D

STATE OF ILLINOIS)
COUNTY OF MARION) SS.
)

AFFIDAVIT

I, Jerry Lewis Bey, who having been first duly sworn, upon his oath, states as follows:

1. These statements is in reference to the conference call I had on Thursday, April 26, 2007, with the St. Louis City Circuit Attorney, Jennifer Joyce, Rachel Smith, and a Detective Williams of the St. Louis City Homicide Division.

2. I was asked would I allow the above individuals to interview me in reference to an unsigned affidavit from a Mr. Josiah Thompson, a licensed investigator from California who had been retained by the NAACP Legal Defense Fund to conduct an interview with me, regarding the Larry Griffin prosecution and execution. I approved of the interview, which was held inside the Captain office here at FCI Marion in the Present of SIS officer Mrs. Montgomery.

3. I advised the above individuals during the interview that there was statements attributed to me in the affidavit that was incorrect. On April 30, 2007, I recieved a copy of the unsigned affidavit and after reviewing it will make the following statements.

4. On July 27, 2004, I personally met with Mr. Thompson at the FCI Edgefield, South Carolina. I had recieved a letter from a Mr. Norman J. Chachlin, Director of Litigation for the NAACP Legal Defense Fund. This letter was recieved by me in June 2004 introducing Mr. Thompson and asking for my assistance in the Larry Griffin prosecution and execution.

5. During the meeting, Mr. Thompson made it clear to me that he and others had recieved information pointing to the fact that Larry Griffin was innocent and that they was under the belief that I also possessed information that would show that an innocent man was wrongly convicted and executed.

6. During this meeting I made it clear that I to believed that Griffin was innocent based on rumors over the years and based on a 1995 confession my cousin Ronnie Thomas made to my trial attorney Mr. Robert Wolfrum during a November 21, 1995 deposition in my state of Missouri murder case.

7. I also made it clear to Mr. Thompson that I had no personal knowledge of the Quintin Moss homicide, nor did I know Moss.

8. I also made it clear that I did not personally know Larry Griffin. The only Griffin I knew was Dennis Griffin, aka "Gant", who I knew back in the early 1970's through his association with a Dennis Hayman. I also told Mr. Thompson that I met a Reggie Griffin in about 1983 while attending a Moorish Temple banquet at one of the Missouri state prisons. That in 1993, Reggie Griffin was called as a defense witness in my federal RICO trial.

9. I also made it clear that I had no personal knowledge of my cousin Ronnie Thomas nor Kerry Caldwell involvement in the Moss murder, other than what I read in reports and sworn affidavit and depositions. I would share these records with Mr. Thompson.

10. I did tell Mr. Thompson that I came froma close knit family whereas Ronnie's mother and my mother was sisters and when something occurred in our families whereas family members was aware, it would be talked about. I pointed out that I did learn of an arrest of Ronnie back in 1980 either prior to me purchasing tickets for the Sugar Ray Lenard/Roberto Duran fight or after I attened the fight. This information came to me from a family member and I would later have a conversation with Ronnie. He did not go into any details, only saying that he was arrested but that it was nothing.

11. I also told Mr. Thompson that while I was incarcerated in the St. Louis City Jail on my murder case, that I recieved from the Moorish Temple at Potosi, records from Larry Griffin's case file that he wanted me to have, along with a photo of himself and an unidentified female.

12. I assumed he wanted me to have this information as it pertained to Ronnie Thomas and Kerry Caldwell, two government witnesses from my RICO trial.

13. Included in these records were the April 19, 1993 sworn affidavit of Kerry Caldwell, an August 13, 1993 affidavit of St. Louis City Homicide Detective Robert Dwyer, the October 6, 1993 testimony of Kerry Caldwell and a April 25, 1994 memorandum of U.S. Judge Edward L. Filippine.

14. After reviewing these documents, I had my attorney, Mr. Wolfrum question both my cousin Ronnie and Kerry Caldwell during their depositions concerning their involvement in the Larry Griffin case and the Moss murder.

15. I shared all of the above information with Mr. Thompson and I made it clear that the only confession was made by Caldwell in his 1993 affidavit, his habeas hearing testimony and in his 1995 deposition, and by my cousin Ronnie in his 1995 deposition. There was never any confession made to me by any of these two brothers.

16. I was surprise to see that Mr. Thompson never made mention of my cousin Ronnie's ~~confwd~~ confession to my attorney Mr. Wolfrum in his unsigned affidavit.

17. On or about August 2004, I wrote to my former attorney, Mr. Wolfrum and gave him permission to provide Ronnie Thomas and Kerry Caldwell's deposition and any other information in my file to attorney Richard Sindel, who to my knowledge worked with the NAACP Legal Defense Fund.

18. Had I possed this information regarding Ronnie and Kerry Caldwell's involvement in the Moss murder during my 1992-93 RICO trial, this information would have been shared with my attorney Doris Black, who would have used it during her cross-examination on both Ronnie and Caldwell.

19. It's no secret, that both Ronnie and Caldwell lied under oath on me and others at my RICO trial and that I would love to get some revenge, however, I will not lie about a confession that I never recieved. The only confession was made to my attorney by my cousin Ronnie Thomas in his 1995 deposition.

20. Mr. Thompson did ask me to give him my personal ~~p~~ opinion whether I believed Ronnie's testimony that he was in the car when Moss was killed and that Larry Griffin was not in the car. I again told him that my cousin was a chronic lier, however, I did believe him, as he had nothing to gain by lying.

21. At no time did Ronnie Thomas ever identify Reggie Griffin or anyone else as being in the car with him when Moss was killed to me.

22. Having met and spoken with Mr. Thompson, I do not believe he deliberately made misleading statements in his affidavit. If anything, I believe my statements were inadvertently taken out of context. I respect Mr. Thompson, as well as the work he does, and I to want to see the truth come out in the Griffin's case as I only agreed to his interview as well as the interview with Jennifer Joyce, hoping that it would assist the Griffin family.

FURTHER AFFIANT SAYETH NAUGHT.

Sheikh Jerry Lewis Bey

Sheikh Jerry Lewis Bey, The Moor

On this 1st day of May, 2007, before me personally appeared Jerry Lewis Bey, an inmate at the USP Marion.

My Commission Expires: 3/27/2010

OFFICIAL SEAL
BYRON KENT TOLSON
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:03/27/10

NOTARY PUBLIC

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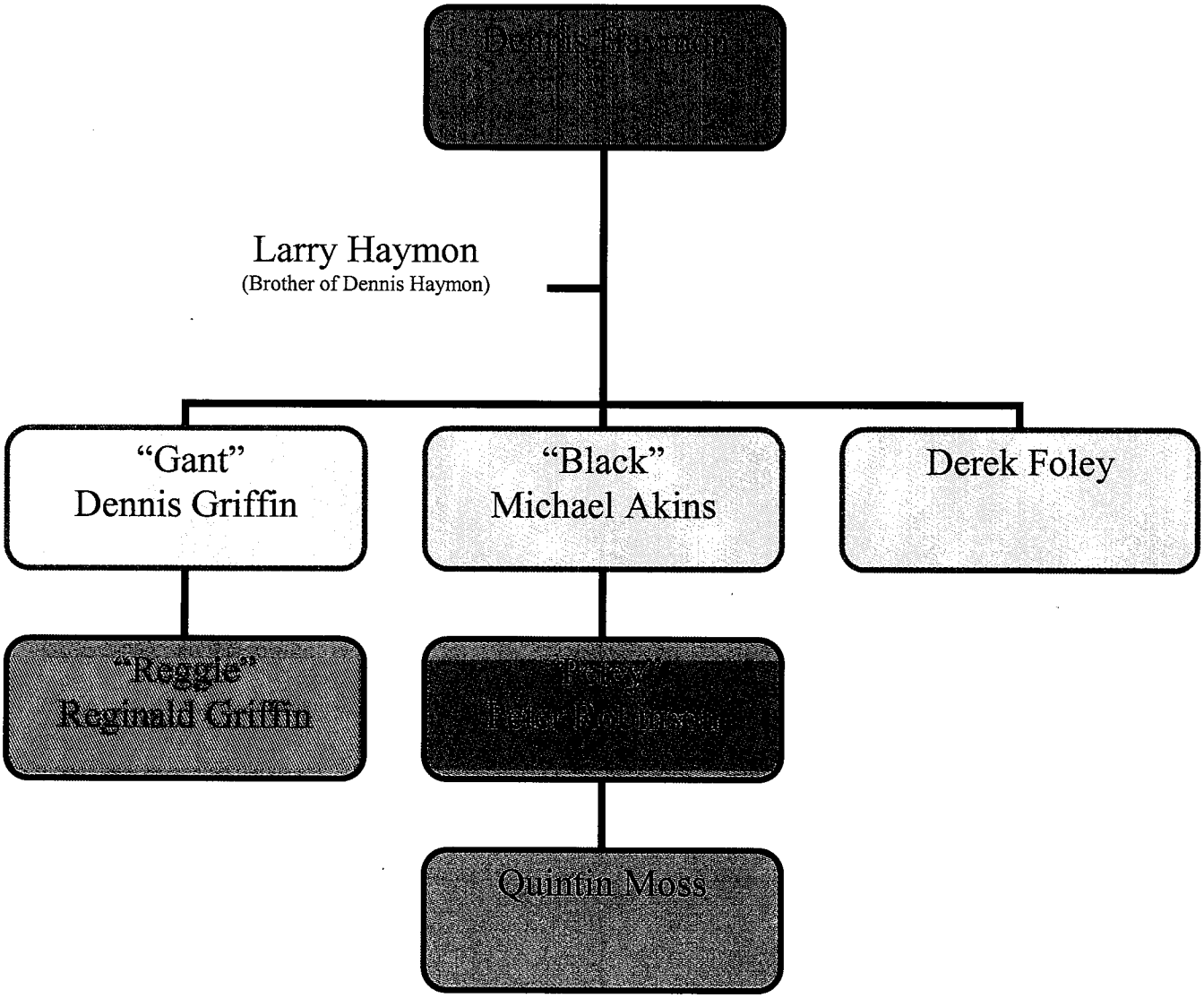
Dennis Haymon Drug Faction[1]



[1] There were several other individuals involved with street-level drug dealing. Only the relevant participants have been included. Larry Griffin was arrested multiple times at drug houses run by various members of the Haymon faction. Larry Griffin is the brother of Dennis Griffin. Reggie Griffin is the nephew of both Larry Griffin and Dennis "Gant" Griffin.

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INTERVIEW OF
ROBERT JOHN FITZGERALD

COPY

STATE OF MISSOURI,)
Plaintiff,)
vs.)
LARRY GRIFFIN,)
Defendant.)

SEP 03 '93
MISSOURI ATTORNEY GENERAL

Friday, August 27, 1993
Conference Room
State of Florida

BEFORE:

VAN GODSEY,

INVESTIGATOR.

REPORTED BY:

Kaye F. Asel, CSR
Registered Professional Reporter
Asel Reporting
PO Box 104568
Jefferson City, Missouri 65110-4568
(314) 636-8499

PROCEEDINGS

MR. GODSEY: Okay. Today's date is August 27th, 1993. This is an interview of Robert John Fitzgerald. My name is Van Godsey, investigator with the Missouri Attorney General's office.

Mr. Fitzgerald, will you please just state your name and your date of birth.

MR. FITZGERALD: My name is Robert John Fitzgerald, 12-21-44.

MR. GODSEY: This interview is concerning Mr. Fitzgerald's appearance as a witness in a case of State of Missouri versus Larry Griffin back in 1981. Basically I'm going to let Mr. Fitzgerald briefly describe the occurrence at the scene, what he observed, and then we'll move on from there.

MR. FITZGERALD: Okay. Just prior to arriving at Center and Olive, myself, there was another fellow with me named Connell (phonetic spelling), black male, and his daughter. And the reason we ended up Center and Oliver, we were on the way to his mother's house to drop off his daughter, who she was going to baby-sit.

I had no idea where I was. I had no direction at all. I'm not familiar with the area. And we got just past Center and Olive, we had car problems, and I had intermittent problems in the past, and my car stalled. And

when that happened in the past, I was unable to stop it, so I curbed the car and here we are several feet close to Center and Oliver. And we'd been there quite some time trying, knowing that the car battery had to be charged, and that is what I brought me to that area.

And after several hours of being there, I witnessed a shooting, Quinton Marcell (phonetic spelling) was killed in front of me.

MR. GODSEY: And I will interrupt off and on. At that, at that point in time did you know the victim's name?

MR. FITZGERALD: No, I did not.

MR. GODSEY: Did you know the victim?

MR. FITZGERALD: No. Never met him.

MR. GODSEY: Okay. Continue.

MR. FITZGERALD: And once that incident took place, I viewed the body. I tried to see or ask Payne whether or not he was dead. I felt he was dead and left the scene immediately and drove away. When I drove away, a police officer about a mile down the road pulled me over and told me I had to go back to the scene and that is how I got involved.

After briefly giving them some description and talking to, not in length, just mentioning briefly what I had witnessed, the, the detectives that were investigating it brought me from the scene of the crime to police

headquarters and at that point we discussed the matter.

MR. GODSEY: And this was just right after the homicide that night, right after that afternoon?

MR. FITZGERALD: Yes. Yes, sir.

MR. GODSEY: Okay. So you were brought to the police headquarters and you discussed what you observed. Okay. What took place then?

MR. FITZGERALD: At some point, after some discussion, I was given the opportunity to look at a picture.

MR. GODSEY: Okay.

MR. FITZGERALD: And I want to say at this point that the police intimated that they basically knew who the individuals were that committed the crime and they did, in fact, show me a picture, suggesting that was the individual.

MR. GODSEY: Okay. When you say they were suggesting, was it body movements or was it verbal?

MR. FITZGERALD: They did make a statement that we know, we know who, who did this. And through that gesticulation they threw the picture at me.

MR. GODSEY: When you say they articulated that we know who did this, you had overheard conversations that they knew who was in the vehicle that did the shooting?

MR. FITZGERALD: Yes.

MR. GODSEY: The individuals?

MR. FITZGERALD: They indicated to me it was no surprise who did it and they seem to be comfortable with who did it--

MR. GODSEY: Okay.

MR. FITZGERALD: --knowing who did it.

MR. GODSEY: When they asked you of the individuals that were in the vehicle, how many of those were you actually able to see and to identify?

MR. FITZGERALD: One.

MR. GODSEY: Just one?

MR. FITZGERALD: Yes.

MR. GODSEY: Okay. And then briefly you said that law enforcement said we know who did it and then you were shown a photograph?

MR. FITZGERALD: Yes. And that photograph, in fact, was the fellow that was in the front seat of the car that was used when the crime was committed.

MR. GODSEY: The photograph, was it the first photograph you had looked at?

MR. FITZGERALD: Yes, it was.

MR. GODSEY: So the first photograph that you were shown was the individual that you were able to identify that was in the front passenger seat that had been firing at the victim?

MR. FITZGERALD: Yes.

MR. GODSEY: Did you know his name at that time?

MR. FITZGERALD: No, I did not.

MR. GODSEY: Do you know his name today?

MR. FITZGERALD: Yes, I know now.

MR. GODSEY: And what is it?

MR. FITZGERALD: Larry Griffin.

MR. GODSEY: Larry Griffin. Okay. Continue.

MR. FITZGERALD: After that was-- After that phase was concluded, they drove me back--we set out to drive me back to the motel that I was staying at. During-- On the way to the motel, over the car radio, apparently they had discovered the automobile that was used in the shooting.

MR. GODSEY: And had you been able to provide anything to law enforcement that they could find that automobile?

MR. FITZGERALD: Yes. Prior to, prior to arriving at the police headquarters, I, I told them that I caught the car license plate number and then I gave that information to the officers. And so on the way to the motel, after leaving headquarters, they apparently had got word that the car was parked somewhere and that we were on our way to view the car and--

MR. GODSEY: Did you, in fact, view the car?

MR. FITZGERALD: Yes, I did.

MR. GODSEY: And was that the vehicle you saw earlier that day?

MR. FITZGERALD: That was the vehicle that was used, yes.

MR. GODSEY: Okay. Not wanting to jump around any but just to go back for just a second. Understanding that you stated that you were only able to identify one of the subjects in the vehicle, which was the photograph that you identified, you were not able to identify any of the other subjects by photograph shown to you?

MR. FITZGERALD: No, sir.

MR. GODSEY: Okay. Now, I think we'll move on up to, at some time in the future you were asked to testify at trial and would you briefly describe that testimony.

MR. FITZGERALD: Yes. I testified in court. And, of course, I had talked to Mr. McDonough recently.

MR. GODSEY: Now, let me introduce Mr. McDonough. That's M-c-D-o-n-o-u-g-h. Who was he as he described himself to you?

MR. FITZGERALD: He introduced himself as a private detective that was hired by an attorney from his office, an attorney that was representing Larry Griffin in these proceedings, and to get a statement from me as to what took place. And he came to the jail after what he

stated was an exhaustive, exhaustive search for me. And then in our conversation I had stated to him, I was told at that time was the first time that I realized that it was capital punishment or anything.

MR. GODSEY: So he just recently, when Mr. McDonough came to speak with you, was the first time that you had realized that the case that you testified in was a capital murder case where the death penalty would be--

MR. FITZGERALD: Yes. I was quite surprised learning that, it was suddenly brought to my attention, and I was, I was kind of shocked that this man had been sitting on Death Row. I guess I felt that the man was out on parole or something as a result of--after a lengthy period of time.

MR. GODSEY: Okay. Now, I think you had stated that you had related to Mr. McDonough some instances about the trial that you wanted to tell me about.

MR. FITZGERALD: There were two, two areas I've been in conflict over the years. One was whether or not I did the right thing. I shared those feelings with Mr. McDonough. One of them was identifying a picture and the second was at the trial, when I was asked if I could point out Mr. Griffin, whether or not I was certain that that was the man and I had some conflict as a result of that testimony and I'd like to clear that up--

MR. GODSEY: Okay.

MR. FITZGERALD: --if I could.

Number one, with, with the viewing of the picture and pictures, respectively, when I viewed the picture of the man, Larry Griffin as the man who did the shooting, the way that that picture was presented to me, it was kind of suggested in a passive manner, kind of unspoken, it was mentioned that we know who did it and what have you, and then right after that a picture was thrown in front of me and to me it suggested that when I look at that picture I'm going to see the man that committed the crime and sure enough it was the man that I could identify in the front seat of the car.

MR. GODSEY: And let me, let me clear this up just a little bit. I understand that, that your problem with this personally was that it was kind of an unspoken way--insinuation the next picture you see is going to be one of the persons in the vehicle and you looked at the photograph and you were surprised-- Is that a fair statement? --you were surprised because, in fact, the first picture that you viewed was the person that you saw firing a weapon out of the vehicle?

MR. FITZGERALD: Yes. It-- I had ambivalent feelings about it. I had been in that situation before and being kind of versed in procedure, I felt it was a little

slipshod. However, they were accurate, the picture was, in fact, the man that was the one that I identified as being in the front seat.

MR. GODSEY: All right. What, what-- Let me interrupt just a second--

MR. FITZGERALD: Sure.

MR. GODSEY: --and clear this up. Although the method, and to use your words, was slipshod and may have been shady, was there any doubt in your mind that the photograph that you were looking at was the man that you had just seen earlier firing a weapon out of the vehicle?

MR. FITZGERALD: I don't think there was any doubt in my mind.

MR. GODSEY: Okay. So it was the man?

MR. FITZGERALD: Yes.

MR. GODSEY: Okay. Now, why don't you move on down and explain the trial.

MR. FITZGERALD: During the trial, when asked if I could identify the individual that I identified in the picture as the man in the front seat, the person that was in court, I told them yes, I could and I was asked to point him out. Well, I pointed out Larry Griffin, the Defendant.

However, I have had serious reservations for many years whether I did the right thing at that point, at that juncture, because even though I stated that, yes, it was

the man and I was positive, in my mind I was confused and the confusion is as a result of Mr. Griffin not looking like the picture, nor was he--did he look like the individual that was sitting in the front seat. He did look different. And I at that point was wondering whether whether or not I was doing the right thing and, in fact, was I, in fact, pointing out the right individual. But in my mind I said it had to bee.

MR. GODSEY: Let me ask you then, basically what you're stating is, because of Mr. Griffin's change of appearance at the trial gave you some reservations?

MR. FITZGERALD: Correct.

MR. GODSEY: However, there were no reservations when you picked him out of the, when you picked out the photograph and identified him; you state that he was different at trial than he was in his photograph. Now, are we talking about reservations because of--I mean, appearance-wise, was he cleaned up, clean shaven, short hair, or was it a completely different individual?

MR. FITZGERALD: Well, knowing all that I know, I'm not saying that it was a completely different individual. I can't imagine how that could be. However, and what exactly my reservations, what they were, how they came about and how they manifested over the years, all I can say at this point is that I, I was uncomfortable with

pointing him out because it didn't appear to be the same person, look like the same person. There was some resemblance but when I was asked can I positively identify, I did say yes, I can positively identify because it seemed to me that it had to be that person and knowing that people clean themselves up, he was shaven, what have you, there is bound to be some altercation (sic) to their description.

MR. GODSEY: And with the understanding that it has been now 12, I guess going on 13 years, I understand how memories can lapse and memories change things, but I really do want to clear this up as best as possible and I understand that at the trial you had some reservations because of appearance, he appeared different. But going back once again, the night of the shooting or the afternoon of the shooting when you identified and could identify the man that you saw, were you told at that time that it was Larry Griffin? Sometime did you learn afterwards that the man you knew to shoot was Larry Griffin?

MR. FITZGERALD: Yes. At some point afterwards, yes.

MR. GODSEY: Okay. Okay. Let's move right along then. Basically is there anything else that you would like to clear up as far as this case, your identification at this point?

MR. FITZGERALD: Just that the identification at

the trial, I thought I was doing the right thing. In my mind I, I have some, some reservations. I hope I did the right thing, but I really wasn't certain. And I was somewhat confused but yet, here again, I did pick out the picture. Suggestive or not, that's what I picked out.

MR. GODSEY: And the man that you saw in that photograph was the man that you saw in the car?

MR. FITZGERALD: I believe that's correct.

MR. GODSEY: Okay. Moving right along to an affidavit that was provided to you by Mr. McDonough, Mr. McDonough, that you did not sign, I do have an affidavit here that was provided to the Attorney General's office that was signed by Terrance M. McDonough, but now I'm referring to a copy of a sworn affidavit that was provided to you that you did not sign.

I would like to specifically ask you to refer to number 4. It states: When I was taken to the police station, I was shown a photo array but was unable to pick out any of the occupants of the vehicle. Earlier we had discussed this and I believe your words was, that's a lie.

MR. FITZGERALD: Yes. I had told Mr. McDonough the method, how I was given that photograph, and I was uncomfortable with the way--

MR. GODSEY: With the method?

MR. FITZGERALD: --the method that-- However, I

did not Mr. McDonough I was unable to pick out any of the occupants in the vehicle, off the vehicle.

MR. GODSEY: And--

MR. FITZGERALD: I think Mr. McDonough is confused at that point.

MR. GODSEY: Okay. Also, there was-- Just a second.

MR. FITZGERALD: Sure.

MR. GODSEY: Also, in Mr. McDonough's affidavit, in section number 9 it states: Mr. Fitzgerald was told by a prosecutor that if he cooperated and did the right thing and a guilty verdict was obtained that he would be released from jail at the end of the trial and any pending charges in St. Louis against him would be dropped.

Would you like to comment on that statement by Mr. McDonough?

MR. FITZGERALD: I explained to Mr. McDonough that I was incarcerated as a result of fraudulent use of credit devices and that case was pending. I was also detained for an armed robbery that I was later exonerated. However, it took awhile for that case to be resolved. And I stated to Mr. McDonough that I was held there. It certainly would have been resolved shortly, it would have been resolved earlier if I wasn't involved in this particular case as a witness and that's basically what I

had told Mr. McDonough. As far as a deal, as far as me getting a lesser sentence, no, there was no, there was no deal made.

MR. GODSEY: When we had discussed this earlier and we talked about this section, you stated, and I did, too, that he gives the appearance that the prosecutor coerced or forced you to, to identify Mr. Griffin as the shooter.

Did that happen?

MR. FITZGERALD: No. I was not coerced into giving my testimony. I did that voluntarily. And I knew pretty much what was going to take place when the case was pending. Mr. McDonough picked quite a bit of license in orchestrating this affidavit.

MR. GODSEY: Okay.

MR. FITZGERALD: And--

MR. GODSEY: Also, I would like to continue on. In this same affidavit of Mr. McDonough's, number 10, it states: Mr. Fitzgerald was not positive in being able to identify Larry Griffin as one of the occupants in the vehicle from which the fatal shots were fired at trial.

Now, we discussed this earlier and because of appearances, you did have some reservations.

MR. FITZGERALD: That's correct.

MR. GODSEY: And then he goes on to state: He was

also not positive in being able to select a photograph of any of the occupants in the vehicle.

MR. FITZGERALD: Well, that--

MR. GODSEY: That part we've already cleared up?

MR. FITZGERALD: But, in fact, I did identify one of the occupants.

MR. GODSEY: This is an untruth.

Okay. Lastly, and I think this is something that you wanted to talk about, it's a personal thing, about being informed under Mr. McDonough's affidavit, number 11, second sentence: Upon being informed that Larry Griffin was on Death Row as a result of his conviction, Mr. Fitzgerald further reflected and admitted to the wrongfulness and untruthfulness of his testimony at trial.

I would like for you to take a few minutes and explain or to comment on that statement.

MR. FITZGERALD: Sure. Well, I was, I was somewhat shocked that this man was sitting on Death Row for 12, 13 years. I had no idea that the man at that stage, after, after he was found guilty, I didn't--I had no knowledge of the fact that there was another segment to the trial, and that was sentencing and what have you, in terms of getting the electric chair. I had absolutely no idea that it went that far.

And I stated to Mr. McDonough my anger, that I

was, that I was used as a vehicle to electrocute this individual. I have some strong reservations about that method and I, I just wasn't comfortable; that what I had said, I just did not want--I didn't want the burden to be--to come on me. I was just-- I was kind of angry that I wasn't told. And if I was told, I, I don't recall it. But I just wasn't comfortable with the idea that my testimony is going to kill this individual and I had some serious reservations about that aspect of my testimony.

MR. GODSEY: And let me ask you, Mr. Fitzgerald. When you were approached by Mr. McDonough, did you come away with the impression that Mr. Griffin's punishment was as a direct cause of your testimony?

MR. FITZGERALD: Yes. I felt strongly that without my testimony Mr. Griffin wouldn't be sitting in Death Row.

MR. GODSEY: And because of your personal aversions to the death penalty, that caused you some personal concerns?

MR. FITZGERALD: There's a lot of anguish over it, yes.

MR. GODSEY: I understand. Is there anything else you would like to say about that?

MR. FITZGERALD: Well, I, I can understand how Mr. McDonough had interpreted my, my position, number one,

about the method that was used to gather my identification of the photograph. I did mention to him that I wasn't comfortable. I always had this feeling in the back of my mind, this thought in the back of my mind that did I do the right thing in stating that, yes, that was the man when I pointed him out during the trial, when I identified Mr. Griffin. But I couldn't imagine it not being him and I, I often wondered whether or not I was told the right thing, and I shared that with Mr. McDonough. And then, again, of course, I explained to him my position on the death penalty and how I felt, I felt used.

However, looking at it in its totality, I, I, I hope I did the right thing and I'm somewhat comfortable with it now after, after discussing it with several people.

MR. GODSEY: Let me ask you, Mr. Fitzgerald. I have given you the opportunity to, the opportunity to review your trial testimony, testimony from a suppression hearing, and as far as your identification of the man that you observed in that vehicle, that you also observed in a photograph, if you were called to testify before a trier of fact, before a judge, in the future, what would your testimony be?

MR. FITZGERALD: I would have to state that they were one in the same.

MR. GODSEY: Okay. I appreciate it, Mr.

Fitzgerald.

We will end the tape at this time and produce a written statement signed by myself and Mr. Fitzgerald. Thank you.

C E R T I F I C A T E

STATE OF MISSOURI)
)ss.
COUNTY OF COLE)

I, Kaye F. Asel, CSR, Registered Professional Reporter of the firm of Asel Reporting, do hereby certify that I was employed by the Attorney General's Office of the State of Missouri, to record verbatim, by machine shorthand, the proceedings herein; that the machine shorthand notes so made at the time and place mentioned on the title page hereof were transcribed under my supervision by Computer Aided Transcription, and that the foregoing pages constitute a true, complete and accurate transcript of my said machine shorthand notes to the best of my ability.

WITNESS MY HAND AND SEAL this 7th day of September, 1993.

My commission expires February 28, 1997.

Kaye F. Asel

KAYE F. ASEL, CSR
Registered Professional Reporter
Notary Public, State of Missouri
(Commissioned in Cole County)

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