TOWN, STATE, AND ZIP CODE. If outside US, enter country. Australia			
17. COUNTY OF DEATH N/A							
18. METHOD OF DISPOSITION: <input type="checkbox"/> Burial <input checked="" type="checkbox"/> Cremation Donation <input type="checkbox"/> Entombment <input type="checkbox"/> Removal from State Other (Specify):				19. PLACE OF DISPOSITION (Name of cemetery, crematory, other place) River Oaks Cemetary			
20. LOCATION-CITY, TOWN, AND STATE Rapid River Valley, ML				21. NAME OF FUNERAL FACILITY Peony Estates Crematorium			
22. SIGNATURE OF FUNERAL SERVICE LICENSEE Logan L. Levant						23. LICENSE NUMBER (Of Licensee) ML 459269320-23	
ITEMS 24-28 MUST BE COMPLETED BY PERSON WHO PRONOUNCES OR CERTIFIES DEATH							
24. DATE PRONOUNCED DEAD (Mo/Day/Yr) 04/25/2024				25. TIME PRONOUNCED DEAD 05:42			
26. SIGNATURE OF PERSON PRONOUNCING DEATH (Only when applicable) Hillary Edmund, MD				27. LICENSE NUMBER 42-01984096-08		28. DATE SIGNED (Mo/Day/Yr) 04/30/2024	
29. ACTUAL OR PRESUMED DATE OF DEATH 04/25/2024				30. ACTUAL OR PRESUMED TIME OF DEATH 05:42		31. WAS MEDICAL EXAMINER OR CORONER CONTACTED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
CAUSE OF DEATH							
32. PART I. Enter the chain of events—diseases, injuries, or complications—that directly caused the death. DO NOT enter terminal events such as cardiac arrest, respiratory arrest, or ventricular fibrillation without showing the etiology. DO NOT ABBREVIATE. Enter only one cause on a line. Add additional lines if necessary. If cause of death is unknown, write "Unknown."							
IMMEDIATE CAUSE (Final disease or condition resulting in death) a. Cardiac arrest							
Due to (or as a consequence of):							
b. Potential poisoning (see autopsy)							
Due to (or as a consequence of):							
c.							
Due to (or as a consequence of):							
d.							
Approximate interval: Onset to death 5:00 AM							
PART II. Enter other significant conditions contributing to death but not resulting in the underlying cause given in PART I. Unknown.						33. WAS AN AUTOPSY PERFORMED? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
34. WERE AUTOPSY FINDINGS AVAILABLE TO COMPLETE THE CAUSE OF DEATH? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No							
35. DID TOBACCO USE CONTRIBUTE TO DEATH? <input type="checkbox"/> Yes <input type="checkbox"/> Probably <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown		36. DID ALCOHOL OR DRUG USE CONTRIBUTE TO DEATH? <input type="checkbox"/> Yes <input type="checkbox"/> Probably <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown		37. PRELIMINARY MANNER OF DEATH (Subject to Change) <input type="checkbox"/> Natural <input checked="" type="checkbox"/> Homicide <input type="checkbox"/> Accident <input type="checkbox"/> Pending Investigation <input type="checkbox"/> Suicide <input type="checkbox"/> Could not be determined			
38. DATE OF INJURY (Mo/Day/Yr) (Spell Month) N/A		39. TIME OF INJURY N/A		40. PLACE OF INJURY (e.g., Decedent's home; construction site; restaurant; wooded area) N/A		41. INJURY AT WORK? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A, No Injury	
42. LOCATION OF INJURY: State: N/A City or Town: N/A Apartment No.: N/A Zip Code: N/A							
43. DESCRIBE HOW INJURY OCCURRED: Decedent presented with minor ligature marks on back of neck. Injury appears to have occurred prior to death.						44. IF TRANSPORTATION INJURY, SPECIFY: <input type="checkbox"/> Driver/Operator <input type="checkbox"/> Passenger <input type="checkbox"/> Pedestrian <input type="checkbox"/> Other (Specify)	
45. CERTIFIER (Check only one): <input type="checkbox"/> Certifying physician-To the best of my knowledge, death occurred due to the cause(s) and manner stated. <input type="checkbox"/> Pronouncing & Certifying physician-To the best of my knowledge, death occurred at the time, date, and place, and due to the cause(s) and manner stated. <input checked="" type="checkbox"/> Medical Examiner/Coroner-On the basis of examination, and/or investigation, in my opinion, death occurred at the time, date, and place, and due to the cause(s) and manner stated.							
Signature of certifier: R. Quincy							
46. NAME, ADDRESS, AND ZIP CODE OF PERSON COMPLETING CAUSE OF DEATH (Item 32) 469 Banner Ln., Ste. 206, Midlands, ML 05557							
47. TITLE OF CERTIFIER Doctor		48. LICENSE NUMBER 42-01984096-08		49. DATE CERTIFIED (Mo/Day/Yr) 04/30/2024		50. FOR REGISTRAR ONLY- DATE FILED (Mo/Day/Yr) 05/23/2024	
51. DECEDENT'S NEXT OF KIN: Taylor Hopson, Shannon Shahid		52. FUNERAL SERVICE DETAILS 52a. Date of Funeral: 05/01/2024 52b. Funeral Service Type: Standard. 52c. Special Requests: T. Hopson requested immediate private cremation, but cremation was delayed to perform autopsy.			53. FUNERAL DIRECTOR SEAL OF COMPLETION  Signature of Funeral Director: Meredith Fenyo Funeral Director Name: Meredith Fenyo Date: 05/01/2024		
STATE FILE NO. ML-052320240135							

Office of the Medical Examiner for Breckinridge County

100 Grand Avenue, State Center, ML 05553

Phone (642) 555-9920 | Fax (642) 555-9921

Autopsy Report

Date / Time of Autopsy: 12:30 p.m. on April 29, 2024

Performed By: Dr. R. Quincy, Chief Medical Examiner

Subject: Avery Bancroft Age: 56 Case #: 8675309

Characteristics & Medical History

Subject found unconscious in his train cabin at approximately 5:00 a.m. After approximately 30 minutes of CPR in response to subject's cardiac arrest, subject was declared dead at 5:42 a.m. Subject had been diagnosed with Chronic Kidney Disease.

Examination

External Examination

Subject has bruising consistent with CPR. Subject also has minor ligature marks on back of neck, consistent with the forcible removal of a necklace pre-mortem.

Internal Examination

Body was opened with a Y incision.

Evidence of kidney and heart damage. Both kidneys are significantly reduced in size, consistent with at least Stage III, possibly Stage IV Chronic Kidney Disease. Sections of the heart show extensive interstitial fibrosis and myocyte hypertrophy, both consistent with cardiac arrest. All other internal organs appear normal in size and appearance.

Toxicology

Blood and urine analyzed. Blood serum draw shows elevated potassium levels at 6.8 mmol/L, confirming very severe hyperkalemia. Preliminary window of potential potassium ingestion is between 2:00 a.m. and 4:30 a.m. on April 25, 2024 (local time), though window can be narrowed further with additional calculations. Additionally, blood serum draw also shows a high concentration of Ambien, at 250 ng/mL, which would likely have a sedative effect at that concentration.

Findings

Cause of death was cardiac arrest. Subject's internal injuries show significantly decreased kidney function prior to death. Toxicology testing shows very severe hyperkalemia, which may have contributed to onset of cardiac arrest.

Office of the Medical Examiner for Breckinridge County

100 Grand Avenue, State Center, ML 05553

Phone (642) 555-9920 | Fax (642) 555-9921

Autopsy Report

Date / Time of Autopsy: 12:30 p.m. on April 30, 2024

Performed By: Dr. R. Quincy, Chief Medical Examiner

Subject: Avery Bancroft Age: 56 Case #: 8675309

Characteristics & Medical History

Subject found unconscious in his train cabin at approximately 5:00 a.m. After approximately 30 minutes of CPR in response to subject's cardiac arrest, subject was declared dead at 5:42 a.m. Subject's medical history included nothing of note.

Examination

External Examination

Subject has bruising consistent with CPR. Subject also has minor ligature marks on back of neck, consistent with the forcible removal of a necklace pre-mortem.

Internal Examination

Body was opened with a Y incision.

The heart shows no significant hypertrophy or dilation. When conducting microscopic examination, sections of the heart show focal areas of myocyte necrosis, vacuolization, and contraction band necrosis, all indicative of digitalis toxicity. All other internal organs appear normal in size and appearance.

Toxicology

Blood and urine analyzed. Blood serum draw shows elevated digoxin (a form of digitalis) levels at 5.0 ng/mL, significantly above the therapeutic range (0.8-2.0 ng/mL) and therefore confirming digitalis poisoning. Based on amount of microscopic heart damage, poisoning likely occurred between 12:15 a.m. and 4:45 a.m. on April 25, 2024 (local time). Additionally, blood serum draw also shows a high concentration of Ambien, at 250 ng/mL, which would likely have a sedative effect at that concentration.

Findings

Cause of death was cardiac arrest. Cardiac arrest was the result of digitalis poisoning causing blood digoxin level of 5.0 ng/mL. Further analysis confirms that the digitalis in the subject's system matches the digitalis-based rodenticide found in the storage area of Train 1985 of the Mid-Riverina Express. Therefore, ultimate cause of death was poisoning by rodenticide.

ROSE J. BERNHARDT, M.D.
WOLF MEDICAL CLINIC

MEDICAL RECORD

PATIENT VITAL STATISTICS

Name: **Bancroft, Avery P.**
DOB: **July 16, 1967** Height: **6'3"** Weight: **215**

NATURE OF VISIT

On October 9, 2022, Avery came into my office for an annual checkup. Avery normally visited in February, but he reported a possible yearlong trip and wanted a physical before proceeding. Avery's child, Taylor Hopson, accompanied Avery when he came into my office.

EXAMINATION NOTES

Avery is in excellent physical health except for his continued Chronic Kidney Disease, which I diagnosed on October 29, 2021 and a specialist—Dr. Parker Hardison—confirmed on February 15, 2022. Avery still showed reduced kidney function during today's checkup. The fact that Avery's medication has not improved his kidney function indicates that his Chronic Kidney Disease will remain a lifelong condition.

I told Avery about the additional risks associated with his Chronic Kidney Disease, a conversation he and I have had before. I specifically warned him that excessive potassium could be fatal for those with reduced kidney function because their kidneys may not filter out the potassium in a timely manner, resulting in death within hours. Taylor—who was present for this whole conversation—asked if excessive potassium could be fatal for someone with normal kidneys, to which I said no.

Rose J Bernhardt
Physician Signature

10/09/22
Date of Examination

Remembering The Black Bear Casino

The flames are long extinguished, but a year later the memories still burn bright.

By RILEY WINTER
COURIER GAZETTE STAFF

On Saturday, December 17, 2022, the Black Bear Casino was crowded and lively, packed wall-to-wall with people gambling, drinking, eating, and dancing. Twenty-four hours later all that remained was a pile of smoldering embers, the casino a total loss.

Eighteen people lost their lives that day. Ten of them were revelers. Deena Sharuk, Bailey Reynolds, Kimberly Clair, and Brett Miller, members of a bachelorette party dining in a private room at The Oak Steakhouse, were trapped in the inferno when the door jammed shut; CJ Larkin, Jules Kenney, Nora Hoch and Asia Korkmaz, celebrating CJ's promotion at the craps table, were overcome with smoke and asphyxiated; Elizabeth Edwards died trying to exit through a locked rear entrance; and Neal Schuett was trampled to death by panicking guests.

Three were employees. Max Bookman was a valet who rushed into the burning building. They carried four injured guests to safety before succumbing to the flames. Ali Thomas and Fatima Patel worked in the kitchen; their bodies were found in the walk-in freezer.

Five were firefighters who lost their lives battling the blaze—Archibald Weston, Zhuo Huang, Amari Abubakar, Stacy Davis, and Fernando Garcia.

Loved ones of the deceased gathered yesterday on the vacant lot that once housed the casino. They were there to express their collective grief, but also frustration from a lack of progress in investigating the fire—because twelve months later, Midlands' worst disaster in nearly forty years remains a mystery.

Dahnya Weber, a former arson investigator with the Polk County PD who was assigned to the case, was there. She knew what caused the fire. "There's no way this fire was an accident," she said. "It burned too hot and too fast for it to be anything other than arson." And she knew who to blame, "Avery Bancroft set this fire," she said. "And he's going to get away with it."

There is evidence to support Ms. Weber's suspicions. Most of Mr. Bancroft's business empire was very successful, but the Black Bear Casino was not. It was losing money and had been for years. Two years prior to the fire, Mr. Bancroft had filed for permits to demolish the casino and build a mixed-use development in its place; those plans were tied up in litigation brought by both the United Union of Casino Workers, alleging the plan was a breach of their union contract, and the Midlands Preservation Society, alleging



the Black Bear Casino was housed within a historically significant building that must be preserved. Both lawsuits were dismissed as moot after the fire.

Ms. Weber also claims to have uncovered evidence that four days before the fire, Mr. Bancroft reached out to his insurance carrier to ensure his fire insurance policy remained in effect; and that he had told a number of higher-level employees to stay home on December 17 (with pay).

"Avery Bancroft is a coward and a crook. He needs to stop hiding, come back to Midlands, and stand trial for what he did."

Mr. Bancroft's behavior after the fire also raised suspicions. The evening before he was to sit down with Ms. Weber for an interview, he disappeared, along with his personal assistant. Records show his private jet took off from the Rapid River Valley Airfield at 8:00 pm that evening, landing on Grand Cayman hours later, and he hasn't been seen in public since.

Given that, Ms. Weber says she was surprised when the fire department cleared Mr. Bancroft of wrongdoing and closed its investigation. Ms. Weber says her superiors told her to accept the fire department's conclusion and close her investigation, and when she refused, she was fired. Her wrongful termination lawsuit is pending.

"I don't know why the fire department looked the other way," she said, "but I do know that after the fire, Bancroft bought the fire department a new ladder truck, and Chief Walsh [Chief of the Midlands City Fire Department] is driving a pretty nice car these days."

While the fire department may have acquitted Mr. Bancroft, based on yesterday's memorial service the public has not. Speaker after speaker called for Mr. Bancroft to return from his self-

imposed exile overseas and respond to the many questions that remain unanswered.

Dana Haskins was a psychologist for the county and treated several firefighters suffering from trauma after the fire. Dr. Haskins told the crowd it was the worst experience of their life; the trauma became too much to handle and they resigned. Dr. Haskins still feels rage whenever they hear Bancroft's name. "Avery Bancroft is a coward and a crook," they said. "He needs to stop hiding, come back to Midlands, and stand trial for what he did."

Shawn Weston lost his brother, Archibald, fighting the fire. He maintains a website, "Where's Avery?" that tracks Bancroft sightings around the world. He spoke about his efforts lobbying the Department of Justice to pursue extradition for Mr. Bancroft—a quixotic effort, as Mr. Bancroft has not been indicted in connection with the fire (at least, not yet).

Harley Kim didn't know any of the victims of the fire, but spoke about how Avery Bancroft ruined other lives, including that of their sibling, who suffered from a crippling gambling addiction. Harley spoke about how Bancroft's casino extended easy credit to those desperate to gamble, leaving their sibling with a mountain of debt they would never escape. "The loss of life is tragic," they said, "but it's a blessing that Bancroft and his casino are gone for good."

These attendees will not receive closure anytime soon. Both the Polk County Police Department and Midlands City Fire Department have advised that they have closed their files on the fire.

If Mr. Bancroft did set that fire in order to redevelop the site, his plan may have backfired. The Breckinridge Planning Commission announced last week it was delaying a permitting decision on the project until Mr. Bancroft appears before the Commission—in person—to answer their questions.

Mr. Bancroft and his two children could not be reached for comment on this article.

Marauders Losing Streak Continues

Seventeen turnovers, nine penalties (three major), and only nine shots on goal aren't going to win a lot of hockey games—but it was good enough last night for the Santa Ivo Saints to run the Midlands Marauders off their home ice, 6-2. After yet another inexcusable performance, many wondered "how does Coach Miller keep his job?" The off-season spending spree doesn't seem to have made much of an impact on the

SEE MARAUDERS ON D1

Scandal Rocks Justice Sullivan—Again

After the abrupt resignation of her fourth press secretary in as many months, Justice Sullivan took to the podium herself to field reporters' questions about the box of South African krugerrands discovered by Capital cleaning staff inside the judge's office. It did not go well. After denying any knowledge of the source of the gold coins, the judge stumbled when asked to explain the accompanying card reading "Dear Justice Sullivan, thank you so very much for your decision on

SEE GELFAND ON C3

Bancroft Sighting?

Elusive multi-millionaire Avery Bancroft may be in Australia. Blurry photos of a man who fits the general description of Mr. Bancroft have been popping up on various social media sites, photos allegedly taken in a variety of Australian locales including Melbourne and Sydney. Mr. Bancroft disappeared from the public eye last year shortly after the Black Bear Casino, owned by Mr. Bancroft, burned to the ground; rumors have swirled ever since that he was involved in the fire. While he has made no public appearances, it is difficult to remain hidden when one is as famous as Mr. Bancroft, and photos of him have surfaced in such various international hotspots as Paris, Cape Town, Barcelona, Ibiza, and now

SEE BANCROFT ON B12

Kids Make Nutritious Snacks

Mr. Maton's 7th-grade Home Economics class is learning that snack time doesn't need to be unhealthy. He's teaching them how to make snacks that are healthy, delicious, and quick (and fun!) to make. We met some of his students, and sampled their recipes, at Wilson Junior High's annual Exposition. They spoke with us to share their recipes for class favorites, including oatmeal bran cookies, lemon-garlic hummus with homemade pita chips (their secret is to peel the chickpeas and blend them while they're still hot from cooking!), and real iced tea with blackberry puree, steeped for hours in the sun rather than relying

SEE RECIPES ON D14



4226 W. 17th Blvd.
Midlands City, ML 05554

Checking Account Statement

Exhibit
22

Page 1 of 2

Beginning May 1, 2022
through April 30, 2024

Questions? Contact us today:

AVERY P. BANCROFT
71 CLIFF VIEW LANE
MIDLANDS CITY, ML 05553



CALL:

Checking Customer Service
(642) 833-2298



VISIT:

Access your account online:
thirdnationalbankofmidlands.com



MAIL:

Third National Bank of Midlands
Customer Service Center
P.O. Box 41002
Midlands City, ML 05554

AVERY P. BANCROFT
PERSONAL CHECKING
XXX-XXXXXXX-2128

Personal Checking for XXX-XXXXXXX-2128

Balance Calculation

Previous Balance		\$ 6,904,932.11
Withdrawals & Debits	-	\$1,249,500.00
Deposits & Credits	+	\$600,000.00
Current Balance	=	\$ 6,255,432.11

Please See Additional Information on Next Page



Personal Checking for XXX-XXXXXXX-2128 Continued
TRANSACTION DETAILS FOR CHECKING ACCOUNT ENDING 2128

			Previous Balance	\$ 6,904,932.11
Withdrawals & Debits				
<i>Date</i>	<i>Amount</i>	<i>Description</i>		
5/16/2022	\$50,000.00	Transfer to X7359 Taylor J. Hopson		
6/9/2022	\$3,500.00	Transfer to X9027 Rory Shelton		
6/15/2022	\$50,000.00	Transfer to X7359 Taylor J. Hopson		
6/22/2022	\$5,750.00	Transfer to X9027 Rory Shelton		
7/9/2022	\$10,500.00	Transfer to X9027 Rory Shelton		
7/15/2022	\$50,000.00	Transfer to X7359 Taylor J. Hopson		
7/19/2022	\$13,000.00	Transfer to X9027 Rory Shelton		
8/11/2022	\$32,250.00	Transfer to X9027 Rory Shelton		
8/15/2022	\$50,000.00	Transfer to X7359 Taylor J. Hopson		
9/2/2022	\$32,450.00	Transfer to X9027 Rory Shelton		
9/15/2022	\$50,000.00	Transfer to X7359 Taylor J. Hopson		
9/26/2022	\$50,000.00	Transfer to X9027 Rory Shelton		
10/17/2022	\$50,000.00	Transfer to X7359 Taylor J. Hopson		
10/17/2022	\$1,000.00	Transfer to X8926 Shannon Shahid		
11/15/2022	\$50,000.00	Transfer to X7359 Taylor J. Hopson		
12/15/2022	\$50,000.00	Transfer to X7359 Taylor J. Hopson		
1/16/2023	\$50,000.00	Transfer to X7359 Taylor J. Hopson		
2/15/2023	\$50,000.00	Transfer to X7359 Taylor J. Hopson		
3/15/2023	\$50,000.00	Transfer to X7359 Taylor J. Hopson		
4/17/2023	\$50,000.00	Transfer to X7359 Taylor J. Hopson		
6/30/2023	\$250,000.00	Transfer to X3140 Black Bear Casino Fire Victims Fund, Inc. (anonymous)		
10/17/2023	\$1,000.00	Transfer to X8926 Shannon Shahid		
12/29/2023	\$250,000.00	Transfer to X3140 Black Bear Casino Fire Victims Fund, Inc. (anonymous)		
3/20/2024	\$50.00	Transfer to X8926 Shannon Shahid		
			Total Withdrawals & Debits	\$1,249,500.00
Deposits & Credits				
<i>Date</i>	<i>Amount</i>	<i>Description</i>		
6/30/2022	\$150,000.00	Transfer from X9734 Avery P. Bancroft-MM		
12/30/2022	\$150,000.00	Transfer from X9734 Avery P. Bancroft-MM		
6/30/2023	\$150,000.00	Transfer from X9734 Avery P. Bancroft-MM		
12/29/2023	\$150,000.00	Transfer from X9734 Avery P. Bancroft-MM		
			Total Deposits & Credits	\$600,000.00
			Current Balance	\$ 6,255,432.11

IN THE CIRCUIT COURT OF BRECKINRIDGE COUNTY, MIDLANDS

**Bancroft Estates, and
Avery Bancroft,**

Plaintiffs,

v.

**Ashley Connel, Tristan Frost,
and Lonnie Paras,**

Defendants.

Case No. CV 23-494495

Action filed: October 4, 2023

Judge Merritt Gilbertson

Complaint

1. On September 14, 2023, Defendants—entirely for personal financial gain—executed a meticulously planned attempt to assassinate the character and reputation of Mr. Avery Bancroft and his company Bancroft Estates. Defendants did so by knowingly broadcasting defamatory comments while also knowing that their malicious broadcast would be repeated to countless more individuals through subsequent media coverage. They attacked the Plaintiffs in a forum in which Avery Bancroft had no opportunity to defend himself, so he had no choice but to bring this lawsuit to try to set the record straight.
2. This callous and false attack upon Mr. Bancroft and Bancroft Estates was Defendants’ most recent attempt to smear Mr. Bancroft’s reputation. The Plaintiffs require intervention from this Court to prevent further injury at the hands of Defendants’ blatant disregard for the truth.

THE PARTIES

3. Mr. Bancroft, a proud resident of Midlands, is President and CEO of Plaintiff Bancroft Estates.
4. Bancroft Estates employs over 1,565 employees in Midlands. Internal studies show that, for every job provided by Bancroft Estates, up to 13 secondary jobs are created in the community, meaning Bancroft Estates is responsible for the creation of up to 20,345 jobs in Midlands.
5. Defendants—all residents of Breckinridge County, Midlands—are persons fundamentally opposed to any progress in the State of Midlands.

JURISDICTION, VENUE, & ADMINISTRATIVE PREREQUISITES

6. This court has subject matter and personal jurisdiction, and is a proper venue for this lawsuit.

FACTUAL BACKGROUND

7. On September 14, 2023, Defendants Paras and Frost released an episode of their podcast: the Midlands Review with Paras and Frost. Defendant Connel was a guest on the episode.
8. Before September 14, 2023, Defendants informed Plaintiffs (under the guise of “responsible and ethical journalism”) that they intended to discuss Bancroft Estates and Mr. Bancroft. They specifically referenced unsubstantiated allegations that Mr. Bancroft was not a billionaire.

9. Prior to September 14, 2023, Mr. Bancroft warned Defendants that those allegations were defamatory when they were made and that they remained defamatory. Mr. Bancroft demanded Defendants cease and desist from any effort to defame, harass, or otherwise injure Plaintiffs.
10. Instead, presumably to boost ratings and line their pockets, during the September 14, 2023 episode, Defendants intentionally, falsely, and outrageously repeated the allegations noted in Paragraph 8 (the “Defamatory Statements”).
11. Through their defamatory and malicious presentation, Defendants succeeded in villainizing Plaintiffs and inciting injury to Plaintiffs.

FIRST CAUSE OF ACTION: DEFAMATION

12. Plaintiffs repeats the allegations of the foregoing paragraphs as if fully set forth herein.
13. Upon information and belief, Defendants caused the Defamatory Statements to be published with knowledge of the falsity of those statements or with reckless disregard as to the falsity of those statements.
14. The Defamatory Statements were published—and continue to be published—with malice.
15. The Defamatory Statements are defamatory *per se*. On their face, they reflect upon Plaintiffs’ reputation and character in a manner that: (1) injured Plaintiffs’ reputation and subject Plaintiffs to public hatred, ridicule, shame, or disgrace; and (2) adversely affected Plaintiffs’ trades or businesses.
16. Publication of the Defamatory Statements will: (1) cause lenders to be less willing to engage in financial transactions with Plaintiffs; and (2) cause Plaintiffs to suffer a loss of business opportunities. Publication of the Defamatory Statements already has caused Plaintiffs harm in this regard by damaging their reputations.
17. Publication of the Defamatory Statements has caused and will continue to cause damage to Plaintiffs’ reputation and good standing in the community.

SECOND CAUSE OF ACTION: INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

18. Plaintiffs repeats the allegations of the foregoing paragraphs as if fully set forth herein.
19. Defendants’ conduct in publishing the Defamatory Statements and thereby viciously and purposefully attacking Mr. Bancroft, his company, and his wealth was so outrageous as to exceed the bounds of decency.
20. Defendants’ conduct has caused severe emotional distress to Mr. Bancroft.
21. Defendants intentionally inflicted emotional distress upon Mr. Bancroft or acted recklessly when it was certain or substantially certain that emotional distress would result from their outrageous conduct.
22. No reasonable person could be expected to endure the emotional distress that Mr. Bancroft has suffered as a result of Defendants’ conduct.

PRAYER FOR RELIEF

THEREFORE, Plaintiffs respectfully request, as to all Counts, judgment for general damages in favor of Plaintiffs and against Defendants in the amount of \$1,000,000,000.

Respectfully submitted,

Maita Mungah

Mungah and Dean LLP
Attorneys for Plaintiffs



POLK COUNTY PSYCHOLOGICAL SERVICES DEPARTMENT

May 20, 2023

Dr. Ayre Rubenstein
Polk County Psychological Services Department
24 Harmon Street
Newton, Midlands

Dear Dr. Rubenstein:

This letter serves as my formal notice that I will be leaving the Department at the end of the month. I have spent the better part of my career at Polk County, working with tremendous patients and colleagues. Unfortunately, the job has taken a considerable toll on my mental health and my effectiveness as a practitioner. As you know, the Black Bear Casino fire last December claimed many victims. The survivors continue to struggle with severe depression, survivor's guilt and PTSD. The fire inspired case studies—one of which I published—on the toll trauma can have on our first responders. For the first time in my career, I find myself unable to separate my own feelings of anger and resentment—towards those suspected of having set the fire, towards the person who stood to gain the most (Avery Bancroft)—from the feelings my patients are grappling with. I am simply unable to approach my work with the level of detached compassion necessary to see these patients through to the other side. I feel that for each issue I help resolve, another one simply takes its place. It's as though I am simply treating the symptoms, and I'm starting to think I should instead work to eradicate the source.

My plans for the future are uncertain. I have been thinking of pivoting and starting my own private practice. I might also travel. There are places I've been wanting to see, such as France, Spain, or South Africa. But no matter where I end up, Polk County will always be the place I became a psychologist, and for that I am grateful.

Dana Haskins
Dr. Dana Haskins
Resident Psychologist
Polk County

To: <KDoolittle@bancroft.com>
From: <Taylor.Hopson@mockmail.com>
Date: March 17, 2024 4:06 p.m.
Re: RE: MRE Details

Thanks so much, Kirby! This is exactly what I needed! Let me chat with Kelly. I doubt Kelly will want to join father's trip given the whole Black Bear thing, but I'll let you know.

Thanks again,
Taylor

Kirby Doolittle

To: <Taylor.Hopson@mockmail.com>
From: <KDoolittle@bancroft.com>
Date: March 17, 2024 4:04 p.m.
Re: MRE Details
Attachment: [Mid_Riverina_Express_Brochure.pdf](#)

Taylor,

Thanks for your call last week. Like you asked, I've attached the brochure for the Mid-Riverina Express and here are some of the highlights. If you and Kelly are looking for a lifechanging experience, I would highly recommend. It's a rare opportunity.

- 4-day/3-night train ride taking you from Sydney all the way to Perth.
- Platinum Class provides best-in-class food and beverages.
- Picturesque scenery the whole time, great for influencers.
- Opulent rooms, making it great for a romantic getaway.
- If you're thinking about proposing, can't do much better than the MRE.
- Your father and I will be riding the MRE on April 22-25, 2024.

Let me know if you need anything else. If you and Kelly somehow end up on the April 22-25 trip, hit me up (mostly so I can prep your father).

Best,

Kirby Doolittle

To: <Kelly.Doos@doositall.com>
From: <Taylor.Hopson@mockmail.com>
Date: March 17, 2024 4:07 p.m.
Re: FWD: MRE Details
Attachment: [Mid_Riverina_Express_Brochure.pdf](#)

Finally got the deets on the MRE. Our next step is to figure out the date. Unfortunately, the earliest available date looks to be late April. Nothing for this month. Do you have thoughts?

Hopefully we can make this work. I think it would be a memorable time. Might finally get us what we both always wanted.

T

Kirby Doolittle

To: <Taylor.Hopson@mockmail.com>
From: <KDoolittle@bancroft.com>
Date: March 17, 2024 4:04 p.m.
Re: MRE Details
Attachment: [Mid_Riverina_Express_Brochure.pdf](#)

Taylor,

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- 4-day/3-night train ride taking you from Sydney all the way to Perth.
- Platinum Class provides best-in-class food and beverages.
- Picturesque scenery the whole time, great for influencers.
- Opulent rooms, making it great for a romantic getaway.

Let me know if you need anything else.

Best,

Kirby Doolittle

Type of Report: All text records between specified accounts
Date of Report: 05/31/24 3:09pm
Search Parameters:
 Date(s): 22-APR-2024 to 25-APR-2024
 Accounts: 642-555-2825 [subscriber name: Taylor Hopson]
 642-555-0001 [subscriber name: Kelly Doos]

From:	Date:	Time:	Content:
Hopson, Taylor	22-APR-2024	6:16pm	Where are you? You always seem to vanish when we're traveling
Doos, Kelly	22-APR-2024	6:28pm	Exploring the train, we know so many people here!
Hopson, Taylor	22-APR-2024	6:31pm	Guess it's like the who's who of Midlands, but in Australia.
Hopson, Taylor	23-APR-2024	3:46pm	What do you think?
Hopson, Taylor	23-APR-2024	3:48pm	    
Doos, Kelly	23-APR-2024	3:52pm	 ?
Hopson, Taylor	23-APR-2024	6:45pm	Brb. U head back. Yell if I'm running late. I should be good, though. No one in line. Guess everyone's heading back. Sweets are on sale. U want some? Peanuts? Pistachios? T
Doos, Kelly	24-APR-2024	9:58pm	Everything good?
Hopson, Taylor	24-APR-2024	10:02pm	Couldn't be better. Over at the lounge doing work. Very beautiful view. Everything I dreamed of. Really peaceful, too. Might be able to wrap up in time for bed. Enjoy the reception! T
Doos, Kelly	24-APR-2024	10:05pm	Gotcha. Okay, keep me updated. There's still extra dessert here if you wrap up early! I also had a chance to talk to your dad. Think it went well. K
Hopson, Taylor	25-APR-2024	5:35pm	Kelly. Everyone says birthdays are less eventful when you get older. Everyone's wrong. Please tell me the cops are treating you okay. Query how we got into this mess. U were right that my father was nothing but trouble. I can't believe he's still causing me headaches. Even in death. The only thing I want now is for the two of us to go home T

DECLARATION OF JO BASSETT

My name is Jo Bassett, and, under penalty of perjury, I declare that:

1. I am the Chief Database Administrator for Midlands Wireless, which offers domestic and international cell phone and text messaging services to residents throughout the greater Midlands area. I have held that job since November 8, 2019.

2. As part of my duties, and in the regular course of Midlands Wireless's business, I manage and maintain a computer database ("database") that tracks all call and text message information among Midlands Wireless customers. The database is used to generate monthly bills (which can vary depending on the terms of the customer's subscription, as well as the number, type, duration of calls, and the number of text messages), as well as various purely internal purposes.

3. When a subscriber registers for a new account, a record is automatically generated in the database that links the subscriber's name, the subscriber's billing address, and a telephone number.

4. When a subscriber sends or receives a text message, the database electronically and without human intervention generates a record of that text message that memorializes the sending and receiving telephone number, the date and time at which the text message was sent (based on Australian local time), and the full content of the text message ("content information"). The database also flags without human intervention whenever a text message fails to deliver for any reason.

5. We support a variety of billing plans that include set numbers of text messages for a base charge and charge various fees for text messages beyond those covered in the subscriber's plan. Because of this, we maintain records of when texts are sent or received by Midlands Wireless customers, including the phone number of both parties and the date and time at which the message was sent, as well as content information. The database is programmed to store all such information for at least two years.

6. The database is programmed to generate reports about activity between two particular telephone/account numbers. To generate the attached report, I personally entered five pieces of information into the database. First, in a field labeled "Type of Information Requested," I clicked a box labeled "All Text Records Between Specified Accounts." Second, in a field labeled "From," I manually entered "22-APR-2024." Third, in a field labeled "To," I manually entered "25-APR-2024." Fourth, in a field labeled "Subscriber 1," I entered "6425552825." Fifth, in a field labeled "Subscriber 2," I entered "6425550001." I then clicked a button labeled "Submit." At that point, the database automatically and without any additional action by me generated the report dated "05/31/24 3:09pm," sent a copy to my attached printer, and saved a copy of the report itself in the database.

I swear under penalty of perjury that the foregoing is true, accurate, and complete to the best of my knowledge.

Jo Bassett
Jo Bassett

Signed before me on May 31, 2024

Roger Michaels
Roger Michaels
Notary Public

To: Jordan Nathanson <Nathanson@detective.pi>
From: Shannon Shahid <Shannon@ICUrFuture.net>
Date: February 3, 2024 9:37 p.m.
Re: Thank you!

My dear friend Jordan,

Thank you so much for your help with that thing—I don't know what I'd do without you. The check is in the mail (I know that's a cliché but it really is, I swear, haha).

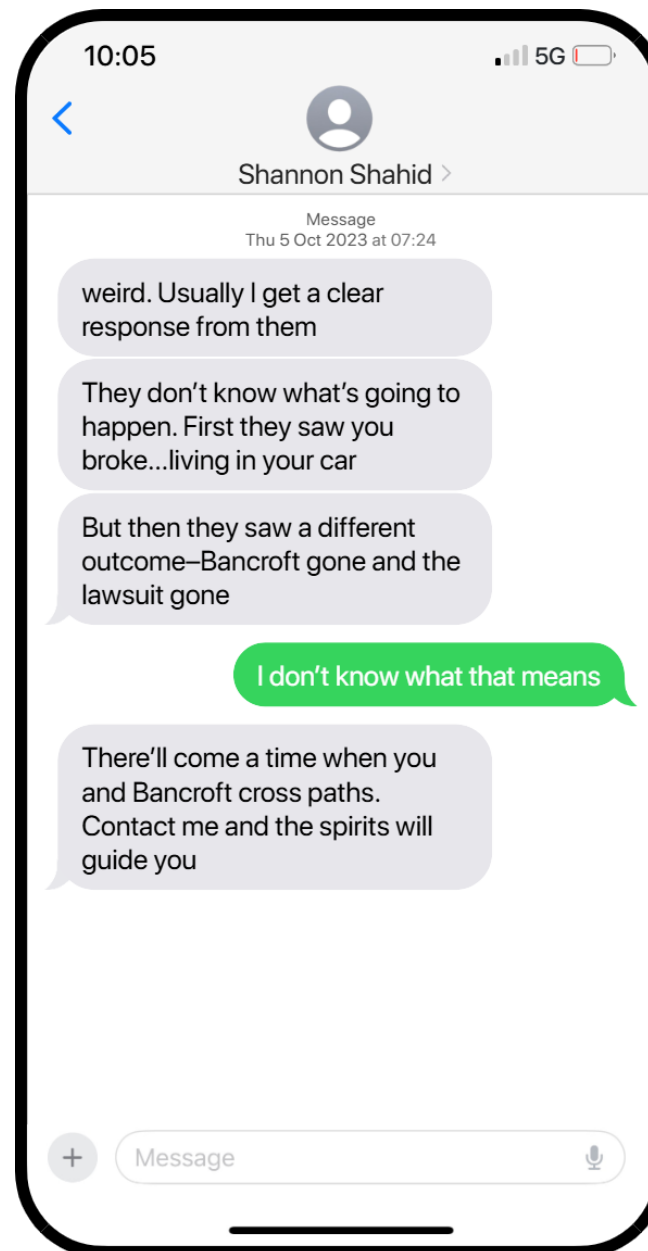
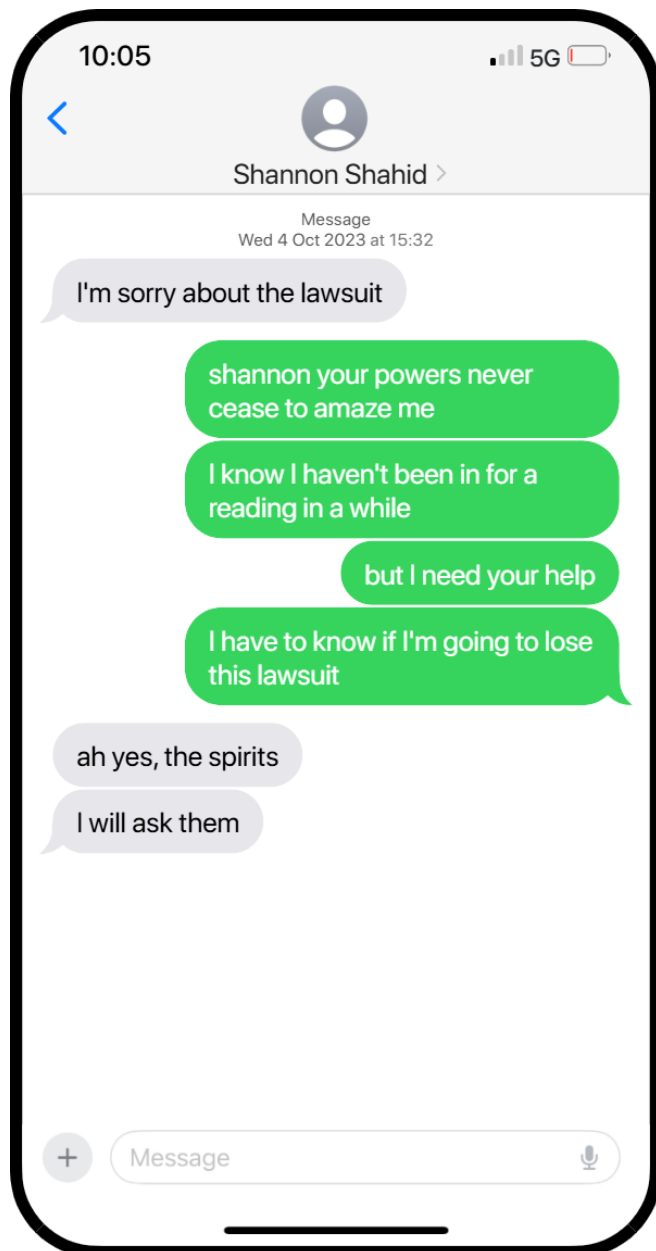
You mentioned that you might be in Australia in April for work. If you have the time, you really should check out the Mid-Riverina Express—it's a super luxury train that goes from Sydney to Perth. In fact—if you can make the April 22 departure from Sydney—I'd be happy to buy you a ticket (first class, of course) to show my gratitude for all you've done for me.

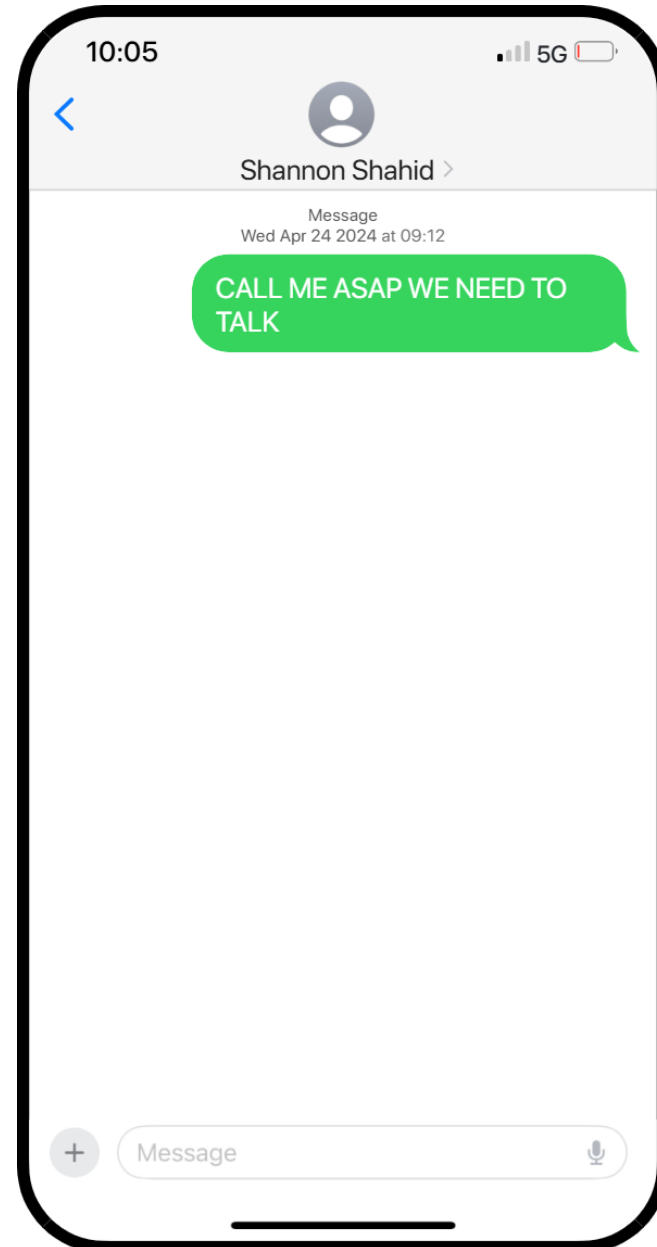
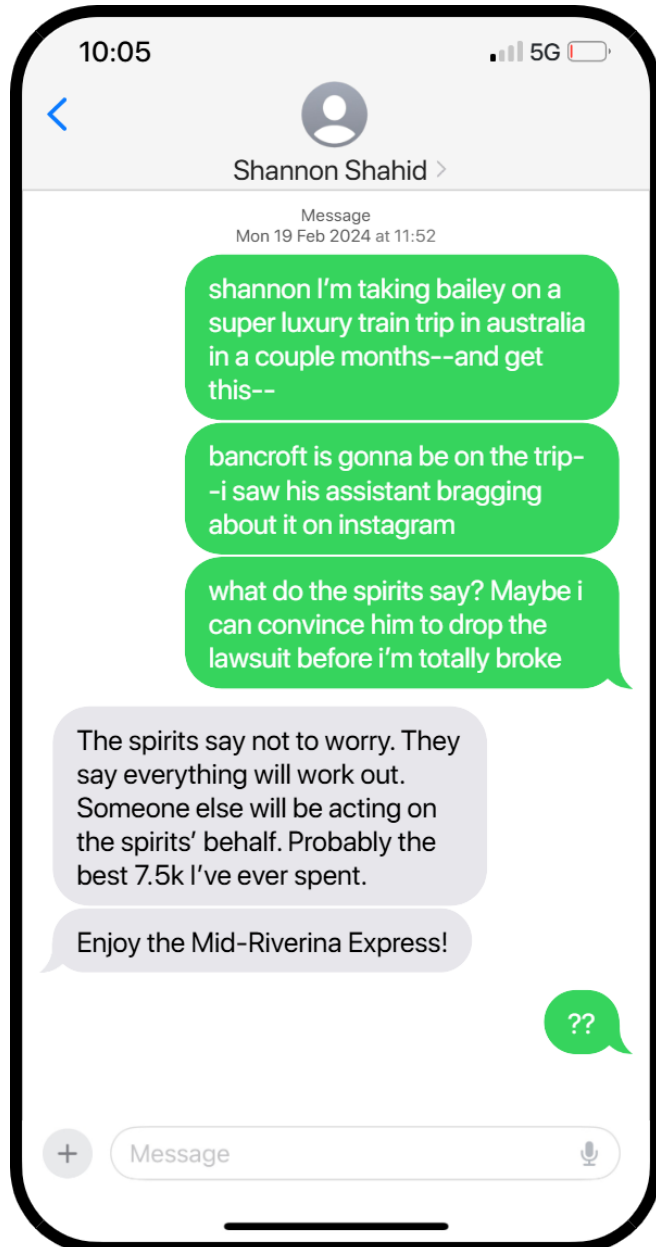
I'll admit I have a bit of an ulterior motive, though. My birth father has apparently been in Australia, and I just found out he's going to be on that train. Ever since I found out, I've been having scary premonitions about the trip (I've even been pulling the Death card during my tarot readings, and we both know what happened the last time I did that). I don't know exactly what's going to happen here, but I sense that somehow my half-sibling is involved?

I'd love if you can accept this gift, and I don't know, just keep your eyes open for me.

Your favorite client,

Shannon





ORCA AUDIO TRANSCRIPTION

Voice Memo ID: PLA-U4V-Z7XP
Created On: (642) 555-6625 "Avery Bancroft"
Time of Message: 6:16 a.m., April 23, 2024
Message Duration: 0 minutes and 33 seconds

[Message Begins]

Kirby, compile a list of everyone who owes me money. And I mean everyone, including family. No exceptions. Before I spill everyone's secrets next month, I want to make sure I get what I'm owed. Also, confirm with the chef there are banana-free dessert options on board. That banana tart last night looked good, but not good enough to literally die for. I just want to make sure . . . wait, who's at the door?

[Message Ends]

ORCA AUDIO TRANSCRIPTION

Voice Memo ID: WKV-R5V-H6YN
Created On: (642) 555-6625 "Avery Bancroft"
Time of Message: 7:55 p.m., April 24, 2024
Message Duration: 0 minutes and 31 seconds

[Message Begins]

Hey Kirby . . . remember that *Midlands Courier Gazette* piece from December? The one about everyone who died in the casino fire? Bring me a copy. Maybe it's about time that I leave them something. They deserve it more than Taylor at least. Though, maybe I've been too harsh to Taylor. One of the other passengers confronted me today, and I shudder to think what might have happened if Taylor wasn't there with me . . . oh well, doesn't matter. Taylor's bed has been made for decades.

[Message Ends]

ORCA AUDIO TRANSCRIPTION

Voice Memo ID: RKB-L3G-P3ME
Created On: (642) 555-6625 "Avery Bancroft"
Time of Message: 1:48 a.m., April 25, 2024
Message Duration: 0 minutes and 27 seconds

[Message Begins]

It's done, Kirby. After we hop off this train at the supply stop in the morning, remind me to swing by a lawyer. It's time to make sure the Bancroft legacy is secure. I just need to make sure I do this before I change my mind, or before Taylor changes it for me. As expected, Taylor wasn't all too happy with me when I told Taylor what I was planning.

[Message Ends]

Declaration of Kirby Doolittle

My name is Kirby Doolittle, and under the penalty of perjury, I declare that:

1. Since October 31, 2022, I have been an employee of Bancroft Estates. Until his death on April 25, 2024, I also served as the personal assistant for Avery Bancroft. I write this declaration in response to a request from attorneys representing Shannon Shahid who I understand are planning to file a lawsuit in connection with Avery Bancroft's death.
2. As part of my duties, and in the regular course of Bancroft Estates's and Avery Bancroft's business, I manage and maintain all of Avery Bancroft's voice memos. This includes records of all voice memos left by Avery Bancroft. Avery Bancroft would forward all such voice memos to me, and I would store them in Cloud storage maintained by Bancroft Estates.
3. The attached transcripts are true and accurate representations of voice memos: (1) PLA-U4V-Z7XP, recorded on April 23, 2024 at 6:16AM; (2) WKV-R5V-H6YN, recorded on April 24, 2024 at 7:55PM; and (3) RKB-L3G-P3ME, recorded on April 25, 2024 at 1:48AM (all Australian local time). All three voice memos were created on (642) 555-6625, which was Avery Bancroft's cell phone as issued by Bancroft Estates.
4. The attached transcripts were generated by an audio transcribing system (ORCA) and then I and another Bancroft Estates employee, Emory Sands, proofread for accuracy. We made no changes as the transcribing system (ORCA) created an accurate output.
5. As its custodian, I have personal knowledge that the attached transcripts accurately reflect the contents of voice memos PLA-U4V-Z7XP, WKV-R5V-H6YN, and RKB-L3G-P3ME. I have no reason to doubt the accuracy of the information contained in the attached transcripts. Moreover, having listened to the voice memos, I can confirm that the voice on all three voice memos belongs to Avery Bancroft.

I swear under penalty of perjury that the foregoing is true, accurate, and complete to the best of my knowledge.

Kirby Doolittle
Kirby Doolittle

Signed before me on May 2, 2024:

Elliot Spencer
Elliot Spencer
Notary Public

< Title



Think I'm dying.
Belive I've been
poisoned. How
could do this

A

Scher's Tool & Craft
316 Heisman Way
Hahndorf SA, Australia

Terminal I.D.:
00390
Merchant #
034920389999671

Cash
SALE

QTY.	ITEM	PRICE (AUD)
1	Conc. Banana Extract	19.99
1	SPF 85 Sunblock	17.95
1	Reg. Sunglasses	9.99
	Subtotal	47.93
	Tax – 10%	4.79
	Total	52.72

Thank you for shopping with us!
4/23/2024
18:57:27





- 🕒 how does spousal privilege work? ×
- 🕒 best midlands crim lawyer ×
- 🕒 cremate body preth ×
- 🕒 rotencide really odorless? ×
- 🕒 "that's not a spoon this is a spoon"
actor ×
- 🕒 potassium vs calcium ×
- 🕒 pharmacies hahndorf ×
- 🕒 how to get away with murder ×
- 🕒 dollarydoo to usd exchange rate ×
- 🕒 metube 3-pint eyewitness bnn ×
- 🕒 coriolis effect toilet australia ×
- 🕒 how to fake cry? ×
- 🕒 train cabin upgrade secrets ×





DRAFT: April 15, 2024

Money Can't Buy You Love, But It Can Buy a Lot of Other Things!
— A Memoir by Avery Bancroft

and that's when I yelled, "THE ARISTOCATS!" The room filled with uproarious laughter, but deep down I knew that they weren't laughing with me . . . they were laughing at me.

It was at this point when I started to think about what type of legacy I would leave. I decided it was too late to patch the wounds of generations of family strife, and I liked money too much to go the Bill Gates route (though there are plenty of charities that have benefited greatly from my success). The only choice left then, to borrow a casino term, was to double down and become as successful (and as rich) as possible in every way possible. Like Scrooge McDuck and his pool full of money, I wanted it all. No matter the cost. No matter the enemies.

And boy did I make enemies. This feels like a good time to address some of the people that I met in my life that, for one reason or another, made it into my metaphorical burn book. Well, since I'm putting it in this book, I guess it's not metaphorical anymore. People have suggested I change names to protect identities, but the world deserves the full, unadulterated truth. Plus, I wasn't the one who started any of these beefs over the years; they came after me.

Beef . . . that's a good place to start. Years ago, I went into business with Patty Dillinger, purveyor of the not-so-fancy Unoriginal Beef. With my dough, we were able to take that dump of a sandwich shop and transform it into a beautiful French-Caribbean fusion restaurant. But Patty double-crossed me, used my good will and connections to get the restaurant fast-tracked for a star and then cut me out just like that.

Then there's my "friends" from the art world. As you know from the headlines, I dabble in the finer things in life, including expensive art. But I have been treated as an outcast by the so-called "art royalty" in Midlands—Berkeley De la Porta and Ashley Connel to name a few. And the media, well, they don't even get the pleasure of being called friends. They've been out to get me from Day 1. Riley Winter, Reagan Thomas, Harley Kim: I'm know you're reading this, and I hope the worst for each of you. Some of the most biased "journalists" in Midlands.

Speaking of Midlands, I can't leave my "home sweet home" off the hook here. When a state can't even keep a county psychologist (Dana Haskins) under control, you know the state's gone to hell. And then there's "Judge" Merritt Gilbertson, or "Maniac Merritt" as I call them. Quite possibly the worst "Judge" that we've had in Midlands (and anyone who has had a trial here knows we've had some clunkers). Maniac Merritt ruled against me in a couple small time matters and it became clear that they had no business being on the bench. I can't believe Maniac Merritt even thought for a second they belonged on the Midlands Supreme Court. Thankfully, I stopped that, but I'm starting to think I went too easy on Maniac Merritt. Maybe that should change. Maybe it's time to be evocative.

But as the saying goes, my greatest threats are not foreign but domestic. Growing up, I viewed myself as a Zeus-like figure who dethroned his father Kronos. Seeing my children now, though, I can't help but think that I might be the Kronos in this story. But if that's the case, I'm going to rewrite this myth. And by the time you're reading this, I'll have succeeded. As you undoubtedly saw, in May 2024, I released a data dump of every secret I had on the people in my burn book. Ashley, Taylor, Berkeley, Shannon, Dana, Riley, Harley, Reagan, Merritt, Patty: let's see how you like it. Sorry, not sorry.

This has been pretty cathartic. This reminds me of the time in Monte Carlo when I

Lying to Yourself: The Science of Manipulating Self-AssessmentsDana Haskins, R.N., Ph.D.¹

Self-assessment is a powerful tool in a clinical psychologist's toolbox. When administered correctly, it can offer a glimpse into the patient's inner world without the risk that the answers will be filtered through the practitioner's own lens. They can help with evaluations pertaining to job fitness, child custody, and even determining whether someone has the profile for a certain crime. However, the data is only as trustworthy as its source, leading to the key concern when it comes to self-assessments: manipulation.

To be clear, it is difficult for patients to manipulate most self-assessments. Take the Midlands MPI, a 40-question self-assessment evaluating patients on Antisocial Behavior; Aggressiveness; Self-Importance; Disconstraint; and Shyness. A staple in my own practice, the Midlands MPI has three built-in measures to minimize and potentially identify manipulation. First, the Midlands MPI includes redundant / similar questions. If the patient answers these questions inconsistently, that flags potential manipulation. Second, the questions are not organized by the five scales and instead are in a random order, so the patient would need to figure out which question pertains to which scale. Third, there is no universal "correct" answer. A patient will not successfully manipulate the test by selecting all "True" or all "False."

The Chambliss Incomplete Sentences Blank (CISB), another self-assessment I regularly use, is also difficult to manipulate given its free-form nature. Patients are given 20 prompts and asked to finish the sentence however they see fit. It is then the practitioner, not the patient, that scores the answers.

That said, practitioners must be vigilant. Resourceful patients are able to find the questions and scoring criteria for many self-assessments online, including both the Midlands MPI and CISB from personal experience. This may allow for the patient to "study" the tests to "pass." Therefore, it is imperative that practitioners confirm that their patients are either unfamiliar with or haven't read up on any self-assessments the practitioner might plan to use. This is particularly true for patients who are psychology enthusiasts or who studied psychology in college, as they are the most likely to have prior knowledge of self-assessments and how to "cheat" the system.

¹ Dr. Dana Haskins is a clinical psychologist who practices in Midlands Center. Dr. Haskins specializes in family conflict resolution and is accepting new patients.

Time to Play

For

your choices.

Confessions OR

Burn!

Exhibit
38

HAPPY BIRTHDAY!



So, I'm told it's your ~~13~~ 15th birthday. To think how quickly time has passed. Over the years, I have taught you many life lessons, but this is the most important one. People pay for their choices.

Choices are what define us as people. All of our choices. Letting others pay for choices is a disservice to you and them. Leticia, my mother, never paid for any of my choices, and I now won't pay for yours or your mother's. I wouldn't have my Black Bear Casino if I took the easy way. No chance I deprive you of that same opportunity. Go forth and live up to your middle name, Taylor Bancroft Hopson.

A

4/25/2009

56M

Pulse threading

Signs of heart attack

Dr. E started CPR ~ 5:05 AM

Assistant says AB has medical issues

Momentary consciousness ^{says something} ~~says something~~ to Dr E

Unresponsive

TOD: 5:42 AM

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CABINET.

ONLY PLACE TRAPS
WHERE CHILDREN AND
PETS CANNOT ACCESS
THEM.

NEVER STORE
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READ AND FOLLOW THE
DIRECTIONS FOR USE!

NET WT 450G

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CIC

WILL SOLVE YOUR PEST PROBLEM!

ACTIVE INGREDIENT—DIGITALIS—20%
INERT INGREDIENTS—80%

Directions for Use:

Fill each trap with
indicated quantity of
rodenticide.

Place each trap about 15 to
50 feet apart for rats, or 5
to 10 feet apart for mice.

For heavier infestations,
place traps closer together.

Place traps nearest to
common harboring areas—
trash cans, points of ingress
& egress, and any place
rodents have been spotted.

In wet or damp areas, use
all-weather or weather-
resistant traps.

Avoid frequently moving
traps.

Rats eat more than mice, so
fill traps more frequently
for rat infestations.



POISON



831483613

I think it's about time I address you directly, Taylor.

Disrespect, I can stand. I can't stand your waffling. Stand against me if you wish. Or don't. Whichever you decide, just make a choice and run with it. No Bancroft made history without doing what needed to be done no matter the cost.

Yet I still hope you'll learn to stand on your own two feet. Only time will tell. Ultimately, it will be up to you.

A