

Gayle Abramson

Subject: Gayle A Interaction Comments.doc

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I am going to try and document to the best of my recollection any personal interaction with G.A. and any indirect discussions and/or comments from people to me concerning her. I am also going to try and point out possible theories on things which I can only speculate on but could certainly possibly be true or could be argued.

OCTOBER, 2004

Back in early October 2004, I made a trip to Atlanta to visit my parents, see friends and to go see the UGA versus Tennessee football game in Athens, GA. On that trip, my friend Dave Sugarman of Mountain View, CA joined me. He did this because I had been trying to get a number of my good friends from California to come make a trip with me to see Atlanta and Athens and attend a Bulldog game. (Note: Originally Kevin Heaning, Dilly Melo and Jason Luckoich had planned to make the trip as well but all 3 backed out for various reasons.) Of importance, I informed the majority of my friends in the Atlanta area of the trip months in advance as I had hoped to get a large group of friends together to go to the game and enjoy the weekend. (Note: I have inserted one of my emails from May 2004 inviting the California folks to go. My point here is that any number of people in Atlanta would have known of my trip and had the DA's office known of this trip, they would have had plenty of advance notice to plan action.)

-----Original Message-----

From: S. W. Davis [mailto:swdavis@sbcglobal.net]

Sent: Monday, May 24, 2004 12:44 PM

To: Dilly Melo; Dave Sugarman; Kevin Heaning; Ward Kelly

Subject: Georgia Bulldogs versus Tennessee

The Bulldogs play Tennessee on Oct. 9th in Athens, GA. I think this would be a great game to go to. We would fly into Atlanta and drive up to Athens for the game. We can party in Athens Fri and Sat night and return back to California on Sunday.

If this date does not work, they play LSU the week before (Oct. 2nd) but this would be difficult to get tickets for.

Who wants to go? Once I know, I can look for hotel rooms, etc. If someone else wants to go let me know too.

SWD

Another email of interest:

-----Original Message-----

From: S. W. Davis <swdavis@sbcglobal.net>

To: Kevin Bottoms <kbottoms@reflectent.com>; Kevin E. Bottoms
<kbottoms23@yahoo.com>; Mike Fierman <mfierman@southstarfunding.com>;
Tiffany <mstiffany999@yahoo.com>

Sent: Thu Sep 09 15:37:13 2004

Subject: UGA-Tenn Oct 9th

Hello guys,

I will be in the ATL and Athens the weekend of Oct 7th - Oct 10th. I plan to go out in Buckhead for dinner and fun on Thursday night if anyone would like to join me and friends from California. Let me know!

Also, I am looking for at least 4 tickets to the UGA-Tenn game. Can anyone help me? Any suggestions?

Scott

When Dave and I arrived in Atlanta, we immediately met my parents for dinner at Annie's Thai Castle and then went out to meet friends. One of those friends whom we had made prior plans to meet with was Tiffany Hart (Mobile #: 678-642-6558). (Note: I met Tiffany through my Dad's old office manager Shauna ?? We became friends back in 1996 through Shauna. Of note is that Tiffany visited San Francisco in Late 1997 when I was living there and met Ward Kelly at a Pharmaceutical conference. They eventually got married and then divorced, but have maintained a relationship that is current today.) Anyway, Dave and I met Tiffany and some other friends out at some Midtown bars and basically just had fun until fairly late at night. Ward Kelly meets us at some point as well.

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At one of these bars, I believe Dave meets G.A. but only for a brief encounter and I don't think they exchanged numbers, etc., but don't know for sure. Eventually, our group leaves to go to a house party which had been planned by someone in the group. I believe the party was located down near the new Atlantic Station area (Note: Tiffany Hart would know the address and who owned the house). We arrive at this party and I find that there are a number of people from Atlanta that I know there and even people whom I knew out in California. More importantly, G.A. is there, supposedly with some male, but when we walk in she IMMEDIATELY joins our group and basically latches on Dave Sugarman. I have no personal interaction with her that I remember. The next thing I know is that Dave tells me he is leaving with G.A. and says basically "I'll call you in the morning to go to the UGA game". I remain at the party and mingle with friends and then leave and go to sleep.

The next day (Saturday of the UGA game), Dave finally calls me in the morning and says he is on his way to meet me at the hotel where I was staying in Buckhead. I have also been trying to reach Ward Kelly at this point to arrange picking him up to go to Athens for the game. Eventually, Dave shows up at the hotel in what I guess was G.A.'s SUV. He basically introduces me briefly and says goodbye to her. I don't really remember the exact words but her reaction was one that led me to believe she had seen me before or knew of me. I say that because I just sensed it. She leaves and Dave gets in my car so that we can go get Ward Kelly and go to the game. Dave tells me that he had had a great time with her and that she was a "Jewish lawyer" which was/is his perfect type. He was really excited about her and had mentioned that she had invited him to join her that evening if we came back to Atlanta from Athens.

We pick up Ward and go to the game. After the game, we came to a point where we had to make a decision about either going out and staying in Athens (we had a hotel room) or leaving to go back to Atlanta to go out. My recollection is that Dave had spoken to G.A. at some point and she had reiterated that she would like to see him again and "bring your friends". So, we decide to go back to Atlanta to go out that evening. Ward and I were to stay at Tiffany's place and Dave was probably staying with G.A. again.

We return to Atlanta and meet up with Tiffany and friends again and then go out to bars. At some point, somebody makes the decision that we are going back to the same house where we had been the night before for another party there. I am not sure where G.A. and Dave are at all points during the evening or actually where I first see her (Dave would need to refresh me) but I remember my first actual conversation with her was at the party again at the house near Atlantic Station (Again, I am not sure of the address but Tiffany knows and who lives there). The first thing I noticed about G.A. was she was very talkative and had a big personality. She did the usual ask questions about me but I don't remember the exact topics. She was very friendly from what I can recall. At some point in the evening, She and Dave go off into other rooms and I am assuming this is when she goes and does drugs with Dave, Ward and whomever else from the party. They come out again and I remember her pretty much just hanging out with our group. At one point, I remember I was sitting out on the porch of the house and talking with her and some guy while they smoked cigarettes. She was definitely there when we (The guy and I) started talking about work, mutual friends and where I lived but I don't know if I ever said my last name.

The group hangs out at the party for awhile and at some point very late, I am told by Sugarman that she is an ADA for Fulton County but also that she had been using Ecstasy and cocaine and had offered him some both nights. I then noticed her demeanor and her eyes and she looked like she was doing something. I was at first very concerned because I immediately thought she might be a plant. When I heard she prosecuted Crimes Against Women I relaxed a little. After trying to remember our discussions, I was not too worried as I had certainly not mentioned the case and I was not drunk or silly. Soon thereafter, I told Sugarman that I am leaving as I did not want to be around her. I then left with Ward to go home to Tiffany's place with her and a girl named Kathy. I slept there that night. Tiffany lives above the restaurant The Vortex in a condominium there on Peachtree.

The next morning, Dave calls and wants to meet up for brunch so he comes over to Tiffany's house. We then proceed downstairs to the Vortex for food and as we walk into the restaurant, G.A. is sitting at an outside table eating and in serious discussion with a black male who Dave is later told was a DEA agent who was working a case she was prosecuting. (Note: Dave told me he thought it was a random crossing of paths but I was not so convinced. Dave was at first I think a little jealous because he thought it was another suitor for G.A.). The situation was kind of awkward but we ate

inside away from G.A. Afterwards, we all parted our ways because I was going to go see my parents for dinner and the others were leaving Atlanta or going elsewhere. I did not personally talk to G.A. that morning.

The following week, Dave informs that he and G.A. have planned for her to come out to visit him in the Bay Area for a long Halloween weekend and for her to see Palo Alto and San Francisco. I inform him to keep her away from me and my house and to certainly not mention the case or my last name. He does that until he decides he wants to go to "The Exotic Erotic Halloween Ball" at the Cow Palace in San Francisco. I had had plans with a big group to go and I think his friends had cancelled on him or something of that nature. This Ball is a huge event where literally 15,000 people dress in Halloween costumes usually extreme in nature and focused on sex but there is also just regular folks dressed for Halloween. As discussed, I wore my CTU costume from the prior year to be "Jack Bauer" on Fox's "24" because I always get the Kiefer Sutherland comments on my looks. Dave was a Devil and Gayle wore some really short and revealing red dress.

Over the course of the evening, I really tried hard to avoid G.A. and hang with my other friends that were there but that became difficult because my friends were in a VIP area and I had not gotten the pass because we were late to the event. Also, G.A. started acting very weird and was kind of ignoring Dave and either trying to talk to me and hang around me or she would just disappear and we did not know where she was (Note: I am assuming she was doing drugs but don't know. It might also be interesting to see her cell phone records at this point for that night). Anyway, I eventually lose Dave and G.A. to find my friends. At the end of the evening, I talk to Sugarman and we try to figure out how to get a ride back to the places we were staying in SF but G.A. had disappeared. So, we go outside and get into the parking lot and start calling friends who are there still and look for cabs. When Dave was off somewhere, I see G.A. pulling up towards me in a huge and loud SUV with about 3 large black males in it. I could not figure what was going on because Dave had been trying to track her down. She calls to me to come over and acts very friendly to me and says basically that she met these guys and they were "cool" and could give us a ride but that she felt a little scared by herself. I suggested that she just get out and we would find another ride but she did not want to do that and was pretty adamant she was staying in the car because getting a ride would be difficult and she seemed upset with Dave. So, I call Dave and tell him where we are and to come

meet us quickly as we had a ride. I get in the car and immediately Gayle pulls out some cocaine and does it with the black guys. They offered me some and I refused telling them “thanks but no thanks”. In a couple minutes, Dave finds us and gets in the car and I could tell immediately he was not happy with her and she was basically blowing him off with her attitude. We take a ride to San Francisco while she and a couple other guys continue to do cocaine. We finally get into the city and get out at someone’s house that is having a small party. I walk in briefly and it was a weird scenario and it looked like a small part where drugs would be the main focus. I did not know these people so I immediately left and got a cab to where I was staying at Kevin Heaning’s house in the Marina section of SF. That was the last time I saw G.A. personally.

Apparently a couple of weeks after she left SF, G.A. tells Sugarman she does not want him to come to Atlanta as they had planned for some reason I don’t remember but I remember thinking it was a strange one.

MARCH 2nd, 2005

Then on March 2nd, 2005, I came to Atlanta to see my parents and do some work for about a week. I remember that the first weekend I was in Atlanta; I met up with Tiffany Hart and her friends again. We again ran into the same set of people who I believe both G.A. and I knew. I saw a number of these “cross-over” friends out in bars, at a party at the same house we had attended parties at in October 2004, and a few even briefly came over to my parents house with Tiffany. During the time I spent with these folks, a few of them mentioned G.A. and asked about Dave Sugarman and what had happened between the two. They also said that they thought G.A. would be attending some parties that people were having. I also was told later that someone had supposedly called her and told her that “her California friend Scott was in town” or something like that. It is hard for me to remember who said what or exactly when these things were mentioned because I had planned to simply avoid going anywhere that she might be and I even tried to get Tiffany to find out for sure where G.A. would be so we could avoid her. On this trip, I never saw G.A. myself but that does not mean she was never at the parties we attended as they were crowded. Of note on this trip, I ran into a guy named Chris Pickett who used to work for me at Agile Software in California. As it turns out,

he was very good friends with all these folks that were having the parties at the house near Atlantic Station. He apparently was going to Grad School as I remember.

The bottom line is that many of the people in this group knew my story so it would be hard to pinpoint whom might have been talking to G.A. or even conspiring with her if that was the case. According to Tiffany, the folks who owned/rented the house with all the parties were big drug users and many of them have done drugs with G.A.. Tiffany says that it was "common knowledge" that she was a big partier. I personally never saw any drugs at these parties but it would not surprise me that people would have been doing it back in some of the bedrooms. Sugarman would know better as would Tiffany probably. To the best of my knowledge, Tiffany is not a drug user but I know some of her friends do use drugs at least casually. Anyway, I don't think it would be too difficult to get some names of folks in Atlanta who would have seen G.A. doing this stuff.

GENERAL THOUGHTS

- I don't know if G.A. or the District Attorney planned this or not from the very beginning, or it just fell in their lap, but it smells very BAD and there many things that I wonder about. I think it is very reasonable to claim that they violated my rights.
- My opinion is that regardless of when G.A. knows who I am, the D.A.'s office tried to either use her to get information or tried to conceal her involvement. I am 99.99% sure that Paul Howard knew of G.A.'s interaction with me before Chambers came out to Palo Alto and that they tried to use her interaction and knowledge against me. G.A. is never mentioned in any discussion on those wiretaps until after Sugarman is interviewed by Chambers, and Chambers is asking questions that he could have only been asking had G.A. discussed things with them. When Chambers asks what I wore as a costume for Halloween, it was a dead giveaway that G.A. had been speaking to them. Only she could have known what I was wearing.
- The timing of the first wiretap application is right after my March visit to Atlanta. Having Rand as the supervisory ADA is no coincidence.

- No matter what, it stinks of prosecutorial misconduct to me and I would guess it would to a lot of other people.
- Also, I would think that having such a high-profile ADA using drugs would be a huge embarrassment for Howard especially since she was the prosecuting ADA for Brian Nichols. Could it jeopardize cases she was involved with?
- Also, who knows what she might be involved with if she is a big-time drug user and what does that say about possible other ADA's she might have spent time with socially including her fiancé. He had to have known she was doing this stuff. Who else did?
- Obviously, I think the D.A. and Chambers have crossed the line legally or at a very minimum, ethically with this and the wiretaps visit to California. The question is how do we leverage this on top of the exculpatory evidence in our discovery to try and knock this case out? I would think if they now see what is facing them on the case, they would have to be less confident about winning or even proceeding. With the wiretap controversy in the news and all the recent prison releases of convicted people that were found innocent based on DNA, public opinion is probably on our side as well because I feel the general public is beginning to realize both the D.A. and the police can be wrong and even unethical more so than in the past.

I realize that this stuff could be huge or could be of little effect on a purely technical legal basis. However if the press got hold of this information, I would think that it would have to be a significant public relations problem for the D.A.'s office in general, and it certainly taints their whole case against me in the public's eyes. I think we have to try and go for a knockout punch on this if possible as their case against me is already weak and significantly based on Chambers' theory with no proof.

I would like to discuss what you guys think on all this before you go see Howard. I know it may be a wait and see approach but I want to discuss options and strategy.

Bruce H. Morris

From: "Mark J. Kadish" <markkadish@bellsouth.net>
To: <bmorris@fmattorneys.com>
Sent: Wednesday, February 22, 2006 5:27 PM
Subject: [Fwd: what else?]

>
 > From: Rand Csehy <rcsehy@yahoo.com>
 > Date: 2006/02/22 Wed PM 03:30:35 EST
 > To: markkadish@bellsouth.net
 > Subject: what else?

> Professor:

> I would like to thank you for your graciousness in your dealings with Gayle and your kind words to her about me.

> As I advised Bruce, I am available for us to meet at your convenience, should you have any questions for me. I do think that i can shed some light on some of the nagging questions you had for Gayle re: timing. My cell phone is 404.384.1770.

> Again, thank you.

> Rand

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> -----
 > Yahoo! Mail
 > Use Photomail to share photos without annoying attachments.
 >

Christine Bradley

From: S Davis [scottwdavis@mail.anonymizer.com]
Sent: Monday, March 06, 2006 9:24 PM
To: Mark Kadish; Bruce H. Morris
Cc: Oliver.Halle@OliverGHalle.com; Christine Bradley
Subject: SMS messages - wiretap data
Sensitivity: Confidential

Next time one of you guys talks to Rand, please make sure to ask him about the SMS messages in the wiretap.

We need to know if they captured the information of who sent and who received the messages – since that information is not in the data they gave us.

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3/7/2006

3/2/06

Paul Csehy:

S. Davis

Interviews began only after wiretaps began.

Left Chambers on ice until wiretaps were in place.

- Think night of the 18th we began.

* Girlfriend interviewed at restaurant. I was there.

Gayle not asked about.

I know this bc I pulled myself off when Gayle's name came up. So I wouldn't have been in on her interview.

XXXX

J. Davis

2/21/66

Interview of Gayle Abramson:

Fell out:

1153 Club - football house. Dave Sugarman + 2 friends. [△]

Went to friend's house. Friday.

(March 11, ethnic shooting).

Next day Sat football game.

Met us after game at engagement party. △ maybe there - OK

References to the case.

I mentioned I ADA but no discussion.

I made plan to visit Sugar at Hollman. Palo Alto

Sat in Sausalito. Hollman Party Cas Palace in SF.

△ went up us. No idea who he was.

Very sexy costume.

Me, Sugar, △ + others. Got requested.

DR Wade Kelly.

Know I'm w/ SD but name didn't ring bell.

Sugar + I can't get in - No fix.

To fall + skin knee.

2 beers earlier + 1/2 drink in limo.

Into infirmary. Back to Sugar + he has drink for me -

I felt like I'd pass out. Sat in bleachers. w/o Dave.

Assaulted in a way - 2 Hispanic guys.

Hands up my skirt.

Bartholom laying on floor. Gribbed woman for help.

Sugar had all my ID.

12:00 AM PT I call Rod from Sugar's phone. ^{Sugar yelling at me for disappearing}

Asked Sugar + △ to find me ride home to hotel.

Sugar pissed off.

△ want to find us ride home. Thank God for △.

△ finds us ride w/ 2 or 3 black men. They going to Irish house + then they'll take us to our hotel.

Helping Sugar, thank God for △. Could rely on B to get me to safe situation.

Arrive at place - townhouse.

DR what happened there. 10-15 people there.

Sat AM
Sugar wanted
sex. I
didn't. He
upset. Left
in ambulance.
Then Sausalito
Great time.

98 - inter
99 as ADA - 6/01 to women + children

Garage - felt like I'd black out.

Told Rad some kind of gang bang but I DR it.

Things there.

Drove back to hotel. Sugar was - fighting.

5-7 guys into room. I think Δ there.

Dadst comes in w/ bottle of X.

I left + went outside. Called Rad. DR content.

Back into room to pick.

To airport. I'm telling Sugar he's on xis.

* Didn't see Δ do drugs. Know nothing bad about Δ.

Flew home.

Still feeling sick.

Went to friend's house.

- Week or 2 later Sugar called - coming to Del.

Rad there when I called Sugar. Told him I couldn't believe
he so unsympathetic.

* No mention of Δ yet.

Hadn't met Chambers.

March 11 - Rad to w/o to Calif. Othome shooting. Went out
there but
called back.
Called off.
Back on for a while.

* Now dating Rad. I intend to go w/ him.

Sat - We go to Pres Acto.

Chambers comes next day - Samuel L.

I visit for.

I don't know what the case is.

Rad comes back. All I know is wire.

Next day they gone all day.

Rad come home 11:00 PM. Rad white as ghost.

Shows me pic of Sugar. Who is this?

Who you with w/ Sugar? Scott. Davis? Yes.

Any conversation about in court yet - ? No

Tell them ADA? yes.

Natasha

Rand left to go talk to Ricky.

Told me it SD.

Wed night

Said he'd have to remove himself from investigation.

Chambers press conf next day.

I'll be a witness - I'll coop + tell Ricky what happened.

* Rand said he couldn't do anything else.

Next night dinner w/ Natasha.

(Had socialized w/ Chambers previously)

Friday

~~Go home next day~~. Chambers ~~to~~ goes home.

Sunday

Back to Palo Alto - straight to Bureau.

Rand told Sheila.

PT didn't ask about dump.

Explain inadvertent meeting w/ Δ.

Caroline;

* No Qs about SD.

PT said need to have US ~~only~~ interview you.

[Coker suggest my presence in.

" " " " " " SD

[Could have done coke in car after Car Police

I upset, crying. PT not sympathetic.

Did wire continue?

Announced my leaving early May. Left May 30.

- Problem setting up

Rand:

Went out Sat. Tues started waiting. ^{new info.}

Manifesting began day before press conf.

PT told us Ricky went off on his own - truth
But Sheila knew. ^{revenge}

PT pulled me off.

Night 2 press conference looking to type of recordings.

Sunday says maybe AT is leak.

Ricky said you guys have leak.

I went + listened at Palo Alto.

I knew it was Gayle. Told Ricky

Interviewed Gayle.

I off case. Other than to keep eye on Ricky.
Sheila took over.

By Friday K & Morris knew from Pkt + Fred A
so it was really over.

kept pen register going but not talk.

- Captured in Calif + relayed to Atl.

Recorded in Atl. Played over the phone
from Atl to Calif for me to listen to.