

1 MICHAEL GOODWIN, IN-PRO PER
F69095, B-2-147L HDSP
2 POB 3030, SUSANVILLE, CA. 96127

3 THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

4 THE PEOPLE

5 Plaintiff & Respondent

6 v.

7 MICHAEL GOODWIN

8 Defendant & Petitioner

CASE# _____, RELATED TO CASE
GA052683-01, 2nd Dist. Appeal B197574
AUTHORITY, EVIDENCE & ARGUMENT IN SUPPORT OF
THE MOTION FOR DISCOVERY FILED 6/9/11 PER THE
AUTHORITY OF IN RE: STEELE 32 CAL 4TH 682.
SPECIFICALLY RE: 16 (SIXTEEN) INSTANCES OF
MATERIAL FALSE TESTIMONY BY PROSECUTION EXPERT
& FORENSIC CPA KAREN STEPHENS KINGDON.

9
10 In this Penal Code (PC) 1054.9/LWOP case, pursuant to the authority of in re:
11 STEELE, supra, 10 Cal Rptr 3d 536, 542-7, BRADY V. MARYLAND & its progeny, HINES
12 V. SPR. CT. 25 Cal Rptr 712, 714, BARNETT V. SPR. CT. 54 Cal 3d 283, 295, 306,
13 316, 319 (later ruling @ 50 Cal 4th 890 leaving those rulings intact) MURGIA V.
14 SPR. CT. 15 Cal 3d 286, 293 & many other cases/statutes that support this, and

15 The MOTION FOR DISCOVERY with supporting exhibits which was filed with this
16 Court on 6/9/11, plus the additional proof provided by the evidence & argument
17 attached hereto, *petitioner respectfully files this augmentation to that certain
18 DISCOVERY MOTION, underscoring the need for the evidence listed in exhibit ii
19 here relevant to prosecution financial expert Kingdon.*(& Vol II, exhs. 10-13)

20 This list is not all inclusive. It relates primarily to evidence needed:

21 **PROVING THE 16 INSTANCES OF FALSE TESTIMONY BY KINGDON IN EXHIBIT i^a**

22 Plus some other misconduct/false testimony of which we are aware but do not
23 wish to, nor have an obligation to disclose at this juncture.

24 Attached is exhibit i) the list of the 16 false testimonies, many of which
25 should qualify as perjury, & are alone enough to require reversal, exhibit ii)
26 a list of specific items of missing evidence for Kingdon. These are to be included
27 within the bulk evidence requested in exhibit B, & iii) pieces of evidence/proof
28 that certain material pieces of the requested evidence exist & are suppressed.

a) Many of which qualify as material perjury although
establishing that level of burden is not required to reverse. Michael Goodwin

FALSE TESTIMONY ON 16 MATERIAL ISSUES BY D.A. EXPERT KINGDON REQUIRE REVERSAL

All exhibits referenced here will be in Vol I or II of the filings made in April 18 & May 30, 2011 if they are numbered, & in the exhibits with the discovery motion if they are alphabetical.

This is the briefest of summaries of the material perjuries and/or items on which D.A. financial expert Karen Kingdon, who worked on the case for five+ years, testified materially falsely. She was the most prejudicial re: motive.

1. "My understanding that this investment, like all of the Goodwins' investments, were made with commingled funds from both Mike & Diane" CT 3-779 & Vol 18-6768:27 (similar in the second quote)

Kingdon was testifying about the most material investment of the trial, JGA/Whitehawk, which the DDAS falsely alleged belonged to my bankruptcy (BK) estate because of the commingling allegation, that I illegally sold it, in essence stole the funds, & fled with them as part of a murder plan.

But, none of that was true. A prior Court had ruled that the money Diane took from this investment was hers, was legitimate, that it did not belong to the BK. See exhibit 12 to Vol II.

And, Kingdon knew she was lying. See her report at bp 10122, attached here, where she confirmed that Diane did not buy JGA/Whitehawk^a (JGA) at all, that the company pension plans did. The law is clear that those are not commingled funds. There is also a mountain of other evidence proving that JGA was not purchased with commingled funds, & that Kingdon, plus the DDAS (Deputy District Attorneys) knew this but lied.

2. But, it does not stop there. Kingdon testified "...like all of their investments..." (emphasis added). The only other investment of note that was addressed at trial was Desert investors (AKA Palm Desert Estates) which Diane sold for \$215,000, almost 40% of the total funds Diane got which I got blamed for, unlawfully. But, Kingdon had also reported that this was legitimately owned as separate property by Diane, bp 10215.

3. "Diane liquidated her investment in JGA in May, 1988, did not maintain her investment after that;" Vol 19-6927:22 onto 6928. And, "Liquidating is selling;" Vol 18-6767, Vol 19-6908:17. Accurately paraphrased.

Then DDA Jackson, in one of the largest FRAUDS ON THE COURT re: motive of the case argued "Mike sold all of Diane's interest in JGA which was really his interest in JGA since he had been hiding assets in her name;" RT-8783:24 & Vol 6-2740:25, accurately paraphrased.

But A) JGA was never sold, it put over \$2,000,000 into the BK estate after May, 1988 when Kingdon testified that Diane had no longer maintained her investment in it, & B) it was never hidden in Diane's name or in any way. It was repeatedly offered to pay the Thompson debt. See exhibits 11 & 12 in Vol II for conclusive evidence, but far more evidence is suppressed in i) Kingdon's records, ii) the Clark & Trevithick (Cordell & Bartinetti) records, iii) the BK records. & iv) the records in the DA evidence locker.

Almost all of Kingdon's perjuries can be proven as such with those records, possibly all of them, & certainly the most egregious ones. I will say it just once more that each of these are accurately paraphrased.

4. "The funds from the house sale went offshore;" Vol 18-6779:8-15. This was linked to Diane buying gold coins & sending some funds offshore in May 1988,^a again intended to make it sound like I had illegally taken funds which belonged to the BK & fled with them. These constant allegations of wrongdoing^b were very prejudicial.* They made me sound like a criminal. The jury foreman confirmed in a post-trial sworn declaration that this contributed substantially to my conviction, CT 8-2082.* (These are due process violations)

DDA Dixon argued this "sold his house & investments for gold" at RT-9027 in his rebuttal close, linked to many other untrue, prejudicial claims.

However, the house did not close until November '88 & we took not \$1.^c

a) Legitimately, fully disclosed to Barclay's Bank. We were going cruising & needed a bank with offshore branches so we could easily access funds anywhere.

b) There were 17 allegations of uncharged crimes, all untrue & unsupportable.

c) That is correct. We got not \$1 from the house sale. All rightly went to the BK.

5. "The house was liquidated for cash...(specifically)...sold by Mike & Diane";
Vol 18-6765-6767. This was false for two reasons:

A) Diane nor I sold the house, the BK trustee did, as is required in BK when a trustee is handling the affairs, which was the case here. The law wasn't clarified to the jury on this or anything to do with BK, which controlled all of my financial dealings, including prohibiting me from paying Mickey directly, for about 18 months prior to the murders. That was the only period during which it can be truthfully argued that I may have had the money accessible to me to be able to pay him.

THIS MISCHARACTERIZATION OF THE LAW BY THE PROSECUTION, TAKING
ADVANTAGE OF THE NAIVETE' OF THE JURY, NOT CORRECTED BY MY PD,
WAS A NECESSITY FOR MY CONSTITUTIONALLY INVALID CONVICTION

B) Nor was it liquidated for cash. Two trust deeds were paid off or possibly assumed, although that is doubtful, & the \$17,500 cash equity was taken, as the law requires, by the BK trustee. Very simply, when one is in BK & has a trustee, the intent of the law is that the "trustee steps into the shoes of the debtor", marshalling all assets & debt, per certain precisely defined rules, to maximize the payment to the creditors, ostensibly.^a

This entire group of lies in #5 here, & DDA argument using them as a foundation, with no documents being introduced to support the false testimony, was ~~shrewdly~~ engineered to support #4 on the prior page "the house funds went offshore" & DDA Dixon's mirroring argument at RT-9027. It was designed, & as per the jury foreman declaration, was successful, at creating the impression, a tableaux, that I was ruthlessly stealing assets that belonged to the BK, which should have been used to pay Thompson, because, as the motive alleged:

"Goodwin refused to pay Thompson, killing him instead & fleeing with the funds which should have been used to pay Thompson" (paraphrased)

But it was all a contrived, phony script. I took not \$1 from the house sale, as the suppressed records will conclusively prove, records Kingdon had.

a) In reality 90% of the time, as occurred here, the so-called "trustees" merely line their own pockets while cheating the people they are to protect, mercilessly.

Before continuing with another ten or more of Kingdon's material false testimonies, and/or perjuries, I mention the following re: the all critical law on this:

- It is not significant whether the testimony was intentional, knowing, perjury for purposes of reversing the conviction. All that is required is that the jury was given the wrong impressions. ALBERTA 355 U.S. 28, 2 L Ed 2d 9 (1957).
- "Reversal is virtually automatic if it is established that the government knowingly permitted the introduction of false testimony" JACKSON V. BROWN (9th Cir. 2008) 513 F3d 1057, 1072.
- "A lawyer is not permitted to misstate the law," U.S. V. ARTUS 591 F2d 526, 528 (9th Cir. 1979).

I submit that DDAS Jackson & Dixon repeatedly misstated the law de facto when they falsely alleged that I took funds from the house sale, which was impossible for me to do based on the law. Those funds automatically went to a trust account that only the trustee could disburse from.

Their misconduct is made all the worse by them withholding the very documents that would have allowed us to prove they & Kingdon were lying. See the house sale escrow documents listed in the inventory of suppressed documents in exhibit 0 to our discovery motion.

- As to the DDAS' knowledge of the facts (& law, they are lawyers) the law rules:

"The individual prosecutor is presumed to have knowledge of all information accumulated during the government investigation"
In re: BROWN 17 Cal 4th 873, 879 (1998), 72 Cal Rptr 2d 698, 702.

Thus the DDAS knowingly permitted the introduction of the false testimony, since they are presumed to have knowledge of the truth which was compiled & easily available in the information that had been accumulated in the investigation, but which they chose to suppress to protect their nefarious scheme.

But it goes even deeper. The backbone of the prosecution case would have quickly been exposed as a farce had BK law been disclosed to the jury. The "Goodwin refused to pay Thompson, killing him instead" was fantasy. BK law prohibited me from paying him directly. If I do not get a lawyer who understands this & correctly briefs it, this absurd failure of justice will go on.

1 6. "Mike signed on the boat loan," CT 3-751. Simply not true, & as with all of
2 her false testimony/perjury, the suppressed records will show this.

3 7. "I could not account for the \$20,000 check," Vol 19-6930. This was a check
4 written the week of the murders which the DDAS gave the impression to the
5 jury was used to pay the killers.

6 This was critical to the jury. This was either the only re-read they
7 requested, or one of a very few, RT 9606.

8 But, Kingdon lied. Evidence i've identified in the suppressed records
9 inventory (186 pages, 2100 documents, 10,000+ pages) proves that Kingdon had
10 the accounting showing that \$20,000 check was used to pay on the boat down
11 payment. And, although I don't have access to the dbase she prepared of all
12 of our transactions (which was sorely redacted when we got what we got of it,
13 bp 32277-33397) I believe we will see that she acknowledged accounting for it.

14 I feel that investigation will prove that investigator Lillienfeld & DDA
15 Jackson persuaded her to "forget" this, when they told her that the dbase
16 would not be produced in its entirety (the law requires that the full dbase
17 & all supporting data be produced), & to testify to what they wanted so as
18 to fool the jury & convict.

19 8. "The \$20,000 check was made up of commingled funds," Vol 19-6930-36, 6939-47.
20 Simply not true, but we need the suppressed records to prove this. This is
21 an egregious case of an expert, who is deemed to have more knowledge on the
22 subject to which they testify than a layman, misleading the jury on what
23 constitutes commingling, which is in effect a misstatement of the law, on
24 which the DDAS conspired^a.

25 9. "The boat was bought with commingled funds," Vol 18-6734:19, 6765:14, 6791:14.
26 Again simply not true & as with all her perjury, no records were introduced.
27 Is it not obvious that if they had inculpatory records they would have used?

28 a) Yes, my lawyer should have challenged/objected/clarified, particularly since
I advised her to do so on both commingling & BK law. She was a dolt or sold out.

1 I imagine that the prosecution's defenses to all of this perjury by their
2 witnesses (and some we can prove for the DDAS, see exhibits 10 & 14 to Vol II
3 of the 5/30/11 filing) may be, "it is all so complex...we did not understand";
4 or similar. For that I focus us on Penal Code 125, UNQUALIFIED STATEMENTS OF FACT.

5 "§ 125. UNQUALIFIED STATEMENT OF FACT OF THAT NOT KNOWN TO BE TRUE.

6 Statement of that which one does not know to be true. An unqualified
7 statement of that which one does not know to be true is equivalent to a
8 statement of that which one knows to be false.

9 Although I again explain & stress that it is not necessary for knowing perjury
10 to be proven to reverse the conviction. All one needs is to prove one occurrence^a
11 of false or misleading testimony which might have influenced the jury to
12 reverse. The cases are legion on this including U.S. V. AGURS 427 U.S. 97, 103,
13 96 S. CT. 2392, 2397, GIGLIO V. U.S. 405 U.S. 150, 151, 92 S. CT. 763 & others.

14 However, I cite that law to illustrate how seriously & strict the law
15 treats perjury. Sadly, the people who enforce the law most often turn a blind
16 eye to perjury by their own witnesses & personnel. They in fact most often
17 simply refused to pursue it, having promised the witness they won't be
18 prosecuted if they will just lie to assist the prosecution with their case.

19 That having been said, even if the prosecution/law enforcement was going
20 to "throw Kingdon to the dogs" as window dressing of sorts, I plea for
21 leniency for her. She testified she must care for a special needs child, and,
22 although she is certainly very guilty of the crimes of multiple, knowing,
23 material perjuries, at least 16 as are detailed here, I submit/suggest that she
24 was most probably victimized herself & duped into the lies/perjuries.

25 I do however lobby for the strictest investigation/prosecution possible
26 vs. the people ultimately responsible, investigator Lillienfeld, Deputy
27 District Attorney Alan Jackson, stunningly, a candidate for L.A. District
28 Attorney in the 2012 election, & the L.A.D.A. offices' "2010 Prosecutor of the
Year" I understand, & the kingpin behind it all, the victims' sister C. Campbell.
a) Evidence proves 43 at the LA trial in this case, by 13 different witnesses.

10. "Mike was initially involved in the investments...(those) investments went to cash...that cash went to gold" Vol 18-6738:1-11

Not true. Not one investment in which I was ever involved can be said, from any honest perspective to have generated \$1 that went to gold, nor working backwards, which needs to be done to get to the truth, to the cash that was used to purchase the gold.

In summary, the only gold Di ever bought, & the only gold that evidence indicates (vs. false argument) was in May 1988 with the funds that came from JGA/Whitehawk, \$365,000, which a Federal Judge ruled she was entitled to/neither the BK nor Thompson nor me had any claim to, & \$215,000 from a sale of Desert Investors, which the Judge also ruled no one else had claim to. That was clear in the law since she bought the latter months after I entered BK with funds borrowed from relatives.

BK law is absolute that only assets that exist on the date of BK filing can possibly be included in a BK estate. The BK trustee agreed on this.

I HAD NEVER HAD ANY INVESTMENT IN EITHER OF THOSE ASSETS, NONE.

I've explained Desert Investors, & a prima facie case proving I had no prior investment in JGA is shown in exhibit 12 to Vol II. The only other "investment" that I can recall being discussed/testified to at trial may be the house if one can call that an investment (we did not look at it as such), & I nor Diane took anything from the house sale. This testimony was false.

I expect all kinds of gibberish on this from the State & i'll honestly address that when I hear it.

11."I found evidence that Diane Goodwin utilized funds for large purchases, for instance the boat, that had previously been in Michael Goodwin's name or he had been a signatory on certain investments" Vol 18-6734:19. Again, not true. Not one of the investments I had invested in or signed on paid \$1 that Diane used for the boat or any other large purchase. All were separate funds.

12. "I believe the gold was purchased with commingled funds," Vol 18-6778:10-14.

But, again, it is undisputed that the gold was purchased with the funds from JGA & Desert Investors, neither of which I had invested any funds in. That I invested funds is a requirement for it to be called "commingled".

13. "The bank records show that Mike was initially involved in JGA," Vol 18-6736:8-12. This one will really be interesting. I believe, but i'm not sure, that, as the trustee for the company pension plans which purchased the 14% JGA interest for \$70,000, or loaned another \$275,000 in consideration of a security interest in another 55% share (as I remember it, i'm fuzzy on the exact details^a), I may have & probably did sign on bank records for the pension. Pension law is clear that as long as certain rules/procedures are followed, the pension assets/funds are not treated as assets of the trustee or any beneficiary, including one in BK as long as a proper exemption is filed.

Here the IRS, very strict on these issues, issued a "Favorable Determination Letter" in summer 1987, 18 months after the JGA transactions took place, saying all was kosher with the pension. And, I filed a proper exemption for the pension when I filed my BK. It was never objected to.

Even our enemy the BK trustee admitted that the pension were well structured & the JGA ownership/the pensions should withstand a challenge, in an interview with the FBI, bp 10098-99 (IFNS, investigator field notes, suppressed).

The net of all this is that I never had any "involvement" in the way that the DDAS & Kingdon intended to mislead the jury, "investment" or a claim to any ownership. They again de facto misstated the law.

This one, as stated, will be interesting. If they wish to bring in that I signed on the bank accounts as pension trustee, then they will have to admit they knew they lied that Diane, not the pension, bought JGA, exhibit 12.

a) The records proving the JGA structure are confirmed on p. 30 of the DA doc suppressed records inventory, items number 383, 384 & 386. They prove DA FRAUD.

The true JGA structure & purchase by the pensions^{*} would have foreclosed the prosecution motive foundation since the JGA \$365,000 in May 1988, which the DDAS lied & called a sale, when it was just about 15% of the total of about \$2,345,000 which JGA paid, \$2,000,000 of which went into the Bankruptcy, was intended to pay Thompson & other creditors. Thompson only did not get paid because his own lawyers, prosecution trial experts Cordell & Bartinetti, looted the funds. The reason the BK & C&T files, plus Kingdon's records are suppressed is because they will conclusively prove misconduct by the Thompson lawyers

WHICH EVIDENCE PROVES IS THE ONLY REASON THOMPSON DID NOT GET PAID.

Desert Investors was also "in the mix" but JGA was "the big gun" & to a much greater degree Desert Investors can be proven not to by any stretch belong to my BK. Even the BK trustee agreed to that, BK document #261, page 13, item #25, plus the ruling by Federal Judge John Ryan, and that it was not even created/bought until months after I filed BK. So, it is impossible I had any claim to it. *(See the report on this, final page. I feel Kingdon prepared that.)

14. Wrapping up on alleged commingling which so permeated Kingdon's testimony.

I could go on & on about it since it was questioned/falsely answered I feel, almost two dozen times & much other of Kingdon's testimony supported the false & misleading impression given to the jury on this. However, I cite just;

"The financial records show they commingled in 1986," Vol 18-6778:23

I know ~~that~~ is not true. We wanted to be certain that Diane's separate property, primarily from an inheritance, retained its correct separate property character, per family/commingling law. To insure that we consulted a family law specialist & religiously followed the procedures he designed for us.

There was no commingling, & even if there would have been, it could not possibly have involved the only assets from which Diane got cash, JGA & Desert Investors. Nonetheless commingling was alleged at Vol 18-6733-6738, 6761-6768, 6776-6782, Vol 19-6910-6915, 6945, CT 3-739, 760-61, 767-8, 773+.

1 15. "I believe I called Dolores Cordell one time during the investigation to
2 obtain information," Vol 18-6788:26, on which she contradicted herself by
3 having admitted at the prelim, CT 3-784:1, "I worked with Cordell, yes I did"

4 This is critical because evidence proves that Cordell committed at least
5 14 material perjuries in the L.A. proceedings, in addition to 22 in the
6 preceeding OC case which laid the framework for the L.A. case. Kingdon said:

7 "Cordell was the number 1 source of case information...she laid out the
8 financial (motive) roadmap," Vol 19-6939, bp 32369.

9 Kingdon's knowing perjury at trial on this is also proven by the fact that
10 someone, & it appears it is Kingdon, made more than a dozen notations in
11 reports in discovery, attributing financial input/information to Cordell,
12 "Dolores says..." or "According to Dolores..." or similar.^a We need & deserve,
13 per the law, all of the notes Kingdon made in her discussions with Cordell &
14 others, from which she developed her opinions to which she testified.

15 It is also obvious that this perjury was coached/suborned by the DDAS
16 because they knew we could exploit the bias shown by too much Cordell input.

17 16. "The earliest trip that Mike took to look at boats was in 1988," CT 3-769.

18 This is yet again simply not true. Kingdon also admitted that she reviewed
19 all of the credit card records.* Those records were rife with trips to look at
20 boats beginning in August 1988, & Kingdon had the boat brokerage file which
21 also proved this, bp 26874, CT 3-750, Vol 18-6762 & 6792. *(Vol 18-6785)

22 Even Det. Lillienfeld stated in a sworn declaration that he was aware of
23 travel to look at boats in 1987.

24 Kingdon committed so very much more perjury & misleading testimony. Her
25 entire "turn at bat" was a wall to wall lie which an honest investigation
26 will prove that was cunningly engineered, in a massive Penal Code 182 (1) thru
27 (5) felony, Conspiracy to Falsely Convict/Obstruct Justice, by the DDAS.

28 a) E.g. bps 10096, 10108-12, 10119, 10172, 10175-6, 6100, 6228-30, 8500, 8505-6,
32371, plus "Cordell instrumental in bank prosecution," 01241, in which Kingdon
was immersed. Most of that case was fully entwined with the murder case.

Although evidence proves additional material false & misleading testimony or perjury by Kingdon, exposure of that is not necessary. Only one item of false or misleading testimony which may have influenced the jury is necessary to mandate a reversal of the conviction. The law is ironclad on that.

Based upon recent developments i've adjusted upward the number of material occurrences of false/misleading testimony that evidence will prove, to over 50, from the 43 for 13 State witnesses that I initially forecast. Those include over 40 just for the two investigators, Lillienfeld (8+), Verdugo (1+), & four of the State experts, Kingdon (16+), Cordell (14+), Bartinetti (2+) & Coyne (2+).

Once the suppressed evidence is produced & these occurrences of false testimony are conclusively proven, if the State has any honesty in its cadre of prosecutors, they will not recharge. Let's look at some of the law:

"All records on which an expert relied to form their opinions must be discovered...along with all of their reports"^a HINES V. SPR. CT. (1993) 25 Cal Rptr 2D 712, 714, THOMPSON V. SPR. CT. 61 Cal Rptr 785 (1997)

"Cross exam of an expert cannot be restricted...it is a Sixth Amendment violation to do so...a Judge's discretion only comes into play after the requirements of the Sixth Amendment are satisfied" U.S. V. NOBLES 422 U.S. 225, 239, 241, also see Exculpatory Evidence, by Garland, § 3-4b (2).

"Cross exam is the principal means by which the believability of a witness & the truth of his testimony are tested," DAVIS V. ALASKA 415 U.S. 308, 319, 94 S. CT. 1105, 1112.

The prosecution here prohibited meaningful cross-exam which fell far short of the intention of the Constitution's Sixth Amendment which is designed to fulfill "adversarial testing of the prosecution case," by systematically & intentionally suppressing the very evidence the defense needed for cross-exam. Thus I submit other law to the Court, while reminding the prosecution of it:

"If the prosecution becomes aware of information that casts doubt on the accuracy of the testimony of one of its experts, it is a due process obligation to disclose that evidence if it is material," People v. SEATON 22 Cal 4th 598, , 110 Cal Rptr 2d 441, (?).^b

" Impeachment of a main witness calls for a new trial per § 1181,"^b People v. HUSKINS (1966) 245 Cal App 2d 859, 862.

- a) These reports include reports via communications to others re: findings.
- b) The State is obligated to report the perjury to the Court, NAPUE V. ILLINOIS 360 U.S. 264, 269 & People v. DICKEY (2005) 35 Cal 4th 884, 909.

SPECIFIC EVIDENCE TO BE INCLUDED IN THE EVIDENCE RE: DA EXPERT KINGDON

Per clear law we need & deserve all evidence on which she relied to form her opinions, including obviously any BRADY evidence she knew of or should have known of, whether she relied upon it or not. We need to be certain we receive, within that bulk of evidence, the following items of evidence.

1. What she (she being Kingdon unless otherwise identified) relied upon to reach the conclusion that Cordell was "the #1 source of case information... she laid out the financial roadmap", Vol 19-6939, also similar at bp 32369.
2. All note made in her meetings/telephone calls with Cordell or anyone else at Clark & Trevithick, the Thompson/Campbell law firm, such as Phil Bartinetti. Kingdon confirmed that she kept notes in interviews, Vol 19-6936.
3. All interview notes/witness statements which Kingdon made when she was with investigators when they did interviews, Vol 19-6939, e.g. the interviews she & OCDA investigator Jeff Arnold had with Al Ormiston.
4. The notes which she made when she met with investigators and/or prosecutors to discuss her opinions, and/or her testimony for trial & the prelim. I remind her & the AG (Attorney General) that when an expert testifies the privilege is voided, WOODS 30 Cal Rptr 2d 182, 187, & that "BRADY trumps the privilege", BARNETT V. SPR. CT. (2007) 54 Cal Rptr 3d 283, 319 (the 50 Cal 4th 890 (2010) ruling left this intact), in addition to all records & information on which they relied are to be discovered, THOMPSON V. SPR. CT. (1997) 61 Cal Rptr 785

So that we have no further delay I also remind the prosecution that per BARNETT, supra, 316, we will request sworn declarations on what was done to look for any of the required evidence which is not produced, stating that the evidence does not exist, if it is not produced.

5. Notes made by any party in the meeting confirmed at bp 36807, for 5/19/92.
6. The memo Kingdon sent to Lillienfeld re: the \$20,000 check, noted at 32362.

- 1 7. All communications she received from anyone which included information on
2 which she relied in forming her opinions.
- 3 8. All communications she wrote and/or commented on to anyone which can be said
4 to be reporting her opinions.
- 5 9. Although we should be receiving it within the request for BRADY evidence in
6 the 2100 documents listed on our 186 page inventory of suppressed documents
7 in the DA evidence locker, this is so critical that I reiterate the request
8 here specifically for exculpatory and/or impeachment documents (dox) relevant
9 to Kingdon within those documents.
- 10 10. All information on which she relied to prepare the chart re: the JGA
11 structure at bp 10122, attached here. Also p. C, exh. 12, Vol II, 5/30/11.
- 12 11. All information on which she relied to come to the conclusion on bp 10215
13 which I have noted as her opinion that Desert Investors was Diane's separate
14 property.
- 15 12. The facts & law on which she relied to base her testimony about all of
16 the extensive "commingling" to which she testified between Diane & me.
- 17 13. The original boat loan file, a complete copy thereof, bp 26874.
- 18 14. The list of all SDT issuances/returns in which she participated, copies of
19 the SDTS & the affidavits/declaration used to obtain them, & the returns.
20 Although I want to see all, I am willing to "give away" that I am specifical-
21 ly interested in Mitsui Manufacturers, Maryland, Southwest & Safra Banks.
- 22 15. Her notes of all telephone conversations with banks in Florida with which
23 we dealt, e.g. Barnett Bank, & all correspondence both ways (to/from).
- 24 16. Her notes made in any discussion with Federal authorities re: Diane or me.
- 25 17. Her entire, unredacted database, fully labeled, dated, etc; which is part-
26 ially produced at bps 32277-32367, plus the data she used to build it.
- 27 18. The contents/envelopes matched up & all produced, testified to at CT 3-776,
28 & also at trial. The communication at CT 3-776 is very critical.

19. The JGA distribution schedule she testified to seeing, at Vol 19-6921.

20. Extremely materially, from the pages in the enclosed evidence, the checks listed totalling appx. \$1,022,000 from JGA to Robert Mosier, my Bankruptcy (BK) trustee, items #1255-1258, plus the Whitehawk distribution chart, item #1259. Also, items #383, 384, 386 from the enclosed page noted 30 at the bottom. Those documents will prove that Diane did not buy JGA at all, much less with "commingled funds," as Kingdon testified at CT 3-779:10, & Vol 18-^{*}6768:27. The checks & item #386 from "page 30" will prove that Kingdon testified falsely when she swore under penalty of perjury that "Diane did not maintain her investment in JGA after May, 1988..." (paraphrased, Vol 19-6927 & also on 6928, see Vol II, 5/30 filing, exh 11, pp. H1-H2) ^{*}(Vol II, exh 12, B2-3)

This will also prove material false statements which left the jury with a false impression by DDA Jackson at Vol 6-2740:25, ^{**}& more blatantly false:

"(HE, ME) WITHIN WEEKS (OF THE MURDERS) SOLD ALL OF...WHITEHAWK"

Whitehawk is AKA JGA. Diane's interest in that was never sold & put over \$2,000,000 cash in the Bankruptcy estates with the intent of paying Thompson. This evidence will prove much of that. ^{*}(Vol II, 5/30 fling, exh 11, pp A1-A2)

21. The JGA bank statements, including a copy of the post it that said "income paid" as are confirmed on evidence page "G" in exhibit 11 of Vol. II, items #314 & 315.

22. If permitted/required by law, a sample of Kingdon's handwriting for us to compare it to the post-it note in item #21. That will further prove knowledge.

23. A document supporting Kingdon's testimony at CT 3-751 & for any/all of the instances of testimony which I allege as false testimony in the enclosed.

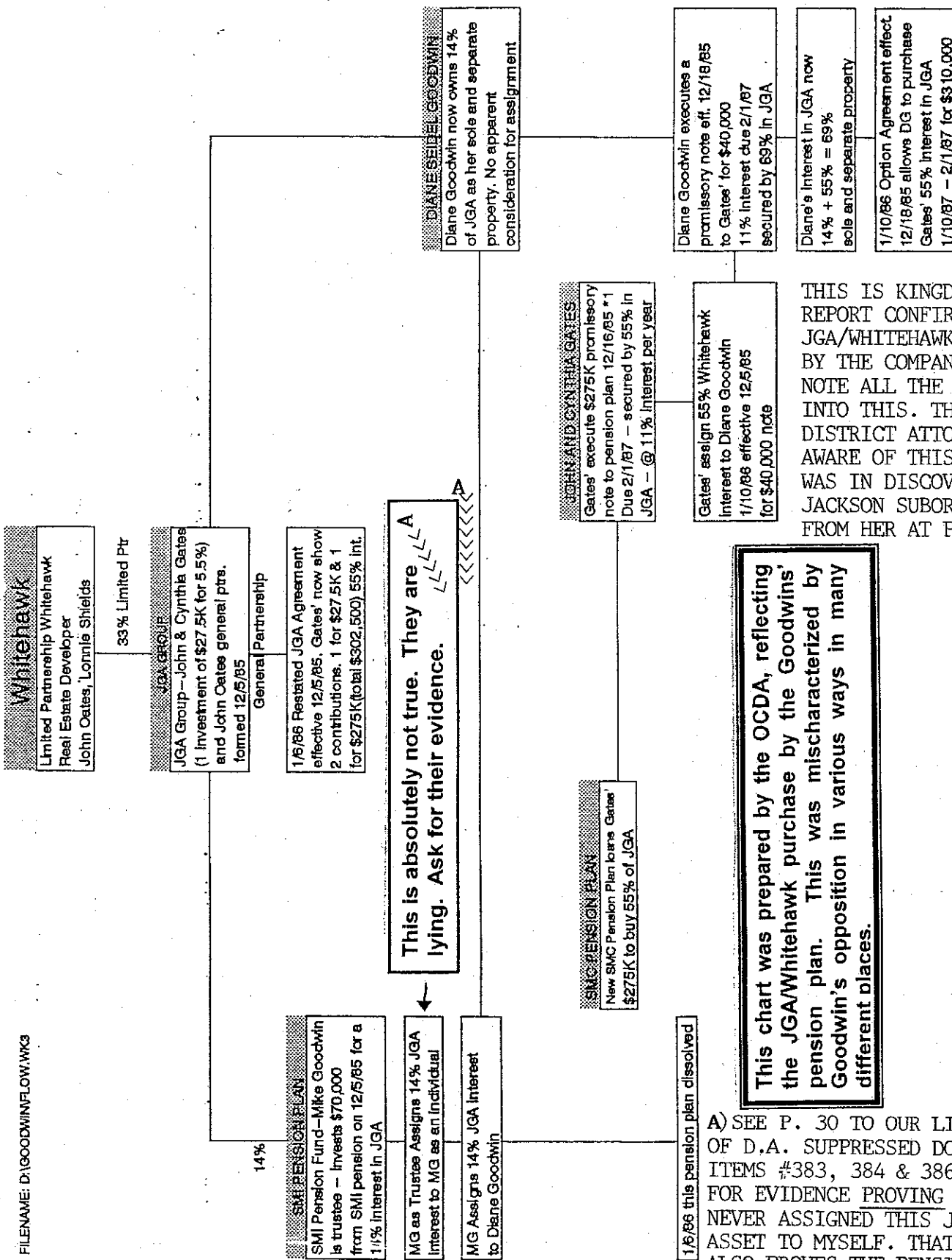
24. All support for Kingdon's report/conclusions at bps 10144-10149 in discovery.

25. The Dolores Cordell files she testified to looking at, CT 3-785

26. The investigator field notes, or if it exists, a tape, for the interview at bps 36807-36808, from all those who were present, all law enforcement.

End for now.

FILENAME: D:\GOODWINFLOW.WK3



THIS IS KINGDON'S OWN REPORT CONFIRMING THAT JGA/WHITEHAWK WAS BOUGHT BY THE COMPANY PENSIONS. NOTE ALL THE WORK SHE PUT INTO THIS. THE DEPUTY DISTRICT ATTORNEYS WERE AWARE OF THIS SINCE IT WAS IN DISCOVERY. YET JACKSON SUBORNED PERJURY FROM HER AT PAGES B2-B3.

This chart was prepared by the OCDA, reflecting the JGA/Whitehawk purchase by the Goodwins' pension plan. This was mischaracterized by Goodwin's opposition in various ways in many different places.

A) SEE P. 30 TO OUR LIST OF D.A. SUPPRESSED DOCS ITEMS #383, 384 & 386 FOR EVIDENCE PROVING I NEVER ASSIGNED THIS JGA ASSET TO MYSELF. THAT ALSO PROVES THE PENSION, NOT DIANE, BOUGHT JGA.

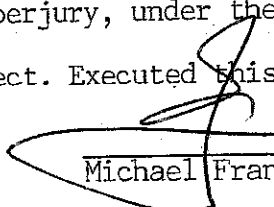
*1 promissory note disbursed to Mike Goodwin per Norman A Mathews WHICH note?

10122

VERIFICATION

1. I Michael Goodwin declare that the following matters, unless otherwise noted, are declared of my own personal knowledge, & if required I could & would testify thereto under oath.
2. All statements made by me within the attached, enclosed or referenced document are known by me personally, with the isolated & identified exceptions that I specifically have or will have attributed to others or identified as based solely on information & belief.
3. This verification/declaration/affadavit swears to the veracity of the enclosed offer to the Superior Court to augment the MOTION FOR DISCOVERY per the authority of in re: STEELE 32 Cal 4th 682, such motion which was filed on 6/9/11.
4. Except that I do not know to a 100% certainty that D.A. financial expert Kingdon herself prepared the chart enclosed here from discovery, bp 10122, in exhibit iii, I swear under penalty of perjury to the balance of my representations, including that the exhibits/evidence enclosed are true & correct. I have added annotations.
5. As to the chart at bp 10122, I attest to Kingdon having prepared that under information & belief. It was right in the midst, in discovery, of other items that indicated right on them that she had prepared them, & it bears numerous hallmarks of her work. She also was represented to be responsible for this area of analysis, & testified to working on the case for about 5 years. Extensvie additional evidence supports this.
6. I specifically swear under penalty of perjury to exhibit i, the list of 16 occasions of false testimony by her, all of which I feel meet the burden of materiality, & many of which qualify as perjury, including subornation by the DDAS.

I declare to the above under penalty of perjury, under the laws of the State of California, that the foregoing is true & correct. Executed this 15th day of June, 2011, in Susanville, California.


Michael Frank Goodwin F69095