

Transcript of call between Megan and Dave Davis 1/4/97

M: I told you that I talked to her for a little while that night.

D: Yeah. Uh huh.

M: and, um I was gonna, sorta touch base with you guys again about some things.

D: Uh huh.

M: Mainly the house and I was going to, if y'all want, I can sort of take the ball on that thing and start interviewing real estate agents and start trying to fix, deal with the insurance company and hopefully fix the back area of the house and you know possibly as soon as possible put that thing up for sale to see if we can sell it.

D: Uh, well I mean, are you willing to use the money put in for Scott's defense?

M: Oh yeah, I don't want anything from the house.

D: Ok, that would be great because that would help a lot.

M: I, I just want this thing sold, I don't want anything from it.

D: Who, who is your divorce lawyer?

M: I, I'm in the process, I think I am going to fire him.

D: Um huh.

M: Because I haven't been real pleased with, um, many of the things that he has done and it sort of is continuing. In fact I just tried to call him and he is golfing and he will call me back. But um, I'm possible, like I said, because I keep telling him to do things and, you know, I feel like I am being clear and I feel like I'm understood and I get copies of letters that he has written to Scott's attorney which is very different from the conversation that he and I had.

D: Like, for example?

M: Um, for example, um, from the beginning of this process I said that I don't want anything from the house, I said, you know, either, well, in the very beginning I said, either we can sell the house and split the proceeds or Scott can buy me out. But as soon as all of this happened, I said, you know, let's just sell the house and, you know, the Davis' or Scott can have any or all of the proceeds from the house. I don't want anything. He kept on saying well don't do that,

don't do that. And I said, you know, Keith, I don't care, you know, it's not worth it to me. I don't care. And this is a financial noose around my neck right now and around Scott's neck because, you know, somebody's got to be paying the mortgage and I can't afford to do it and Scott's not in a position to do it and so the house needs to be sold.

D: Right.

M: And um, you know, I thought that he understood that and then I get home and I receive a letter that he has written to, um, Scott's divorce attorney and it sort of goes into Megan doesn't have the finances but, you know the Davis' have unlimited finances to pay this and that is not at all our conversation. That is not at all what I portrayed to him and that is not at all what I wanted to have happen and I am very upset about that. And also, originally when I filed for divorce I said I wanted irreconcilable differences and I guess they just cut and paste documents. And When I got of, he gave me a copy of what he filed after he already filed it and it had cruelty and irreconcilable differences and I flipped out and said this is not at all what we discussed. And he said, oh, you know, that was from a previous divorce and we just cut and paste and we must have just missed that and I will file an addendum. And I said well you are doing that at your own cost, you know, no cost to me. And I said, you know, that's incredibly hurtful and inflammatory and that's not all the case and that's not what happened and um, I expect you to take care of it. And he said he would. And then I find out when I read the papers that it is still listed as cruelty and irreconcilable differences and he sort of fumbled around and said I was going to file it when you reached your settlement with Scott and do it all at the same time. And I said, well you need to get it done and I wrote him a really harsh letter sort of saying, you will do this, you will call the homicide detective and let them know that this was not the case, you will call Scott's attorneys and let them know that this was not the case and you will rectify it in the Courts at no cost to me.

D: And did he do any of that?

M: He said he did and I got a copy and I had to go to his office to sign it, so...

D: When was that?

M: That was, um, three weeks ago or so.

D: Well, if he's done it. They sure haven't told us because naturally we were surprised when we saw that in the paper.

M: Here, let me read, let me go get the letter that I wrote to him and I will read it to you. Um, so, I have hired a criminal defense attorney also just to advise me on this whole process and how it works and, you know, what's going on. Like, originally my divorce attorney told me that I wasn't supposed to talk to Scott's

attorney's and then finally when I hired this other guy, he was like, oh yeah, you need to talk to them. So I was, you know. Anyhow, I wrote Dear Keith, enclosed is a check, is blah, blah, blah, um, anyhow. As I told you when we spoke this morning I am very distressed to find out from the newspaper that my divorce petition still charges Scott with cruelty. Months ago when I reviewed my divorce papers I told you and your assistant that it was very important to be that my marriage to Scott not be betrayed in this light at any time. I said that it is not true and it would only serve to upset Scott and prolong the negotiation. I told you and your assistant to file an amendment stating only irreconcilable differences and that I did not expect to be charged for this mistake. I was told by you that correcting this was "no big deal". As we discussed this morning on the phone, I want this error corrected in the official divorce papers and I want you to speak with Detective Chambers about this matter today. I want you to continue to represent me in all matters concerning my divorce. Any questions about my interview for blah, blah, blah, anyhow, so...

D: Well, uh, I just, I tell you what, I don't know that uh, I mean I would have thought that they would have told me if they had gotten such a letter. Because we were, you know, surprised...

M: Well this was a letter to my attorney.

D: Yeah, but I mean if he wrote, if he did what you asked him to, they sure hadn't told us.

M: Well, if he hasn't done it then it will give me even more grounds because like I said, I went to his office a.s.a.p. to sign the amendment, you know, the amendment ...

D: Right.

M: ...that was set to go be filed with the Court and he said that is was going to be done that day or the next day.

D: Well let me tell you what I would like to do about the house and see how this sounds to you.

M: Okay.

D: Uh, if you can get that handled with Mark. I'd like for Dennis Holcomb. You know Dennis Holcomb?

M: Yeah, uh huh.

D: I'd like for Dennis to do the house because he's got a real estate brokers license. Not that he will necessarily sell it but he knows so much about how to handle this with the insurance company and get it fixed.

M: Right.

D: You know, he can expedite it for us and we can get the money out of it. Which, uh, would help.

M: That's fine with me. However you all want to handle it.

D: Great

M: I just want to, like I said, I feel like that house is a noose around, you know...

D: Well, I mean, all the bills are just running on it. And so...

M: We, that's why it just needs to be put up for sale.

D: Right, every month it's just going to be more bills on it. With the utilities and...

M: Well, Scott and I have, still have a joint account and I think there is enough money in that. I don't use that account, it's Scott's account but I think there is still enough money in that account to pay the mortgage and inconsequential bills, um for this month at least and maybe if we can get the house sold, as quickly as possible, um...

D: Well, we know somebody that wants to look at it but we couldn't let them look at it until it was, we had a release.

M: Well the only thing that I ask is there was \$3,000 that my parents, um, lent Scott and I, and the only thing I ask is that be repaid to them at the time of the sale.

D: Um, hmm. Yeah, you know I lent you 14.

M: Right and,... was it 10 or 14?

D: 14.

M: Okay, so as long as, you know, like I said, if, if all I'm asking is if my parents can get repaid that money.

D: Well, I tell you what. The best thing, I think would be the best thing would be you just to tell Mark cause, no point cause no point in getting me in the middle of it.

M: Who's Mark?

D: You know Mr. Kadish.

M: Okay, Mark Kadish.

D: Yeah, he'd be the one to tell, I'll give you his number in a minute.

M: Okay.

D: And, I would just save time and, you know, I don't wanna..., it's better than having me quote you.

M: Okay, that fine. I will, like I said I have been telling my attorney this from the beginning and he hasn't... you know, like I said...

D: Who was the attorney?

M: Keith Royal.

D: I don't know him.

M: Of Day and Royal, and so I'm, like I said I'm very perturbed with him at this point. Plus, he get keeps, sort of, getting involved and wanting to be a part of this, you know. Knowing what is going on with Scott's criminal trial. Which, I personally, don't want to pay for. I'm already paying somebody to advise me

D: Uh huh.

M: I don't need my divorce attorney advising me.

D: Who is, who did you get?

M: Um, Joe Whitley.

D: Oh, I know him. He is real good.

M: Yeah. He's really great.

D: He is a very nice fellow. Uh, you know, I met him through my work.

M: Yeah, he told me he had great respect for you.

D: And mutual, it's mutual.

M: And that you had done some work with him

D: Uh, huh. And where are you? Are you still working at BFI or are you off or what?

M: Um, I am still working at BFI. I've taken a prolonged leave of absence uh, but I have to go back, and... but I think I am going to look, at this point, at, um, other jobs in other places

D: Uh huh.

M: With other companies.

D: Yeah, yeah. Yeah, I mean this is having a devastating impact on everybody.

M: Yeah, you know, there is not one area, I guess in all our lives that this hasn't impacted.

D: What do you think happened. What is your theory?

M: I have no idea. I mean, everybody keeps asking me that and I'm just going to take the position of, I'm going to let everybody do there job and uh, you know, I, you know, certainly Scott never showed me, in our marriage or our time together that he was ever a violent person, that he was ever a jealous person, that he was ever, you know, I never saw any of that in him. And I have told everybody, the police, everybody that. Um...

D: Well, you know, we wanna... go ahead I didn't mean to interrupt you.

M: No, that, I mean so, I'm just, you know, gonna tell the truth, you know, and, and that's all I'm here for.

D: Well, I went up, you know, road up to the uh mountains with him, Thanksgiving. And we talked about it the whole way up there and, you know, he said how much he loved you and didn't want to get divorced but he certainly didn't seem jealous and he wasn't angry he was just..., I guess, he just wanted to persist in, that is one of his characteristics, is he's persistent.

M: Right, I know.

D: But he wasn't angry, he wasn't, he didn't say anything about being jealous

M: Right.

D: And, uh, when I saw you that night with John

M: Uh huh

D: You know, I asked him, is Megan dating John?

M: *Laughs.* Oh, god.

D: And he said, I don't think so.

M: *Laughing.* No.

D: So, uh, well, you know John.

M: Well, I know John that's why I would never date him!

D: Yeah, yeah, well John's always, I mean, I know he has always admired you, so I didn't know. And he said, he didn't think so and he didn't seem upset about that. And then...

M: You know, I mean, I was very open and honest with Scott about who I was dating and what I was doing and he let me know that he had been out on some dates too and that he was, you know, that he didn't like it but he was going on and you know, I felt like, you know, I felt like he was handling it, I felt like sometimes he would get real upset and he did call me a lot and sometimes inappropriately so. Um, but, you know, but, you know, that wasn't uncharacteristic of Scott either. I mean, he had always done that any time we had broken up.

D: He'd get on you and get after you?

M: Right, I mean, so it's not like, all of a sudden it just started, I mean, (laughing) he had done that every single time.

D: We yeah, I guess that I what you are taught in boy school that is kinda supposed to do, if you care, you stay after them, you don't...

M: I mean I didn't see any ____, in terms of Scott, you know, showing up at my door, showing up at work or, you know, certainly showing up at David's house or anything.

D: What would he have to gain. It doesn't make any sense to me. He wouldn't...

M: I have no, like I said, I don't know anymore, I don't know, I, I, I've been, it's been great to be out of town because I haven't talked to anybody. Cause before

the police were constantly calling me and, you know, the attorneys were constantly calling me and, and, you know, I just finally decided to let everybody do their job and I'll cooperate with everybody, you know, and, um, and I um, I hope that everybody does the same.

D: Well, it's just turned my life inside out. I feel sick.

M: There is not a second, I mean, I, god there's just not a second that goes by that I don't think about all of this. And how many lives that it's destroyed and changed forever and...

D: You know, it's like I told you that night, at that Gorby Reece party, I felt first, like I lost you, and, you know, that was hard and now it's like Scott's gone, we can't touch him and you know, can barley get to him. I just feel grief and heartbroken.

M: I can't even think about him where he is right now, I mean, I can't, I can't, it just ____ me.

D: Yeah, well...Um, well let's see. What else do I need to ask you about? Um, Harley is okay? He wants to know about Harley.

M: Oh, yeah Harley is great.

D: Where is he?

M: He has been staying at Clayton's house. While I was out of town but I think Clayton's getting sick of it so, I'm going to pick him up and he will stay with me.

D: Okay. And Mutt?

M: He was freaking out for a while, I think he was pretty traumatized by the fire and the gunshots and then being outside for five days, so...

D: Yeah, we tried to find him and feed him. We went over and looked for him, Bret looked for him.

M: Yeah, I know he was pretty traumatized for a while, but...

D: I don't know how he got out cause I went over there and feed him a couple of times.

M: Uh, huh. He's tricky. He loves a...

D: He was real hungry. He must have sneaked out sometime when I didn't see him. Um, I saw your other cat last night, uh, Little Kitty.

M: Oh, Little Kitty.

D: Uh, huh.

M: I thought you meant Taylor. I was like, no, I've got Taylor.

D: Yeah, Little Kitty I saw. I was over at the Baird's house.

M: Well, how is Mutt doing?

D: Mutt's doing good. Uh, he's being taught not to jump up on you.

M: Good luck. We were never very successful at that.

D: Yeah, well, he is kind of getting the message. And uh, Mutt is uh, just a friendly, sweet, loving dog, you know, just a wonderful dog. He's come over and visited Mischief for a little bit. And, uh, they're kinda getting along okay but whenever Mutt comes, our cat, you know, Max going and hides completely and disappears. So, you know, that makes it tough, he doesn't come out for about a day. Excuse me. Uh, let me see if Joan wants to ask you anything. Hold on.

Joan. Megan's on the phone. Do you want to talk to her? I want to speak to her before you hang up.

J: Okay. Hey.

M: Hey.

J: How are ya?

M: I'm, you know, um, you know. Just hangin on.

J: Just hangin on.

M: Like everybody else, I guess.

J: Well.

M: Get up in the morning and, you know, keep going.

J: I know.

M: Hard as it is sometimes.

J: I know.

M: I was just talking to Dave and I think we've come to some agreement and I will confirm in writing and also verbally to Scott's attorney that, you know, my only interest or intention right now is to get that house sold and any and all proceeds can go to Scott and you all and I am not interested in any of that.

J: Well. I'm glad, I don't think there going to be any but at least we can get it done.

M: Right, no I just want to get that... and he also said that, I offered to take care of, if, if ya'll wanted, um, interviewing real estate agents and dealing with the insurance but he thought maybe it would be a good idea if Dennis did that. And if Dennis can do that I'd be great.

J: Yeah. That's probably, probably the best thing. I mean he knows in and outs of ways to do things. So...

M: The only thing that I ask is that, um, my parents loaned Scott and I \$3,000 at the time of closing and if we could add that in debt that is to be repaid as part of the mortgage, um, that is the only thing I ask. I don't care if I take a hit but I hate it that my parents keep on taking hits on this whole thing.

J: Well, I can't answer to that.

M: Right.

J: Cause, I don't, I don't know. You know? Um, I just don't think there is going to be anything left, but anyway. For anybody to get anything Megan, I mean for us to get ours back either.

M: Um hum,

J: I can't believe that there would be unless, I mean, some miracle happened.

M: I mean, I think that some people, I mean that house, you've gotta remember, that house had 5 offers on it in 24 hours.

J: Yeah, (to Dave, uh your saying one thing and she is saying another), I know, I hope, I hope your right.

M: So, I we can just work out how ever much it takes to pay you all off and the mortgage company and hopefully my parents and pay the real estate fees and put it on the market for that amount and you know, if it doesn't sell for that amount.

J: Right.

M: And, you know, if it doesn't sell...

J: Uh huh.

M: Then we can...

J: Right.

M: review and start lowering it and, you know...

J: I know. I am just so tired this morning; I just don't feel like talking.

M: Okay.

J: But Dave wants to speak to you one more time.

M: Okay, well...

J: Just a minute.

M: Okay.

D: Yeah, I mean, I don't want you parents to loose any money either, so...

M: Yeah, I don't want anybody to loose any...

D: Well, let me just give you Mark's number and you can call him. Lets kinda let him do that with you, cause it would be easier.

M: Let me get a pen.

D: Okay.

M: And I will offer this letter to him to too, that I wrote to my attorney...

D: Great. Great.

M: just to let him know that, that was expected to be done and...

D: Great. The quicker we can do it the better off we'll all be, on that for sure. Cause the longer it runs, that is just money down the tube. I mean, you can't even, even if you paid it you wouldn't be able to deduct it, I don't think, form your taxes. Okay, Mark has got, he calls this his everywhere phone.

M: Okay.

D: 713-5858 and his cell phone...

M: And his last name is what?

D: Kadish. K-a-d-i-s-h.

M: Okay.

D: And Scott has authorized him to handle the divorce. In stead of Mr. Levine because Scott can't pay Levine anymore.

M: Okay.

D: Uh, and then he's got a cell phone 626-8204

M: 626-8264?

D: No, 8204.

M: 8204.

D: And then he's got home 816-8997

M: 816, I'm sorry?

D: 8997.

M: Okay.

D: So, but I'd try the first one.

M: Okay.

D: Great.

M: I will do that.

D: Thanks a lot. Bye.

M: Bye-bye.