

Lee Spitalnick
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CASE NO. 05-11012

Spitalnick was interviewed on May 9, 2005 by T. M. Huhn at his residence. He was informed that the interview concerned a meeting he had with Scott Davis in December 1996 and that the information he provides will be going to the attorneys representing Scott Davis. He agreed to be interviewed and furnished the following information.

Spitalnick advised that approximately three weeks ago, Carter Jackson, an investigator with the Fulton County District Attorney's office, contacted him and spoke to him for approximately 30 minutes. The conversation was recorded and Jackson asked about the meeting he had with Scott Davis on December 10, 1996. During the meeting with Jackson, he recalled the first meeting around 10:00 AM that day with Scott Davis but did not recall the second meeting until he read the interview that was conducted by Dennis Miller. He told Jackson that there was a second meeting but could not recall exactly when it was. All Jackson asked Spitalnick about were the events that he recalled on December 10, 1996 in the meeting with Scott Davis.

Spitalnick was asked to review the interview that was conducted on January 6, 1997 by Dennis Miller. He reviewed the interview and stated that it was true and correct and he then recalled that the second meeting that he had with Davis was before lunch on the same day. He is sure that the information contained in the interview that was conducted on January 6, 1997 is more accurate as his recollection would have been much better then than now, eight years later.

Spitalnick read the interview and stated that it was true and correct and he initialed the first page at the top and bottom and then signed it as being true and correct. He read the interview dated April 16, 1997 and, again, stated that the information contained on that interview is true and correct and he signed it.

Spitalnick advised that he and Dave Henry were new at Arthur Andersen at the time and this was a low priority project that did not involve a lot of work. He did not recall Roger Pollard being involved in this until Carter Jackson refreshed his memory three weeks ago during that interview. He now recalls that everything happened before lunch and that was the only two times that he had any meetings with Scott Davis.



TMH

Lee Spitalnick
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In Re: Scott Davis
File No. 10-61220

LS

On January 6, 1997, Spitalnick was interviewed by D. Miller after being advised of the identity of the interviewer and the purpose of the interview.

Spitalnick is an experienced analyst for Andersen Consulting and has been employed for approximately 16 months.

Spitalnick stated that his December 10, 1996 meeting with Scott Davis was "the first time I ever saw him." Spitalnick indicated he arrived at the meeting place outside Angela Laughter's office at approximately 9:45 AM to 9:50 AM. Spitalnick indicated Davis arrived at approximately 10:00 AM. Spitalnick recalls that he, Davis, David Henry, and Roger Pollard were in attendance at the meeting which lasted approximately 30 to 35 minutes. Davis indicated to Spitalnick and the others that he had "a lot to do and this was a very low priority." According to Spitalnick, Davis "passed this project on to Roger to be assisted by David and Lee." Spitalnick indicated that after the 10:00 AM meeting he and David Henry had additional questions.

At approximately 11:15 AM to 11:30 AM, Spitalnick and Henry went to Bill Brown's office on the 27th floor to speak to Davis about these questions. Spitalnick stated he and Henry found Davis working in Bill Brown's office and that Davis was "busy, but took time to explain what it was he wanted done." Spitalnick noted Davis was dressed in the same clothes he had been wearing earlier and that he detected no unusual odors on or about Davis' person. Spitalnick stated he was seated approximately two feet away from Davis in Bill Brown's office.

LS

Spitalnick indicated that there were some computer files transferred by Davis to Roger Pollard's computer at some point on the afternoon of December 10, 1996; however, he was uncertain as to what time those files would have been transferred. Spitalnick stated these files would have been from the "Power Point Presentation."

*I have read the above statements, they are true
to the best of my knowledge.*


DAM

Lee Spitalnick 5/9/05

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On April 16, 1997, Spitalnick was interviewed telephonically by D. Miller after being advised of the identity of the interviewer and the purpose of the interview. Spitalnick was originally interviewed on January 6, 1997 and after being advised by Attorney Bruce Morris, this investigator learned that Spitalnick had been interviewed by a representative from the District Attorney's office on Friday, April 11, 1997.

Spitalnick indicated that the individual who interviewed him was a Hispanic female named Brenda who told him she was "new with the District Attorney's office," having worked with the DA for only one week. Spitalnick indicated that Brenda wanted specific times of his meetings with Scott Davis on December 10, 1996. Spitalnick indicated that he provided Brenda with the same information provided to this investigator on January 6, 1997. Brenda advised Spitalnick that he "would be subpoenaed." Spitalnick voiced some concern at being subpoenaed and seemed reassured when told that we would give him as much advance notice as possible if and when his testimony was necessary.

I have read the above statements and they are true and correct to the best of my knowledge.

Lee Spitalnick 5/9/05

[Signature]
DAM