

David Henry

Telephone: 770-677-4929

In Re: Scott Davis  
File No. 10-61220 DH

On April 16, 1997, Henry was interviewed telephonically by D. Miller after being advised of the identity of the interviewer and the purpose of the interview. Henry was previously interviewed on January 6, 1997 concerning a meeting he attended with Scott Davis on December 10, 1996. After being advised by Attorney Bruce Morris that Henry had been interviewed by an investigator from the District Attorney's office, I contacted Henry.

Henry indicated that he had been interviewed by a Hispanic female who identified herself as an investigator with the District Attorney's office. Henry did not get a business card from this individual and could not recall her name. Henry stated he was treated fairly and spoken to in a businesslike manner by this investigator.

Concerning specifics of their conversation, Henry indicated that the investigator wanted him to "be more specific on the times of my meetings with Scott." Henry stated he basically told this investigator the same things he told me in our original interview. Henry indicated that the DA's investigator told him he could expect to be subpoenaed; however, was not clear as to who would be subpoenaing him, either the prosecution or the defense. Henry indicated this investigator wanted a copy of the page from his day timer from December 10. Henry indicated that he was unable to locate that page and had not been able to fax the District Attorney's investigator a copy of that page.

  
DAM

*I have read the above  
statements and to the best  
of my knowledge these statements  
are true.*

*David F. Hy*

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In Re: Scott Davis  
File No. 10-61220

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

Henry has been employed with Andersen Consulting since April 29, 1996 as an analyst.

On December 10, 1996 at 10:00 AM, he attended a meeting with Scott Davis, Roger Pollard, and Lee Spitalnick. According to Henry, the four met at the end of the hallway near Angela Laughter's office. Henry stated they then went into a small cubicle for their meeting. According to Henry, Davis stated, "I'm too busy to handle this project so I'm going to put Roger in charge and Lee and David can help." Henry stated this was only the second time that he had met Davis during his employment at Andersen Consulting. Their first meeting occurred at a company social/business meeting.

Henry described Davis' demeanor at the December 10 meeting as "busy." Henry stated he did not, in his opinion, see that Davis was agitated, irrational, or in any other means physically or psychologically different than any normal, busy management person with Andersen Consulting.

After the 10:00 AM meeting, which according to Henry lasted approximately ten to fifteen minutes, he met Davis again at approximately 11:30 AM. Henry stated he and Lee Spitalnick had gone to Bill Brown's office to ask Davis questions about the internet project. Henry indicated he was sure that he and Spitalnick went to see Davis before lunch because Andersen's normal lunch hour was from 11:30 AM until 12:00 PM. Henry stated that he and Spitalnick needed to get on

a technical library computer and knew if they did not get on it as soon as they got back from lunch, it would be unlikely they would be able to get on it later in the afternoon was non existent.

Henry indicated that at some point later in the afternoon some time after 2:00 PM, he and Spitalnick had additional questions; however, when they returned to Bill Brown's office, Davis was not present, even though his computer and jacket were in the office.

Henry indicated that at the 11:30 AM meeting, Davis' demeanor was unchanged. He seemed very busy; however, in no way did he seem out of the "norm" for any Andersen Consulting manager. Henry indicated that he detected no unusual odors and Davis appeared to be wearing the same clothes that he had been wearing earlier in the day.



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The Porsche burning was 11:29 AM on 12/10/96 and this with other evidence proves that Scott has a rock-solid alibi and could not have burned the Porsche. APD could not explain this nor could it prove that there were any accomplices. These charges were dropped against Scott because they introduced reasonable doubt into the other charges.