

IN THE CIRCUIT COURT OF THE NINTH  
JUDICIAL CIRCUIT, IN AND FOR  
ORANGE COUNTY, FLORIDA

STATE OF FLORIDA  
Plaintiff,

CASE NO: 48-2008-CF-015606-O

DIVISION: 16

vs.

CASEY MARIE ANTHONY  
Defendant.

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**MOTION FOR CLARIFICATION/ TO COMPEL COMPLIANCE WITH ORDER FOR  
ADDITIONAL DISCOVERY**

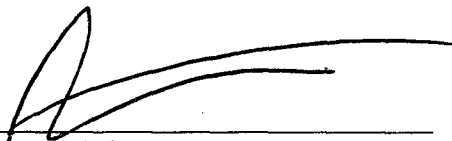
COMES NOW the State of Florida through the undersigned and moves this court to enter its order clarifying or compelling compliance with its order of November 29, 2010 instructing the Defendant to provide additional discovery as to pertains to listed expert witnesses.

- 1) In it's ruling, in response to the State's Motion to Compel Additional Discovery, the court ordered the defendant to provide, as to its listed expert witnesses, " the subject matter of what they will be testifying too".
- 2) In response to that order the State received and email at 10:47 AM this date from defense counsel Jose Baez purporting to comply with the aforementioned order. (See attached e-mail stream with certain extraneous commentary redacted)

The State of Florida believed that, since the court cited the absence of reports from the experts as the reason for it's order, this court intended the compliance to include at least a brief summary of what would have been contained in a report had one been prepared, not a recitation of facts easily gleaned from a quick internet search. It is the State's position that, despite protestation to the contrary, the defense is attempting to avoid compliance with the courts mandate. The State would request the court clarify its order, if the State's interpretation is in

error or to enforce compliance by the Defendant; if the court feels that the information provided by the Defendant is insufficient.

I HEREBY CERTIFY that a true copy of the foregoing has been furnished to Jose A. Baez, 522 Simpson Road, Kissimmee, FL 34744 counsel for the Defendant, on this 1st day of December, 2010.

A handwritten signature in black ink, appearing to read 'Jeffrey L. Ashton', is written over a horizontal line. The signature is stylized with a large loop at the beginning and a long, sweeping tail.

Jeffrey L. Ashton  
Assistant State Attorney  
Florida Bar # 318337  
415 N. Orange Avenue, P.O. Box 1673  
Orlando, FL 32802  
(407)836-2406

**Ashton, Jeff**

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**From:** Jose Baez [jose@baezlawfirm.com]  
**Sent:** Wednesday, December 01, 2010 11:42 AM  
**To:** Ashton, Jeff  
**Subject:** Re: Experts

**[REDACTED]** Okay let me see if I can clarify not only what you know about the list of experts and if you have any questions we can take it from there. The goal here is to work together, right? Please check below and if you have any questions let me know:

**DR. HENRY LEE (Criminalist: He inspected the car and was at the evidence inspection and inspected the scene ALL OF WHICH YOU ALREADY KNOW)**

University of New Haven  
Forensic Science Program  
300 Orange Avenue  
West Haven, CT 05616

**DR. WERNER SPITZ (forensic pathology:  
Performed the second autopsy on Caylee, YOU  
ALREADY KNOW THIS (SPOKEN IN OPEN  
COURT)**

23001 Greater Mack  
St. Clair Shores, Michigan 48080-1996

**DR. KATHY REICHS (anthropology:  
Conducted the anthropological exam on Caylee  
and will testify on these topics, THIS YOU KNOW)**

1818 Craigmere Drive  
Charlotte, NC 28226

**DR. JANE H. BOCK (Botany: Reviewed Hall's  
report and inspected the scene and will testify  
about BOTANY, PLEASE TELL ME YOU  
KNEW THIS)**

University of Colorado  
Ecology and Evolutionary Biology Dept.  
Boulder, Colorado 80309-0334

**DR. TIM HUNTINGTON (Entomology will testify  
about Entomology, you have been involved in every  
area that he has inspected)**

Asst. Prof. of Biology  
Concordia University, Nebraska  
800 N. Columbia Ave.  
Seward, NE 68434

12/1/2010

**DR. SCOTT FAIRGRIEVE (K-9 issue, as mentioned he will testify at that hearing if we have one.)**

Chair, Department of Forensic Science  
Laurentian University  
935 Ramsey Lake Road  
F-323A, Third Floor, Science 2 Bldg.  
Sudbury ON P3E 2C6

**DR. KENNETH FURTON (Forensic Chemist will testify in all areas concerning Forensic Chemistry)**

University Medical & Forensic Consultants, Inc.  
10130 Northlake Boulevard, Suite 214  
West Palm Beach, Florida 33412

**DR. BARRY LOGAN (Forensic Chemist will testify in all areas of forensic Chemistry)**

National Medical Services, Inc.  
3701 Welsh Road  
Post Office Box 433A  
Willow Grove, PA 19090

**DR. JOHN LEESON (Digital Forensics: As I am sure you know this has to do with the Computer)**

1208 Wolverine Trail  
Winter Springs, FL 32708

**DR. WILLIAM RODRIGUEZ**

**( Anthropologist/Taphonomy: You know what he will testify to as you objected to it at the hearing and have read my motion)**

16465 Old Frederick Rd.  
Mt. Airy, MD 21771

**RICHARD EIKELNBOOM (DNA expert, may testify about DNA)**

Poppeswegje 36, 8077 RT Hulshorst  
The Netherlands

Dr. Michael Freeman forensic Epidemiologist. ( Will testify about Epidemiology if an issue arises, I would advise taking his depo last as he has not completed his work)

**MICHAEL O'KELLY (Cell Towers, He may testify about Cell Towers and Cell phones)**

P.O. Box 958  
S. Siox City, NE 68776

On 12/1/10 11:21 AM, "Ashton, Jeff" <JAshton@sao9.org> wrote:

That is not what the judge ordered. He order you to provide the matters in writing. I want a written statement of the substance of their testimony as ordered by the court. [REDACTED]  
[REDACTED]. Do you agree with my interpretation of the Judges oral pronouncement? If not we can seek time with the court to have him clarify any confusion. Thank you.

Jeffrey L. Ashton  
Assistant State Attorney  
(407)836-1314

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

**From:** Jose Baez [<mailto:jose@baezlawfirm.com>]  
**Sent:** Wednesday, December 01, 2010 11:06 AM  
**To:** Ashton, Jeff; Drane Burdick, Linda; Mason Cheney  
**Subject:** Re: Experts

You know what are all of the forensic issues are. If you have a question about any particular witness, just ask and I will be more than happy to answer it. [REDACTED]  
[REDACTED] Just ask

me what you want to know.

On 12/1/10 10:57 AM, "Ashton, Jeff" <JAshton@sao9.org> wrote:

The court's order required that you reveal the "substance of the testimony of the witnesses". If this is all you are sending we do not find it to be in compliance with the courts order. If you are anticipating further compliance we will wait till Friday. If this is all you intend to send we will address it with the court. Please let me know.

Jeffrey L. Ashton  
Assistant State Attorney  
(407)836-1314

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

**From:** Jose Baez [<mailto:jose@baezlawfirm.com>]  
**Sent:** Wednesday, December 01, 2010 10:47 AM  
**To:** Ashton, Jeff; Drane Burdick, Linda; Mason Cheney; cheneylaw@aol.com  
**Subject:** Experts

Below are the experts and the field of their anticipated testimony

**DR. HENRY LEE (Criminalist)**  
University of New Haven  
Forensic Science Program  
300 Orange Avenue  
West Haven, CT 05616

**DR. WERNER SPITZ (forensic pathology)**  
23001 Greater Mack  
St. Clair Shores, Michigan 48080-1996

**DR. KATHY REICHS (anthropology)**  
1818 Craigmore Drive  
Charlotte, NC 28226

**DR. JANE H. BOCK (Botany)**  
University of Colorado  
Ecology and Evolutionary Biology Dept.  
Boulder, Colorado 80309-0334

**DR. TIM HUNTINGTON (Entomology)**

Asst. Prof. of Biology  
Concordia University, Nebraska  
800 N. Columbia Ave.  
Seward, NE 68434

**DR. SCOTT FAIRGRIEVE (K-9 issue)**

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935 Ramsey Lake Road  
F-323A, Third Floor, Science 2 Bldg.  
Sudbury ON P3E 2C6

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West Palm Beach, Florida 33412

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National Medical Services, Inc.  
3701 Welsh Road  
Post Office Box 433A  
Willow Grove, PA 19090

**DR. JOHN LEESON (Digital Forensics)**

1208 Wolverine Trail  
Winter Springs, FL 32708

**DR. WILLIAM RODRIGUEZ (Expert)**

16465 Old Frederick Rd.  
Mt. Airy, MD 21771

**RICHARD EIKELENBOOM**

**(Anthropologist/Taphonomy)**  
Poppeswegje 36, 8077 RT Hulshorst  
The Netherlands

Dr. Michael Freeman forensic Epidemiologist.

**MICHAEL O'KELLY (Cell Towers)**

P.O. Box 958  
S. Sioux City, NE 68776

**Ashton, Jeff**

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**From:** Jose Baez [jose@baezlawfirm.com]  
**Sent:** Wednesday, December 01, 2010 11:43 AM  
**To:** Ashton, Jeff  
**Subject:** Re: Experts

Check my last email and if you need anything else let me know.

On 12/1/10 11:36 AM, "Ashton, Jeff" <JAshton@sao9.org> wrote:

We have just reviewed the video of the hearing and the courts exact words were " the subject matter of what they will be testifying too" and that the matters must be provided by friday at 4 PM. If you disagree with the interpretation of the courts words we will return to the court for clarification. Please let me know ASAP so that we can resolve the issue before your deadline.

Jeffrey L. Ashton  
Assistant State Attorney  
(407)836-1314

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[REDACTED]  
[REDACTED]. Just ask me what you want to know.

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