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Roger Schneider and Allison Sedowski

8
9 **SUPERIOR COURT OF THE STATE OF ARIZONA**
10 **COUNTY OF MARICOPA**

11 ALVIN HOGUE, et al.

Plaintiffs,

12
13 v.

14 MARK GOUDEAU, et al.

Defendants.

NO. CV2010-092705

NO. CV2010-099221

NO. CV2012-095374

NO. CV2012-095372

NO. CV2012-095373

(CASES CONSOLIDATED)

**CITY DEFENDANTS' MOTION
FOR RESTRAINING ORDER**

(Assigned to the Honorable Arthur
Anderson)

17
18 Given the sensitive nature of the events of this lawsuit, the danger that the
19 media presents to empanelling an impartial jury is already high. Plaintiffs' Counsel, Marc
20 Victor, has exacerbated these dangers by repeatedly engaging with the media. He has
21 given interviews for news broadcasts, disseminated confidential and inadmissible
22 information, and spread false and misleading characterizations of the evidence and his
23 case. Furthermore, he has exponentially increased the impact of his statements by
24 spreading and promoting them through the internet and social networking. Mr. Victor's
25 use of the media threatens to jeopardize the City Defendants' right to a fair and impartial
26 trial, which is currently scheduled to begin just months from now. Therefore, the City
27 Defendants respectfully request an order from this Court restraining all parties and all
28 counsel in this case from disseminating any extrajudicial statements, comments or

1 information concerning the subject matter of this lawsuit to anyone except the counsel of
2 record, the named parties, and the court personnel. This Motion is supported by the
3 following Memorandum of Points and Authorities, attached exhibits, and the Court’s file.

4 **MEMORANDUM OF POINTS AND AUTHORITIES**

5 **I. BACKGROUND**

6 Since filing a string of lawsuits that began in May 2010, Mr. Victor has
7 engaged in media pandering in this case which, whether intended or not, has the effect of
8 prejudicing Defendants through extrajudicial statements that undermine Defendants’ right
9 to a fair trial. On multiple occasions, Mr. Victor has given on-camera interviews in which
10 he discussed facts of the case beyond what was presented in the Complaints and the
11 Amended Complaints. He has spoken about the evidence and the issues in what the City
12 Defendants contend is a misleading and prejudicial manner, including assessing his case
13 as a “slam dunk,” characterizing the events of the case as an “outrage,” and stating that the
14 City of Phoenix had a “reckless disregard” for public safety. (*See* Exhibit A, June 2013
15 News Articles at 4-5, and related Broadcasts at 2, *available at*
16 [http://www.abc15.com/dpp/news/region_phoenix_metro/central_phoenix/Baseline-Killer-](http://www.abc15.com/dpp/news/region_phoenix_metro/central_phoenix/Baseline-Killer-case-Valley-attorney-says-he-has-proof-evidence-went-untested)
17 [case-Valley-attorney-says-he-has-proof-evidence-went-untested](http://www.abc15.com/dpp/news/region_phoenix_metro/central_phoenix/Baseline-Killer-case-Valley-attorney-says-he-has-proof-evidence-went-untested); at 3, *available at*
18 <http://www.youtube.com/watch?v=YTbyLkaatXs>; at 10, *available at* [http://www.youtube.](http://www.youtube.com/watch?v=N7EOHIptwWI)
19 [com/watch?v=N7EOHIptwWI](http://www.youtube.com/watch?v=N7EOHIptwWI)). Mr. Victor has also made multiple personal appearances
20 on radio programs where he provided prejudicial and inaccurate information. During a
21 broadcast of “Declare Your Independence”—freely available online and syndicated
22 through two internet radio networks—Mr. Victor describes male detectives collecting
23 sexual assault evidence from the bodies of living victims, which is demonstrably false and
24 inflammatory. (*See* Exhibit B, CDs containing Recording of Marc Victor on Declare
25 Your Independence, at Part II, minute 9:40).

26 Furthermore, the press has printed or disseminated prejudicial and
27 inaccurate information that only could have been obtained from Plaintiffs and/or their
28 counsel. During his appearance on “Declare your Independence, Mr. Victor gave a large

1 number of documents to the host, Ernest Hancock,¹ who posted them on the website that
2 he controls, Freedom’s Phoenix. (See Exhibit B at Part I, minute 35:00, and Exhibit C, at
3 12-14). More recently, Mr. Victor provided evidence—from his forensic DNA expert
4 report regarding inadmissible legal conclusions and ultimate issues of liability—to two
5 local news stations. For instance, in one nightly news broadcast, a reporter quoted the
6 expert report, which called Defendants’ actions a “failure” and “a neglect of due
7 diligence.” (See Exhibit A, available at [http://www.abc15.com/dpp/news/region_phoenix](http://www.abc15.com/dpp/news/region_phoenix_metro/central_phoenix/Baseline-Killer-case-Valley-attorney-says-he-has-proof-evidence-went-untested)
8 [_metro/central_phoenix/Baseline-Killer-case-Valley-attorney-says-he-has-proof-eviden](http://www.abc15.com/dpp/news/region_phoenix_metro/central_phoenix/Baseline-Killer-case-Valley-attorney-says-he-has-proof-evidence-went-untested)
9 [ce-went-untested](http://www.abc15.com/dpp/news/region_phoenix_metro/central_phoenix/Baseline-Killer-case-Valley-attorney-says-he-has-proof-evidence-went-untested); at minutes 1:25 and 3:00). In addition to providing interviews for these
10 reports, Plaintiffs’ counsel also reposted the videos of the report to YouTube along with
11 his own prejudicial characterization and commentary on the case. (See Exhibit F,
12 YouTube Account Record).

13 Additionally, Mr. Victor has aggressively promoted and cross linked articles
14 relating to the case across several websites and social networking services, including his
15 own website, a personal YouTube account, Wordpress blog, Tumblr, Twitter, iPhone app,
16 and Pintrest. (See Exhibit D, Social networking and web accounts associated with
17 Mr. Victor). Whenever a story relating to this case was published, Mr. Victor posted a
18 link to it on all of these websites, often along with a prejudicial characterization or
19 emotionally charged language, such as saying the families are seeking “millions” or that
20 the City of Phoenix should have prevented the deaths of family members. Each of these
21 websites have their own individual and extensive audience, and all support further sharing

22 ¹ Hancock and Victor are not strangers to one another. A note on the “Baseline Killer”
23 page of Hancock’s site, Freedom’s Phoenix, reads:

24 Publisher's Disclosure: Marc Victor is a personal friend and my partner in
25 the FreedomSummit.com event that we've put on every year since 2001. We
26 both understand the ramifications of challenging the Phoenix Police
Department on such a high profile case that will bring out the worst that
government has to dish out by people with a monopoly on force, ... in fact,
that is why we do it. Few others are willing or able.

27 Notably, at this time FreedomSummit.com redirects to the Freedom’s Phoenix site. (See
28 Exhibit C at 11, Freedom’s Phoenix page, also available at <http://www.freedomsummit.com>).

1 and distribution through sites like Facebook, Google Plus and Twitter. Such unabashed
2 promotion ensures that any prejudicial statements made are distributed to as wide an
3 audience as possible, exponentially increasing its potential impact on an unsuspecting jury
4 pool.

5 Mr. Victor's extensive web presence shows that he is not only willing and
6 able to aggressively involve the media and the public in the details of this case (which are
7 not necessarily admissible), but he has a habit of doing so. (See Exhibit D). Moreover,
8 Mr. Victor has no intention of stopping. When defense counsel contacted Mr. Victor and
9 requested that he refrain from speaking with the media, explaining that the prejudicial
10 effect on potential jurors would be irreparable given the rapidly approaching trial date, he
11 stated that he would stop only if the City Defendants withdrew their Motion for
12 Continuance of the September trial. (See Exhibit E, Correspondence with Victor, at 1-2).

13 Defendants see no valid basis for the repetitive comments to the media.
14 Instead, such promotion has the effect of disseminating prejudicial statements that have a
15 likelihood of improperly influencing the jury pool. Prejudicial commentaries and the
16 distribution of inadmissible evidence provide misleading and prejudicial information to
17 citizens who could serve as potential jurors in this case, which jeopardizes the
18 Defendants' due process right to a fair trial by an impartial jury. Short of a restraining
19 order, it is anticipated that the media coverage, encouraged by Plaintiffs' counsel, will
20 continue along with the impropriety of trying this case in the court of public opinion.

21 **II. THIS COURT SHOULD EXERCISE ITS INHERENT AUTHORITY TO**
22 **PROTECT DEFENDANTS' FUNDAMENTAL RIGHT TO A FAIR AND**
23 **IMPARTIAL JURY**

24 The very essence of due process is that a defendant, even in a civil trial, is
25 entitled to a trial by an impartial jury free from outside influences. U.S. Const. Amend.
26 14; Ariz. Const. art. II, § 23; *See Sheppard v. Maxwell*, 384 U.S. 353, 362-63 (1969).²
The City Defendants have no objection to the news media reporting facts obtained from

27 _____
28 ² Although *Sheppard* concerned a criminal proceeding, the analysis is relevant in
civil proceedings as well, as the right to a fair trial is fundamental in both arenas.

1 the court file or hearings in open court. But with the advances in media technology and
2 access the internet has provided in recent years, trial participants have increasingly
3 attempted to use the media as a strategic tool in conducting a case, often resulting in the
4 dissemination of misleading information or inadmissible evidence.³ The public has a
5 legitimate interest in the outcome of trials; “the public’s legitimate interest, however,
6 precludes distortion of what goes on inside the courtroom, dissemination of matters that
7 do not come before the court, or other trafficking with truth intended to influence
8 proceedings or inevitably calculated to disturb the course of justice.” *Pennekamp v.*
9 *Florida*, 328 U.S. 331, 361 (1946) (Frankfurter, J., concurring). Therefore, the First
10 Amendment rights of the parties and counsel must be weighed against the defendants’
11 Fourteenth Amendment right to a fair trial before an impartial jury. To ensure that trials
12 are fair, federal and state courts have long recognized the court’s inherent authority to
13 control trial participants and attorneys. *Sheppard*, 384 U.S. at 360 (stating that “the judge
14 should have further sought to alleviate this problem by imposing control over the
15 statements made to the news media by counsel”); *see also Dow Jones & Co. v. Simon*,
16 842 F.2d 603, 610 (2d Cir. 1988) (applying the “reasonable likelihood” standard that
17 pretrial publicity will prejudice a fair trial), *cert. denied*, 488 U.S. 946 (1988).

18 In *Sheppard*, the Supreme Court expressly ruled that a trial court must take
19 strong measures to ensure that a defendant, even in a civil trial, is not prejudiced by unfair
20 news commentary preceding or during a trial:

21 From the cases coming here we note that unfair and
22 prejudicial news comment on pending trials has become
23 increasingly prevalent. Due process requires that the accused
24 receive a trial by an impartial jury free from outside
25 influences. Given the pervasiveness of modern
26 communications and the difficulty of effacing prejudicial
27 publicity from the minds of the jurors, the trial courts must
28 take strong measures to ensure that the balance is never
weighed against the accused. And appellate tribunals have the
duty to make an independent evaluation of the circumstances.
Of course, there is nothing that proscribes the press from

27 ³ See Eileen A. Minnefor, *Looking for Fair Trials in the Information Age: the Need*
28 *for More Stringent Gag Orders Against Trial Participants*, 30 U.S.F. L. Rev. 95, 100
(1995).

1 reporting events that transpire in the courtroom. But where
2 there is a reasonable likelihood that prejudicial news prior to
3 trial will prevent a fair trial, the judge should continue the
case until the threat abates, or transfer it to another county not
so permeated with publicity.

4 384 U.S. at 362-63. *Sheppard* further recognized that “the trial court might well have
5 proscribed extrajudicial statements by any lawyer, party, witness, or court official which
6 divulged prejudicial matters.” *Id.* at 361; accord *Nebraska Press Ass’n v. Stuart*, 427 U.S.
7 563-64 (1976) (invalidating a gag order against the press but looking favorably on
8 allowing the court to take other measures, including limiting what lawyers and witnesses
9 may say in public).

10 More recently, the Supreme Court has also upheld a state-disciplinary rule
11 that prohibits counsel from making statements that have a “substantial likelihood of
12 materially prejudicing” an adjudicative proceeding. *Gentile v. State Bar of Nevada*,
13 501 U.S. 1030 (1991). The Supreme Court noted that attorneys have a fiduciary duty to
14 not obstruct the fair administration of justice, stating:

15 As officers of the court, court personnel and attorneys have a
16 fiduciary responsibility not to engage in public debate that
17 will redound to the detriment of the accused or that will
18 obstruct the fair administration of justice. Because lawyers
19 have special access to information through discovery and
20 client communications, their extrajudicial statements pose a
21 threat to the fairness of a pending proceeding since lawyers’
statements are likely to be received as especially
authoritative....We agree with the majority of the States that
the ‘substantial likelihood of material prejudice’ standard
constitutes a constitutionally permissible balance between the
First Amendment rights of attorneys in pending cases and the
states interest in fair trials.

22 *Gentile*, 501 U.S. at 1074.

23 Arizona also has similar ethical rules governing trial publicity. Ethics
24 Rule 3.6 expressly proscribes extrajudicial statements when it is likely to result in
25 prejudice in a pending litigation:

26 A lawyer who is participating or has participated in the
27 investigation or litigation of a matter shall not make an
28 extrajudicial statement that the lawyer knows or reasonably
should know will be disseminated by means of public
communication and will have a substantial likelihood of

1 materially prejudicing an adjudicative proceeding in the
2 matter.

3 Ariz. R. Sup. Ct 42 E.R. 3.6(a) (2003). Comment 5 to Rule 3.6 explains that certain
4 subjects, such as the expected testimony of a witness or evidence the attorney reasonably
5 knows will be inadmissible, are more likely than not to have a material prejudicial effect
6 on a proceeding, particularly when they relate to a civil matter triable to a jury. *Id.*

7 Like the lawyer in *Gentile*, Mr. Victor is an officer of the court with the
8 fiduciary duty to avoid obstructing justice. Mr. Victor has made inflammatory and
9 prejudicial statements about the City Defendants and disseminated his DNA expert's
10 improper opinions about legal conclusions and ultimate issues of liability. *See Nationwide*
11 *Transp. Fin. v. Cass Info. Sys., Inc.*, 523 F.3d 1051, 1058 (9th Cir. 2008) (holding that
12 experts cannot give legal conclusions or their conclusion as to the ultimate issue of law);
13 *Webb v. Omni Block, Inc.*, 216 Ariz. 349, 355, 166 P.3d 140, 146 (App. 2007) (holding
14 that expert testimony that simply tells the jury the level of liability is inadmissible).

15 Furthermore, steps have been taken to spread these prejudicial statements
16 throughout the public (and the jury pool) by means of internet-social networking. One
17 news broadcast that detailed the content of Plaintiffs' expert report was posted on
18 Mr. Victor's website, Wordpress blog, Twitter, Tumblr, Pintrest, and YouTube account,
19 as well as being accessible from Mr. Victor's personal iPhone app. (*See Exhibits A-D and*
20 *F*). Not only has Mr. Victor provided evidence and interviews he knew would be
21 disseminated through public communication, he actively assisted in disseminating it,
22 which ensured that it would reach the widest possible audience, many of whom are
23 potential jurors in a trial scheduled just months from now.

24 Although the media will report what it will, parties to this litigation must
25 refrain from contributing and distributing prejudicial statements. Mr. Victor has insured
26 that his remarks have been widely disseminated through many different channels, from
27 blogs to radio to the television news, and are therefore falling upon the unsuspecting ears
28 of a significant portion of the prospective jury pool. Given the rapidly approaching trial

1 date and the likelihood that Mr. Victor will further engage with the public and the media,
2 the City Defendants seek a restraining order preventing the parties and attorneys in this
3 case from making extrajudicial statements. Furthermore, Defendants would like to renew
4 their Motion for Continuance in order to ameliorate the damage caused by the recent
5 release of Mr. Victor's expert report and the subsequent media reports. *See Sheppard*, 384
6 U.S. at 362-63 (finding that where there is a reasonable likelihood that prejudicial news
7 prior to trial will prevent a fair trial, the judge should continue the case until the threat
8 abates).

9 **III. CONCLUSION**

10 Mr. Victor's public commentary on the nature of the evidence, the strength
11 of his case, dissemination of the ultimate and inadmissible opinions of this DNA expert,
12 commentary about undisclosed "detectives" who will support his theory—all within the
13 90-day-time frame prior to trial—has prejudiced the City Defendants. Therefore, the City
14 Defendants respectfully request that this Court grant a restraining order and a continuance
15 to guarantee their right to a fair trial before an impartial jury.

16 DATED this 28th day of June, 2013.

17 STRUCK WIENEKE & LOVE, P.L.C.

18 By /s/ Kathleen L. Wieneke

19 Kathleen L. Wieneke
20 Christina Retts
21 Nicholas D. Acedo
22 3100 West Ray Road, Suite 300
23 Chandler, Arizona 85226
24 Attorneys for Defendants City of Phoenix,
25 Roger Schneider and Allison Sedowski
26
27
28

1 ORIGINAL of the foregoing electronically
2 filed this 28th day of June, 2013.

3 COPY of the foregoing mailed/mailed
4 this 28th day of June, 2013, to:

5 Marc J. Victor
6 Charity Clark
7 *Marc J. Victor, P.C.*
8 3920 South Alma School Road, Suite 5
9 Chandler, AZ 85248
10 *Co-Counsel for Plaintiffs*

11 COPIES of the foregoing mailed
12 this 28th day of June, 2013to:

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26 Scottsdale, AZ 85251
27 *Attorney for Defendant Goudeau*

28 /s/ Kathleen L. Wieneke

EXHIBIT A

EXHIBIT A

Families to Sue Phoenix Police in Baseline Murder Case

Source: Marc J. Victor P.C.

Dated: Jun. 11, 2013

The Phoenix Police Department waited almost a year to process DNA evidence that would have identified the "Baseline Killer" and prevented the murders or attempted murders of three people, the families say in separate lawsuits.

PHOENIX -- Tonight on ABC News right after the NBA Game at 8:30 Christopher Sign of ABC News will cover The Baseline Murders Case and the Wrongful Death lawsuit filed against the City of Phoenix Police Department by the Law Firm Marc J. Victor P.C.

The Phoenix Police Department waited almost a year to process DNA evidence that would have identified the "Baseline Killer" and prevented the murders or attempted murders of three people, the families say in separate lawsuits. Mark Goudeau was convicted on Oct. 31, 2011 of all murders attributed to the "Baseline Killer," and was sentenced to death on top of a 438-year sentence for rape and assault.

The surviving families seek millions in a wrongful death lawsuit and are represented by Attorney Marc J. Victor of Chandler.

Attorney Marc J. Victor is an honorably discharged United States Marine who requires the same commitment to excellence from all members of his Chandler law firm that was expected of him during his time in the Marine Corps. To that end, we work hard to distinguish ourselves from other Arizona law firms. At my law firm, we represent people the way we would want to be represented ourselves. We strive to return all e-mails and all telephone calls the same day they are received. We want each client to feel like they are our only client. We will always give you honest and straight forward advice you can depend on. We do everything we say we are going to do for you; at all times and in all cases.

For more information on the case see:

<http://www.courthousenews.com/2012/08/15/49319.htm>

--- End ---

Email	Click to contact author
Phone	480-755-7110
City/Town	Phoenix
State/Province	Arizona
Country	United States
Industry	Legal, Media
Tags	marc victor , marc J. Victor , mark goudeau , baseline killer , phoenix arizona
Link	http://prlog.org/12154822



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Screenshot of ABC 15 site

www.abc15.com/dpp/news/region_phoenix_metro/central_phoenix/Baseline-Killer-case-Valley-attorney-says-he-has-proof-evidence-went-untested

abc15.com **Taking Action** Monday, June 24, 2013

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Baseline Killer case: Valley attorney says he has proof evidence went untested

Video Photo

PHOENIX - As a lawsuit against the City of Phoenix makes its way through the courts, new documents allege the crime lab handling the evidence failed to test critical items.

The documents, obtained by ABC15, were sent to several family members of victims now suing the City of Phoenix for failing to stop Mark Goudeau.

Goudeau, the so-called **Baseline Killer**, is on death row after being convicted of killing nine people and raping and robbing others during a crime spree in 2005 and 2006.

The new documents were prepared by a DNA expert in Massachusetts for Valley attorney Marc Victor.

Victor represents the families suing the city regarding the handling of evidence.

"It's not frivolous, it's what I would call a slam dunk kind of a case," Victor told

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Screenshot of Mr. Victor's youtube page, posting the video from the ABC 15 broadcast.



The video player shows a news broadcast with the following text overlay: "ABC15 EXCLUSIVE", "BASELINE KILLER EVIDENCE QUESTIONED", "NEW DOCUMENTS ALLEGE EVIDENCE SAT IN CRIME LAB FREEZER", and "abc 15". The video progress bar is at 1:33 / 3:38.

ABC 15 News Baseline Killer Case with Marc Victor

Marc Victor · 80 videos · 102 views

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Published on Jun 12, 2013

Christopher Sign of ABC News covers The Baseline Murders Case and the Wrongful Death lawsuit filed against the City of Phoenix Police Department by the Law Firm Marc J. Victor P.C.

The Phoenix Police Department waited almost a year to process DNA evidence that would have identified the "Baseline Killer" and prevented the murders or attempted murders of three people, the families say in separate lawsuits. Mark Goudeau was convicted on Oct. 31, 2011 of all murders attributed to the "Baseline Killer," and was sentenced to death on top of a 438-year sentence for rape and assault.

The surviving families seek millions in a wrongful death lawsuit and are represented by Attorney Marc J. Victor of Chandler.

For more information on the case see:

<http://www.courthousenews.com/2012/08...>

<http://www.AttorneyForFreedom.com>

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- Chinese Restaurant · 3:07
- Liberty Prime Calls Chinese Restaurants - by ICEJAM · Recommended for you
- Mark Goudeau speaks to jurors · by abc15com · 3,381 views · 6:41
- Wife of convicted 'Baseline Killer' Mark · by abc15com · 1,809 views · 3:24
- Fox 10 News at 5 Driving While Black · by Marc Victor · 174 views · 2:58
- ABC News 15 with Marc Victor on Nathan · by Marc Victor · 145 views · 4:32
- Baseline Killer trial in PHX · by abc15com · 656 views · 2:08
- Baseline killer case takes an early twist · by abc15com · 1,354 views · 1:39
- Attorney For Freedom Show with Jessie · by Marc Victor · 7 views · 1:09:24
- New evidence in the Baseline Killings case · by abc15com · 603 views · 6:34
- Looking back to the search for the Baseline · by abc15com · 321 views · 3:49
- ABC 15 Mornings Marc Victor Baseline Murder · by Marc Victor · 10 views · 3:28
- 12 News at 10pm Driving While Black · by Marc Victor · 6 views · 2:40

Baseline Killer case: Valley attorney says he has proof evidence went untested

Posted: 06/11/2013



• By: Christopher Sign

PHOENIX - As a lawsuit against the City of Phoenix makes its way through the courts, new documents allege the crime lab handling the evidence failed to test critical items.

The documents, obtained by ABC15, were sent to several family members of victims now suing the City of Phoenix for failing to stop Mark Goudeau.

Goudeau, the so-called Baseline Killer, is on death row after being convicted of killing nine people and raping and robbing others during a crime spree in 2005 and 2006.

The new documents were prepared by a DNA expert in Massachusetts for Valley attorney Marc Victor.

Victor represents the families suing the city regarding the handling of evidence.

"It's not frivolous, it's what I would call a slam dunk kind of a case," Victor told ABC15.

Victor hired the DNA expert to analyze the Baseline Killer investigation evidence and handling of the evidence by the Phoenix Police Department crime lab.

In the documents, Forensic DNA Consultant Mary Kate McGilvray said the crime lab "failed" on several occasions, had "reckless disregard" and failed to test the evidence in a timely manner.

The document focuses on the evidence from a rape in a south Phoenix park.

Victor says the lab failed to test two DNA swabs from the victim along with the victim's underwear.

"They take the right breast swab and they order those for testing at the Phoenix crime lab, the left breast swabs are not sent for testing, they're put in the freezer," said Victor.

McGilvray also noted in the documents that Phoenix Police Department detectives had submitted a priority request on all of the evidence, but Victor and McGilvray claim the evidence sat for several months before the additional evidence was tested.

"I believe the detectives did a good job," said Victor. "They got the ball down the field and it just stopped, they (crime lab technicians) simply dropped the ball."

Victor says he believes there was a communication breakdown as well.

"I believe the detectives thought it was all tested, and we believe at this point the detectives were told it was all tested, and then found out and said 'test everything, everything now,'" said Victor.

According to the report, as the evidence sat in the freezer from the 2005 rape, Goudeau's crimes continued.

"There were actually eight people murdered during that time frame, that would not have been murdered had Mark Goudeau simply been taken into custody," said Victor. "I do have a detective who was very involved in the Baseline Killer investigation who is going to be on our witness list."

Victor says the additional swabs that sat in the freezer were not tested by technicians because an initial swab that was analyzed was difficult for technicians to extract DNA, therefore, the remaining swabs were held.

"They're chasing pot smokers like crazy and testing green leafy substances while serial murderers and serial rapists aren't getting enough attention, this is an outrage, a huge public safety problem," said Victor.

Goudeau's DNA profile was already in the system from a previous felony conviction.

Once lab technicians tested the remaining evidence Victor says, "Bam, match right to Mark Goudeau from that breast swab and the rest is history, they go out and pick up Mark Goudeau, end of case."

The trial between Victor and the City of Phoenix is expected to begin in September.

To be clear, ABC15 contacted the Phoenix Police Department for reaction to this story and the report conducted by Victor's expert, but department officials were unable to comment due to pending litigation.

It is standard procedure for the City of Phoenix Police Department to not comment on pending lawsuits.

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DonTfiftyeight

Maybe they were trying to save tax dollars by not doing the test knowing that the man was eventually slip up? Nah I think investigators were digging the OT.....

User ID:<http://facebook.com/100001087766839>

2 Weeks Ago

· Reply



MaPa

If this was the MCSO this thread would have a 100 comments by now about how Sheriff Joe is not doing his job.

User ID:<http://facebook.com/100000095104538>

2 Weeks Ago

· Reply



DonTfiftyeight

You're an Fing idiot. Joe's been milking the press for decades now. And here you are he's a just a poor victim and all. Clueless and pathetic all wrapped up in one.

User ID:<http://facebook.com/100001087766839>

2 Weeks Ago

· Reply



DonTfiftyeight

Come on people keeping the public safe is about 6th highest priority of our local officials.

User ID:<http://facebook.com/100001087766839>

2 Weeks Ago

· Reply



MikeMontemayor

it's part of the inherent corruption that's in the PPD. Does anyone every actually see them do beat patrols in their cars anymore? Or see their helicopter flying around? How about see them sitting parked with a radar gun? Sure I see them drive on the streets once in a while but that's about it unless there's a big crime scene

User ID:<http://facebook.com/100000130214655>

2 Weeks Ago

· Reply



MikeMontemayor

i mean, does anyone Ever actually see them around when they're not on a call. not me

User ID:<http://facebook.com/100000130214655>

2 Weeks Ago

· Reply



MaPa

I drive all over the valley everyday and I can say without a doubt that there is a good police presence out on the streets.



DonTfiftyeight likes this.

User ID:<http://facebook.com/100000095104538>

2 Weeks Ago

· Reply



MikeMontemayor

hmm but are they actually on patrol? or just out in response to a call?

User ID:<http://facebook.com/100000130214655>

2 Weeks Ago

· Reply



DonnieWing

HUH what

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Baseline Killer case: Valley lawyer claims proof evidence went untested

By Christopher Sign, ABC15 | Posted: Wednesday, June 12, 2013 4:01 am

As a lawsuit against the City of Phoenix makes its way through the courts, new documents allege the crime lab handling the evidence failed to test critical items.

The documents, obtained by ABC15, were sent to several family members of victims now suing the City of Phoenix for failing to stop Mark Goudeau.

ABC15 Video: Was 'Baseline Killer' evidence untested?

Goudeau, the so-called Baseline Killer, is on death row after being convicted of killing nine people and raping and robbing others during a crime spree in 2005 and 2006.

The new documents were prepared by a DNA expert in Massachusetts for Valley attorney Marc Victor.

Victor represents the families suing the city regarding the handling of evidence.

"It's not frivolous, it's what I would call a slam dunk kind of a case," Victor told ABC15.

Victor hired the DNA expert to analyze the Baseline Killer investigation evidence and handling of the evidence by the Phoenix Police Department crime lab.

In the documents, Forensic DNA Consultant Mary Kate McGilvray said the crime lab "failed" on several occasions, had "reckless disregard" and failed to test the evidence in a timely manner.

The document focuses on the evidence from a rape in a south Phoenix park.

Victor says the lab failed to test two DNA swabs from the victim along with the victim's underwear.

"They take the right breast swab and they order those for testing at the Phoenix crime lab, the left breast swabs are not sent for testing, they're put in the freezer," said Victor.

McGilvray also noted in the documents that Phoenix Police detectives had submitted a priority request on all of the evidence, but Victor and McGilvray claim the evidence sat for several months before the additional evidence was tested.

"I believe the detectives did a good job," said Victor. "They got the ball down the field and it just stopped, they (crime lab technicians) simply dropped the ball."

Victor says he believes there was a communication breakdown as well.

"I believe the detectives thought it was all tested, and we believe at this point the detectives were told it was all tested, and then found out and said 'test everything, everything now,'" said Victor.

According to the report, as the evidence sat in the freezer from the 2005 rape, Goudeau's crimes continued.

"There were actually eight people murdered during that time frame, that would not have been murdered had Mark Goudeau simply been taken into custody," said Victor. "I do have a detective who was very involved in the Baseline Killer investigation who is going to be on our witness list."

Victor says the additional swabs that sat in the freezer were not tested by technicians because an initial swab that was analyzed was difficult for technicians to extract DNA, therefore, the remaining swabs were held.

"They're chasing pot smokers like crazy and testing green leafy substances while serial murderers and serial rapists aren't getting enough attention, this is an outrage, a huge public safety problem," said Victor.

Goudeau's DNA profile was already in the system from a previous felony conviction.

Once lab technicians tested the remaining evidence Victor says, "Bam, match right to Mark Goudeau from that breast swab and the rest is history, they go out and pick up Mark Goudeau, end of case."

The trial between Victor and the City of Phoenix is expected to begin in September.

To be clear, ABC15 contacted the Phoenix Police Department for reaction to this story and the report conducted by Victor's expert, but department officials were unable to comment due to pending litigation.

It is standard procedure for the City of Phoenix Police Department to not comment on pending lawsuits.

Screenshot of Victor's YouTube account, displaying his post of a June 13 News 12 Broadcast

The screenshot shows a YouTube video player with the following details:

- Video Title:** KPNX 12 News at 10pm Baseline Killer
- Channel:** Marc Victor (50 videos)
- Views:** 30 views
- Published:** Jun 14, 2013
- Description:** Attorney Marc J. Victor on the Baseline Murder lawsuit against the City of Phoenix Police Department.
- Thumbnail:** A man in a red shirt speaking, with a news ticker at the bottom that reads: "MARC VICTOR VICTIM'S ATTORNEY BASELINE KILLER CASE: CIVIL LAWSUIT AGAINST THE CITY".

On the right side of the page, there is a list of recommended videos:

- Attorney For Freedom Show with Dr. McDougall (70 views)
- ABC 15 Mornings Marc Victor Baseline Murder Case (30 views)
- 12 News at 10pm Driving While Black (6 views)
- ABC15 News at 10 Driving While Black (30 views)
- Attorney For Freedom Show with Jessie Thornton (7 views)
- Rothman Hypnosis Phoenix Arizona - EFT On The News (123 views)
- Stepping Stones & Camp Paz on Channel 12 News KPNX June 5, 2013 (14 views)
- 12 News Today KPNX Mar 5, 2012 Sunrise Mountain Cheer.mpg (133 views)
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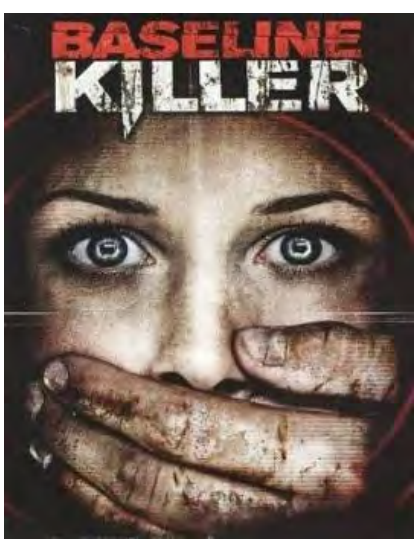
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Phoenix Baseline Killer
Edited by [Ernest Hancock](#)

A Serial Killer stalked Phoenix for a year killing at least 8 people. The true story behind the City of Phoenix' cover up of what really happened and who/what is responsible for the unnecessary deaths of the innocent will change the way people view their governments.

Pages and Listings are in reverse chronological order:
Page 1 of 1
End • Next • Back • Top

Feature Article
[Marc Victor Puts Phoenix Police On Trial](#)
[Ernest Hancock](#)

"Think about it, there were actually eight people murdered during that time frame that would not have been murdered had Mark Goudeau simply been taken into custody," Victor said.

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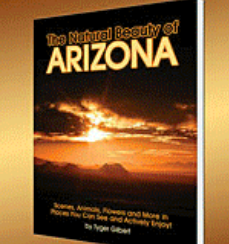
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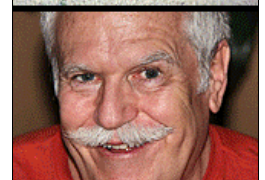
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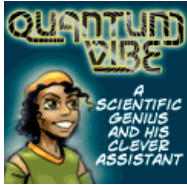


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Reported By [Sierra Hancock](#)



News
Attorney for Freedom Marc Victor discusses Baseline Killer suit on Jim Sharpe's KFYI radio show

09-02-2010 • KFYI radio (mp3)

Marc Victor was on KFYI radio this morning to discuss the Baseline Killer debacle with Jim Sharpe. Below is a link to the show. Marc Victor shows up about 17 minutes into the show. [Read Full Story](#)

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Baseline Killer: Never should have happened

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The baseline killer should have been arrested for multiple rapes before he began killing his victims. Once it was determined the Phoenix Crime Lab had the smoking gun sitting frozen untested in lockup all along the coverup began....

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Radio/TV Show • Phoenix Baseline Killer

[Declare Your Independence with Ernest Hancock - Radio](#)

Host: [Ernest Hancock](#)

[Declare Your Independence with Ernest Hancock Afternoon August 23rd 2010](#)

Program Date: 2010-08-23

Kirk MacKenzie - The previous attempts to create a National Bank, ever since the creation of the U.S. CONstitution. Author of "Money: Defending Your Prosperity" - Phoenix Baseline Killer the story is about to explode with the truth.

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Feature Article
"Baseline Killer" - 2nd 'Notice of Claim' to be served on Phoenix Police Department

[Ernest Hancock](#)

Another family joins in the effort to get the whole truth about the circumstances surrounding the murder of Sophia Nunez by the "Baseline Killer".

Comments: 1 • [Make a Comment](#) • [Email Link](#) • [Send Letter to Editor](#)

Feature Article

['Baseline Killer' - Attorney opens his door to those that wish to Share Information](#)

[Ernest Hancock](#)

The "Notice of Claim" has been served. In less than 2 months the whole story will be shared with all via a court of record. Now is the time for those involved to share what they know. Sides are being chosen now.

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News
Phoenix Police Could Have Prevented Mom's Death

09-10-2009 • KPHO TV5 CBS

A family of one of the victims of the alleged Baseline Killer is suing the Phoenix



A family of one of the victims of the alleged Baseline Killer is suing the Phoenix Police Department.

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News

Family of Baseline Killer Victim to Sue Phoenix Police

09-10-2009 • FOX TV10

PHOENIX - The family of a victim killed by the Baseline Killer is saying the city of Phoenix is responsible for their loved one's death. Romelia Vargas' family claims the Phoenix Police Department wanted to get all the credit for solving the Baseline Killer. [Read Full Story](#)

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Reported By [Ernest Hancock](#)



Feature Article



Phoenix Police Brass Let Serial Killer Rampage to Protect Turf

[Powell Gammill](#)

The beginnings of a multi-million dollar law suit is underway against the Phoenix Police Department alleging deliberate blocking of evidence testing led to the murders of 7 people.

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News

Justice Delayed Kills

09-08-2009 • by Shanna Hogan (Times Publications)

The key piece of evidence used to crack the Baseline Serial Killer case sat in an evidence locker for 9 months while 7 more people lost their lives. Sources inside the Phoenix Police Dept. say that's just the crime lab's latest mistake. [Read Full Story](#)

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Headlines: Justice Delayed Kills -- Phoenix Police Brass Let Serial Killer Rampage to Protect Turf -- Family of Baseline Killer Victim to Sue Phoenix Police -- Phoenix Police Could Have Prevented Mom's Death -- 'Baseline Killer' - Attorney opens his door to those that wish to Share Information -- "Baseline Killer" - 2nd 'Notice of Claim' to be served on Phoenix Police Department -- Declare Your Independence with Ernest Hancock Afternoon August 23rd 2010 - Baseline Killer: Never should have happened -- Baseline Killer: Never should have happened -- Attorney for Freedom Marc Victor discusses Baseline Killer suit on Jim Sharpe's KFYI radio show -- Victim's husband files civil suit against suspected 'Baseline Killer' -- Marc Victor Puts Phoenix Police On Trial --




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'Baseline Killer' - Attorney opens his door to those that wish to Share Information

Written by [Ernest Hancock](#)
 Website: www.ernesthancock.com
 Date: 09-18-2009
 Subject: [Criminal Justice System](#)

Marc Victor (www.AttorneyForFreedom.com) is the Attorney representing the Vargas family in the wrongful death case arising out of the Baseline Murders case. Marc is asking that anyone with information related to the Baseline Murders investigation please contact him immediately. Marc is aware most members of law enforcement involved in this case acted honorably and were not complicit with the recklessness, gross negligence and subsequent cover up in this case. Marc would like to confidentially speak with the officers and other professionals involved as soon as possible. Marc will aggressively undertake all efforts to keep the interview completely confidential.

Marc can be reached at 480-755-7110 or through email at marc@attorneyforfreedom.com
 Thank you for your help in this matter.

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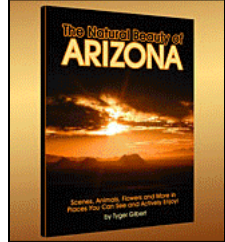
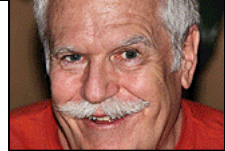
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(The First half of this file is the discussion about the AZ Governor debate... and the Ass-Whipp'n the Libertarian Candidate, Barry Hess, gave 'em and the implosion of Republican Jan Brewer)

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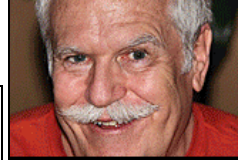
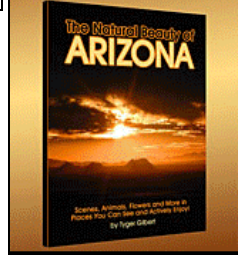
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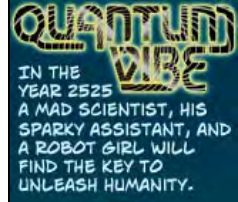



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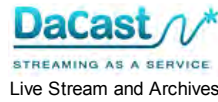


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Declare Your Independence with Ernest Hancock Afternoon September 1st 2010

FreedomsPhoenix Senior Editor Powell Gammill (and congressional cand.) & Attorney Marc J. Victor In Studio. Criminal Defense Attorney and partner with Ernest Hancock in the Freedom Summit. Discussing "The Baseline Killer" & bad Gov't

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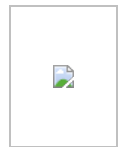
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Feature Article [Baseline Killer: Never should have happened Powell Gammill](#)

The baseline killer should have been arrested for multiple rapes before he began killing his victims. Once it was determined the Phoenix Crime Lab had the smoking gun sitting frozen untested in lockup all along the coverup began....



Feature Article [Phoenix Baseline Killer - The Real Story of Death and the Government Coverup Ernest Hancock](#)


These are the things we know with certainty,... so far. - Fear Propaganda is constantly bombarding us in an effort to scare us out of more tax dollars for a promise of police protection. What really happens is horrific.

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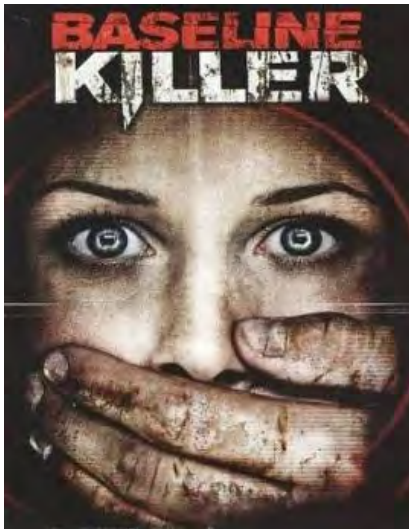
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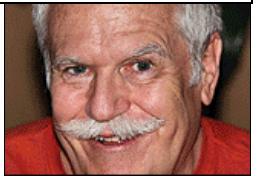
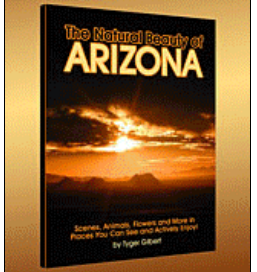
Written by [Ernest Hancock](#)
 Website: www.ernesthancock.com
 Date: 11-20-2012
 Subject: [Phoenix Baseline Killer](#)

(Publisher Note: The real lesson behind this story is what motivates our chronicling of the case,... stay tuned. The back story coverage over the years is interesting.)



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IN THE YEAR 2525 A MAD SCIENTIST, HIS SPARKY ASSISTANT, AND A ROBOT GIRL WILL FIND THE KEY TO UNLEASH HUMANITY.



Read more: http://www.abc15.com/dpp/news/local_news/investigations/baseline-killer-law-suit-suit-on-behalf-of-victims-families-claims-mark-goudeaus-dna-sat-untested#ixzz2CnW2tPVa

[Baseline Killer lawsuit: Suit on behalf of victims' families claims Mark Goudeau's DNA sat untested](#)

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[The Phoenix Baseline Killer Back Story](#)
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[Phoenix Police Brass Let Serial Killer Rampage to Protect Turf](#)

by Powell Gammill - Senior Editor for Freedom's Phoenix
Molecular Biologist, Laboratory Manager, Clinical Virologist, Microbiologist
=====

["Justice Delayed" - by Shanna Hogan](#)

(The story above is a good place to start understanding the magnitude of what we are dealing with. But then it got much worse.)

Detailed Narrative to come. These documents paint a much more sinister story than can be understood at first glance.

Those that have seen the movie "V is for Vendetta" may remember the scene where the police detective has been given all of the facts [but really needs 'the story' to make sense of it all](#) (this movie clip is only to help make the point that just having the "facts" rarely tells the whole story).

That narrative is coming here on Freedom'sPhoenix in written form with details and background. Those interested can get a piece of this from the radio show ["Declare Your Independence" of Aug. 23rd 2010](#) .

The documents made available here needed to be "outed" as soon as they were digested and understood by those involved for our own safety and well being. Years of political activism has taught me the importance of never holding onto information that has such a potential for damage to those that have the ability to inflict a great deal of... bad things to those of us that are determined to share the truth.

Now that a great deal of the research is now in the hands of the public, we can begin to tell "The rest of the story".

Truth is often very ugly,... from every angle.

Fear Propaganda is constantly bombarding us in an effort to scare us out of more tax dollars for a promise of police protection. What really happens is horrific.

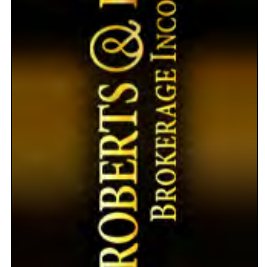
What is promised us in exchange for ever increasing taxes in the name of Police Protection and Investigation, and what is the truth, will be the ultimate understanding by the end of this investigation.

The motivation and the focus of this effort Will Be Justice.

(Publisher's note: To all involved. Assume that we know everything or soon will, the PDF'd documents here should give that impression clearly. Those willing to separate themselves from those continuing the Cover Up should come clean ASAP... just my personal opinion. To the Media. Download the PDFs, you'll need them. To our Readers. Please download the PDFs,... you never know)



Feature Article • [Global Edition](#)
[Declare Your Independence with Ernest Hancock](#)
[Declare Your Independence with](#)



[Ernest Hancock Afternoon August 23rd 2010](#)[Ernest Hancock](#)

Kirk MacKenzie - The previous attempts to create a National Bank, ever since the creation of the U.S. CONstitution. Author of "Money: Defending Your Prosperity" - Phoenix Baseline Killer the story is about to explode with the truth.



BASELINE KILLER SUMMARY

(These are the things we know with certainty)

9/20/05

- Double rape occurs
- DNA swabs taken from both left and right breasts

9/22/05

- Detectives request DNA analysis of all items in sex kit

10/9/05

- Phoenix crime lab identifies biological material available for DNA testing on both left and right swabs
- Right breast swabs ordered tested by Phoenix crime lab
- Left breast swabs not sent for testing
- Left breast swabs put in freezer for storage (untested)

11/23/05

- Right Breast swab tested by Phoenix crime lab (inconclusive)

12/12/05 – 6/29/06

- Eight people murdered

2/16/06

- Detectives request Phoenix crime lab to test all biological material for DNA because of the,... "Magnitude of all the possible related cases and the number of victims."

8/24/06 (approx 11 months after obtaining left breast swabs)

- DPS (Arizona Department of Public Safety) requested to test all biological material
- Request specifically includes both right and left breast swabs
- DPS renames left breast swab from Phoenix crime # 1.04C to #3C.C

9/11/06

- DPS reports STR DNA SDIS (codis) match to Goudeau with left breast swabs

(Scroll Down for Links to PDFs of research)

Some of the coverage of this issue over the past year. Below these links are the PDFs of the research that has been accumulated in an effort to understand what happened and in what order. There is a great deal more to learn. But the bottom line is this. Eight people were murdered and their families suffered, and it was due to... well, that's what this information is about.

FreedomsPhoenix.com has created a new category to document the continuing development of this story

["Phoenix Baseline Killer"](#)

Law Firm Representing victim families is

[Marc J. Victor, P.C., Attorney at Law](#)

(Publisher's Disclosure: Marc Victor is a personal friend and my partner in the [FreedomSummit.com](#) event that we've put on every year since 2001.

We both understand the ramifications of challenging the Phoenix Police Department on such a high profile case that will bring out the worst that government has to dish out by people with a monopoly on force,... in fact, that is why we do it. Few others are willing or able.)

Feature Article

["Baseline Killer" - 2nd 'Notice of Claim' to be served on Phoenix Police Departmen](#)



[Ernest Hancock](#)

Another family joins in the effort to get the whole truth about the circumstances surrounding the murder of Sophia Nunez by the "Baseline Killer".

Comments: 1 • [Make a Comment](#) • [Email Link](#) • [Send Letter to Editor](#) • [Save Link](#)

Feature Article

['Baseline Killer' - Attorney opens his door to those that wish to Share Information](#)

[Ernest Hancock](#)

The "Notice of Claim" has been served. In less than 2 months the whole story will be shared with all via a court of record. Now is the time for those involved to share what they know. Sides are being chosen now.

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News

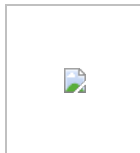
Family of Baseline Killer Victim to Sue Phoenix Police

09-10-2009 • FOX TV10

PHOENIX - The family of a victim killed by the Baseline Killer is saying the city of Phoenix is responsible for their loved one's death. Romelia Vargas' family claims the Phoenix Police Department wanted to get all the credit for solving the Basel [Read Full Story](#)

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Reported By [Ernest Hancock](#)



Feature Article

[Phoenix Police Brass Let Serial Killer Rampage to Protect Turf](#) [Powell Gammill](#)

The beginnings of a multi-million dollar law suit is underway against the Phoenix Police Department alleging deliberate blocking of evidence testing led to the murders of 7 people.

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[Justice Delayed Kills](#)

[Phoenix Police Could Have Prevented Mom's Death - KPHO TV5](#)

Baseline Synopsis Pages

[Page 1 of 3 Tab/Part References](#)

[Page 2 of 3 Tab/Part References](#)

[Page 3 of 3 Tab/Part References](#)

Part 1 - Original police report of Phoenix DR 2005 5179905, the Sexual Assault of Alejandra Lara that occurred on September 20, 2005.

- [This is the original double sexual assault where the breast swabs were recovered. \(REPORT TO BE ADDED\)](#)

Part 2 - Request for Lab Analysis on sex kit of Alejandra Lara. Request dated September 22, 2005 by Arthur Haduch.

- [2 days after the crime, police requested the crime lab analyze the sexual assault kit containing the breast swabs.](#)

Phx PD Report [Page 1 of 2](#) - [Page 2 of 2](#)
[Impound Property Invoice](#)

Part 3 - Sex Crime Evidence Screening Notes from the Phoenix crime lab dated October 9, 2005. On page 3 it shows 2 swabs from the left breast. That analyst is identified by the initials "AKS".

- [The first analysis of the sexual assault kit showed that both right and left breast swabs were in the kit.](#)

Phx Laboratory Services Bureau Sex Crimes Evidence Kit Screening Notes [Page 1 of 5](#) - [Page 2 of 5](#) - [Page 3 of 5](#) - [Page 4 of 5](#) - [Page 5 of 5](#)

Part 4 - Report on the Examination of Physical Evidence authored by Allison Sedowski on October 30, 2005, listing:

Item # 3384388-0001.04B - Two right breast swabs

Item # 3384388-0001.04B01 - Portion of right breast swabs

Item # 3384388-0001.04C - Two left breast swabs

The results state that nucleated cellular material was detected on 1.04B (right breast swabs) and 1.04C (left breast swabs). Page 4 shows that, as of October 30, 2005, item 1.04C was in frozen storage, having been put there by Alison Sedowski on October 9, 2005.

- This report shows that there was biological material suitable for DNA examination on the left breast swab.

Phx Police Dept. Laboratory Services Bureau - Report on the Examination of Physical Evidence [Page 1 of 6](#) - [Page 2 of 6](#) - [Page 3 of 6](#) - [Page 4 of 6](#) - [Page 5 of 6](#) - [Page 6 of 6](#)

Part 5 - Phoenix crime lab Assignment Notification Report showing a request by Frank Durna dated October 30, 2005, assigned November 21, 2005. Items assigned included 1.04B01 (portion of right breast swabs), but not 1.04B (right breast swabs) or 1.04C (left breast swabs). The assignment was made to Jennifer Palmer (note the handwritten initials "JP").

- The left breast swab was not sent to the DNA section for analysis. It remained in the crime lab freezer.

Phoenix Police Department Assignment Notification Report [Page 1 of 1](#)

Part 6 - Organic Extraction Worksheet dated November 23, 2005, written by analyst "JP" listing item 1.04B01, right breast swabs.

- Right breast swabs were analyzed on November 23, 2005.

Organic Extraction Worksheet [Page 1 of 1](#)

Phoenix Police Dept. Subm # 3384388-0001-04B01 [Page 1 of 1](#)

Part 7 - Emails between Allison Sedowski and Frank Duran dated February 15-16, 2006, with Duran stating "The magnitude of all the possible related cases and the number of victims, until any biological material can be found which a DNA profile can be developed, I think we are going to need to process everything."

- The police department emphasizes to the crime lab the magnitude of the related cases and the need to analyze all biological material.

Emails Between Allison Sedowski and Frank Duran [Page 1 of 2](#) - [Page 2 of 2](#)

Part 8 - Organic Extraction Worksheet dated March 1, 2006, written by analyst "KRS" listing items 1.04A01 right breast and 1.04B01 left breast. The prefix for these samples is now listed as "3386818" rather than "3384388" (see Tab 4). I do not know the significance of these prefixes.

- This shows both right and left breast swabs with similar numbers but different prefixes. It is possible these items are from another case even though DR 2005 51799055 is stamped at the top.

Organic Extraction Worksheet - Questions [Page 1 of 1](#)

Part 9 - Request for Scientific Examination dated August 24, 2006, from Frank Duran to DPS listing items 1.04B and 1.04C. The request states "please analyze all items for the presence of DNA & Y testing."

- The police department requests DPS examination of both the right and left breast swabs.

AZ Dept of Public Safety Agency Request for Scientific Examination [Page 1 of 1](#)

Part 10 - Offender Confirmation Form dated September 11, 2006, (request date September 5, 2006) showing a SDIS (State's DNA Index System) match between item 3.C.C and Mark Goudeau. (see Tab 12 showing that item 3.C.C are the left breast swabs).

- This is a CODIS database hit on the DNA extracted using the STR process on the left breast swab.

AZ Dept of Public Safety Crime Lab Offender Confirmation Form [Page 1 of 1](#)

Part 11 - Request for Scientific Examination dated September 7, 2006, from L. Mares to DPS stating "Suspect's [Mark Goudeau] DNA control sample (buccal swab) for DNA verification to CODIS hit."

Looking at Tab 10 and Tab 11, it looks like a request to run the DNA from 3.C.C was made September 5, a fresh buccal swab was submitted on September 7 to confirm a hit, and the report was written on September 11.

- A fresh standard from Mark Goudeau is used to confirm the CODIS hit.

AZ Dept of Public Safety Agency Request for Scientific Examination Suspects DNA Control Sample [Page 1 of 1](#)

Part 12 - Scientific Examination Report from DPS dated November 29, 2006, written by Lorraine Heath. Phoenix item #1.04B (right breast swabs) is DPS item #3C.B and Phoenix item #1.04C is DPS item #3.C.C (see page 2 of report).

On page 16, the first two paragraphs state that DNA was extracted from item 3C.C using the STR process and the profile was consistent with a mixture of DNA from Alejandra Lara, Lorena Lara, and Mark Goudeau.

The next two paragraphs discuss DNA extracted using the Y-STR process.

- DNA was extracted from the left breast swab using the STR process suitable for entry into CODIS.

AZ Dept of Public Safety Scientific Examination Report [Page 1 of 16](#) - [Page 2 of 16](#) - [Page 3 of 16](#) - [Page 4 of 16](#) - [Page 5 of 16](#) - [Page 6 of 16](#) - [Page 7 of 16](#) - [Page 8 of 16](#) - [Page 9 of 16](#) - [Page 10 of 16](#) - [Page 11 of 16](#) - [Page 12 of 16](#) - [Page 13 of 16](#) - [Page 14 of 16](#) - [Page 15 of 16](#) - [Page 16 of 16](#)

Part 13 - An undated matrix bearing the DPS case number that includes the Lara case. It shows the screening results (from Sedowski) included the right breast but not the left breast. The reported DNA results from "Palmer/Sartor" were "no probative DNA results on anything-all victim DNA."

- This apparently shows that Phoenix crime lab reported that the right breast swab was screened, but not the left breast swab. And that no DNA was found.

South Side Rapist Screening and DNA Results [Page 1 of 1](#)

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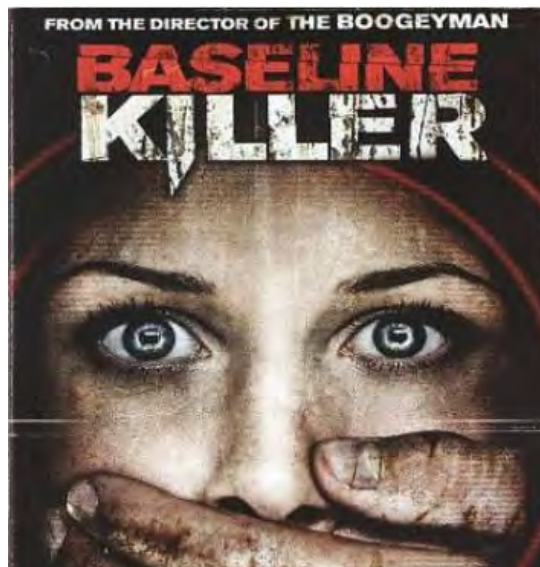


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Baseline Killer: Never should have happened

Written by [Powell Gammill](#)

Date: 08-27-2010

Subject: [Phoenix Baseline Killer](#)

September 20, 2005. Alejandra was raped. So was her sister. They were lucky. Lucky to be left alive.

In the process of the rape, the rapist licked both of her breasts. The Phoenix Police Department arranged for DNA swabs to be taken from both of her breasts, along with [other samples collected](#) using a sex (rape) kit. [18 samples for testing were eventually produced much later.](#)

The Phoenix Police Dept. had several rapes on their hands with similar characteristics at this point and suspected a serial rapist was at work.

September 22, 2005. (48 hours) Phoenix Police detectives [requested the Phoenix Crime Laboratory perform analysis](#) on ALL [items in the sex kit](#). Both the above mentioned left and right breast swabs are in this kit and have been preserved under a chain of custody since their collection.

October 9, 2005. (2 1/2 weeks) The Crime Lab [identifies biological material](#) (nucleated cells) present that would be suitable for DNA testing on both the left AND the right breast swabs, as well as the labia and vulva swabs --- areas where the rapist had also licked.

The right breast swab [was ordered tested](#) by the Crime Lab. But inexplicably, the left breast swab was not tested and instead was [placed in a freezer for storage](#) untested.

Why some samples were ordered tested and not others is not explained. This was a conscious decision because all other specimens are ordered to be stored instead of tested.

November 23, 2005. (Two months) The right breast swab is finally tested by the Phoenix Crime Lab. The results are marked inconclusive. Inconclusive for non-victim DNA or inconclusive for a sufficient number of distinguishing markers?

The test being performed is referred to as an STR ("star") test, and looks for matching "short tandem repeats."

[\[adapted from Wikipedia\]](#) A short tandem repeat (STR) in DNA occurs when a pattern of two or more nucleotides are repeated AND the repeated sequences are directly adjacent to each other and are repeated a unique number of times per individual.

The STRs in use today for forensic analysis are all tetra- or penta-nucleotide repeats (4 or 5 nucleotides long repeated), as these give a high degree of error-free data while being robust enough to survive degradation in non-ideal conditions.

CODIS (Combined DNA Index System = CODIS, the FBI national DNA forensics database) uses [13 STR markers](#) each located on [different human chromosomes](#), plus AMEL marker which is used to determine the sex of the DNA donor being tested (markers designated):

- * CSF1PO
- * D3S1358
- * D5s818
- * D7s820
- * D8S1179
- * D13s317
- * D16s539
- * D18s51
- * D21s11
- * FGA
- * TH01
- * TPOX
- * WWA

The analysis is performed by extracting nuclear DNA from the cells of a forensic sample of interest, then amplifying specific regions of the extracted DNA by means of a polymerase chain reaction. Once these sequences have been amplified, they are resolved through capillary electrophoresis, which will allow the analyst to determine the number of repeats of the STR sequence in question are present.



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So what is going on here? Why didn't all of the samples get tested?

Ground was broken on the new [Phoenix Police Crime Laboratory](#) in October of 2004. It was completed and open for business in 2005. Clearly their [CODIS data for 2004 and 2005](#) are essentially identical so they were working as a testing laboratory somewhere before their new lab was completed. So experience should not be an excuse.

Overworked? Overburdened with samples?

It's mission statement is "The central purpose for the existence of the Phoenix Police Department Crime Laboratory is to provide the highest quality forensic services and scientific technical support to the criminal justice community. Our vision is to make Phoenix the safest major city by providing excellence in forensic science analysis."

From December 12, 2005 through June 26, 2006 (three to nine months) eight people were murdered. It is believed their murderer may be linked to prior rapes that have occurred in the same area under similar circumstances.

During this time on February 16, 2006 (five months) [Phoenix Police Detectives request](#) the Phoenix crime lab again test ALL of the biological material from the Alejandra rape case for DNA because of "[t]he magnitude of all the possible related cases and the number of victims..."

March 1, 2006, (5 1/2 months) the Phoenix Crime Lab [extracts 18 samples](#) for DNA testing. No results are presented, so were DNA tests done?

August 24, 2006 (11 months) After months of begging and threats detectives within the Phoenix Police Department are finally given [permission to request](#) the [Arizona Department of Public Safety's \(DPS\) Forensic Laboratory](#) DNA test all of the Alejandra rape specimens, including both the right and left breast swabs. The request they make is for a more specific [y-STR](#) ("why-star") DNA test, is a STR test that is specific for males. But the markers are confined to the single Y chromosome normally only found in males. The advantage in rape cases is obvious...only the rapist's DNA should react as long as the victim is female.

y-STR:: The DPS uses 16 y-STR markers each located on different areas of the human Y-chromosome (male chromosome):

DYS456
DYS389I
DYS390
DYS389II
DYS458
DYS19
DYS385
DYS393
DYS391
DYS439
DYS635
DYS392
Y GATA H4
DYS437
DYS438
DYS448

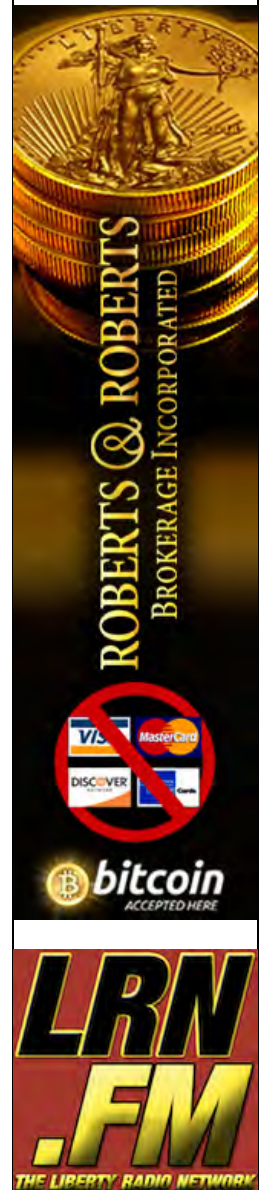
Because only males have a Y chromosome, female DNA does not interfere with Y chromosomal testing. Unlike STR testing, y-STRs are not unique to each individual. The Y chromosome and therefore, the y-STRs are inherited from their fathers, meaning that all paternally related males will have the same y-STR profile.

The DPS not only runs their y-STR test on the right AND the left breast, but labial and circumoral (surrounding the mouth) samples as well. Their test examines matches at 16 different locations on the Y chromosome. Profile matches are expected to occur no less than 1 in 333 times in the African-American population (such as Mark Goudeau). Not a huge number in random probability, but fairly big.

This produced matches from the right breast and labial samples consistent with Mark Goudeau's on file in the offender database, meaning they could not exclude him at the time. Additionally they picked up the rapist's DNA on the inside and outside of the victim's shirt, and outside her purse that were similarly consistent with Mark Goudeau.

They also ran the (non-y) STR test as well on the left breast that the Phoenix Crime Lab had not tested. This separate test STR has a hit on the stored left breast sample consistent with the victim, her sister and Marc Goudeau. They also tested the left breast sample with their y-STR test producing a similar match to Mr. Goudeau. The combined odds of a random match existing from both tests is over 360 trillion in the African American population. The previously untested left breast sample nails it. [PS: I have my doubts about this odds claim. I doubt it is much over 1 in a billion and would love to see the statistical calculations.]

Further, Mr. Mark Goudeau's DNA sample was on file and available for comparison at the time of the testing.



Extensive testing [report by DPS can be downloaded here](#). I should note, even here the actual test results are not present.

Why the Phoenix Crime Lab failed to yield conclusive forensic STR results on the right breast is unknown. Degraded sample seems less likely since the DPS successfully created a profile in their y-STR test. It is possible they lost at some point the DNA during sample extraction and concentration or that phenol contamination associated with the extraction process remained behind undetected to contaminate and prevent the test reaction from working. Additionally, the rapist rubbed dirt on Alejandra's breasts in an effort to thwart DNA sampling. Soil contaminants are known to inhibit the STR PCR step unless they are well removed from the DNA. Since the actual test results are not present its failure is impossible to evaluate. In fact, none of the actual test results are available...only a final interpretive result.

But the left breast -- which was positive by both STR and y-STR in the DPS laboratory's hands -- was not tested despite repeated demands by Phoenix Police that all specimens collected be tested as a priority, and compatible biological material was noted as being present for testing by the Phoenix Crime Lab scientists.

September 11, 2006 (one week shy of one year of terror the community has been held hostage by a serial killer/rapist) the DPS Forensics Lab reports the DNA test referred to as STR ("star") DNA was an State's DNA Indexing System (SDIS) that feeds into CODIS [match to suspect Mark Goudeau](#) with the previously untested, but stored, left breast swabs. [It would be more accurate to say the DNA test did not rule Goudeau out as a suspect. Also note, the actual match data is not present.]

Families of the murder victims are rightfully angry their loved ones were not protected from this serial killer when the evidence linking him to rape victims was already at hand before any killing took place. As to why these samples were not tested by the Phoenix Crime Lab after being requested at least twice to do so, hopefully depositions will bring the reasons out.

An attorney for three of the murder victim's families, [Marc Victor](#), who has brought suit on behalf of these families against the City of Phoenix says he is outraged that the police were hampered in their investigation by the failure to get their evidence tested in a timely and apparently accurate manner by the Phoenix crime lab. And that it is unconscionable that it took so long for the specimens to finally be transferred from the Phoenix Crime Lab for testing at an alternate nearby DPS forensic facility.

A concatenation of [Baseline Killer material can be found here](#).

Powell Gammill is the Senior Editor for [Freedom's Phoenix](#), a current news server for the planet.

In his past life he managed microbiology and molecular biology laboratories for government and private industry. He organized, trained and supervised bench scientists who had to perform laboratory and DNA testing on chain of custody samples for various police departments and other government entities throughout the state of Arizona related to bioterrorism detection. At the time his labs and personnel were highly regarded for being advanced and for their proficiency and efficiency.

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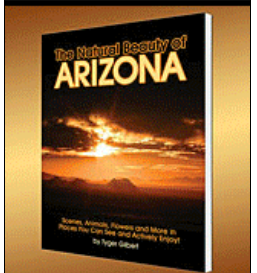
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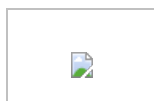
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"Baseline Killer" - 2nd 'Notice of Claim' to be served on Phoenix Police Department/Chief

Written by [Ernest Hancock](#)
Website: www.ernesthancock.com
Date: 09-24-2009
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PHOENIX - The family of a victim killed by the Baseline Killer is saying the city of Phoenix is responsible for their loved one's death. Romelia Vargas' family claims the Phoenix Police Department wanted to get all the credit for solving the Baseline killings, so they sat on key evidence instead of asking for help.

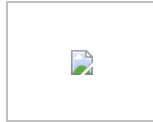
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'Baseline Killer' - Attorney opens his door to those that wish to Share Information
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The "Notice of Claim" has been served. In less than 2 months the whole story will be shared with all via a court of record. Now is the time for those involved to share what they know. Sides are being chosen now.

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Justice Delayed Kills

09-08-2009 • by Shanna Hogan (Times Publications)
 The key piece of evidence used to crack the Baseline Serial Killer case sat in an evidence locker for 9 months while 7 more people lost their lives. Sources inside the Phoenix Police Dept. say that's just the crime lab's latest mistake. [Read Full Story](#)

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Comments in Response

Comment by: Oyate (#011589)
 Entered on: 2009-09-24 21:05:54

When second count, the PHPD will be there maybe never.

Maybe never.

For us indians, it's mabe never ever ever.

To THPD, you don't serve the people. I used to wear your patch but I ripped it off my jacket 2 years ago. We used to serve the people. Now you are a bunch of paid-for ass-clowns who have sold our your people for



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Howdy PAYCHECK. How is your life going PAYCHECK? How does it feel PAYCHECK?

I really want to know how your life feels now PAYCHECK now that you have sold not only one, but two of your heritage PAYCHECK.

I hope you take your PAYCHECK and choak on it PAYCHECK. And I hope you cash your check off reservation where your paymasters can cash your PAYCHECK because your money won't spend for nothing here.

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- [Marc J. Victor, interviewed as an expert criminal defense attorney regarding the George Zimmerman shooting death of Trayvon Martin](#)
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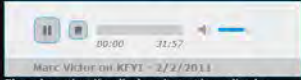
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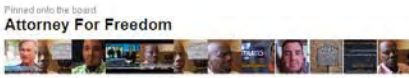
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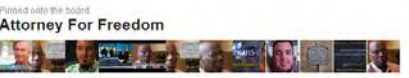


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Baseline Killer lawsuit: Suit on behalf of victims' families claims Mark Goudeau's DNA sat untested
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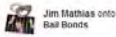
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The Phoenix Police Department waited almost a year to process DNA evidence that would have identified the “Baseline Killer” and prevented the murders or attempted murders of three people, the families say in separate lawsuits. Mark Goudeau was convicted on Oct. 31, 2011 of all murders attributed to the “Baseline Killer,” and was sentenced to death on top of a 438-year sentence for rape and assault.

The surviving families seek millions in a wrongful death lawsuit and are represented by Attorney Marc J. Victor of Chandler.

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Families to Sue Phoenix Police in Baseline Murder Case

Posted on [June 11, 2013](#) by [attorneyforfreedom](#)



Tonight on ABC News right after the NBA Game at 8:30 Christopher Sign of ABC News will cover The Baseline Murders Case and the

Wrongful Death lawsuit filed against
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The Phoenix Police Department waited almost a year to process DNA evidence that would have identified the “Baseline Killer” and prevented the murders or attempted murders of three people, the families say in separate lawsuits. Mark Goudeau was convicted on Oct. 31, 2011 of all murders attributed to the “Baseline Killer,” and was sentenced to death on top of a 438-year sentence for rape and assault.

The surviving families seek millions in a wrongful death lawsuit and are represented by Attorney Marc J. Victor of Chandler.

Attorney Marc J. Victor is an honorably discharged United States Marine who requires the same commitment to excellence from all members of his Chandler law firm that was expected of him during his time in the Marine Corps. To that end, we work hard to distinguish ourselves from other Arizona law firms. At my law firm, we represent people the way we would want to be represented ourselves. We strive to

return all e-mails and all telephone calls the same day they are received. We want each client to feel like they are our only client. We will always give you honest and straight forward advice you can depend on. We do everything we say we are going to do for you; at all times and in all cases.

For more information on the case see:

<http://www.courthousenews.com/2012/08/15/49319.htm>

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Posted on [March 1, 2013](#) by
[attorneyforfreedom](#)



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The Baseline Killer

Posted on [February 4, 2013](#) by
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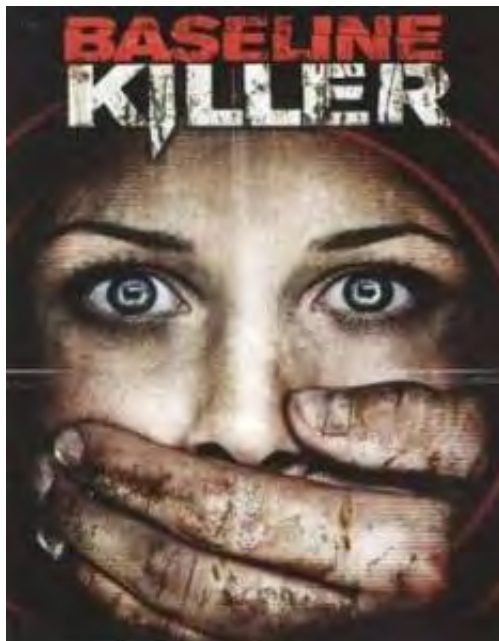
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Attorney Marc Victor Puts Phoenix Police on Trial

Posted on [November 20, 2012](#) by [attorneyforfreedom](#)

Policing the Police:

<http://www.freedomsphoenix.com/Article/074263-2010-08-23-marc-victor-puts-phoenix-police-on-trial.htm>



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Baseline Killer

Lawsuit

Posted on [November 20, 2012](#) by
[attorneyforfreedom](#)



Baseline Killer lawsuit: Suit on behalf of victims' families claims Mark Goudeau's DNA sat untested

Read more:

http://www.abc15.com/dpp/news/local_news/investigations/baseline-killer-lawsuit-suit-on-behalf-of-victims-families-claims-mark-goudeaus-dna-sat-untested#ixzz2Cm5oFQT1

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Attorney Marc J. Victor Speaks to ASU Students at the 420 Rally at the University of Arizona about the drug war and why it's a complete failure and needs to end.

www.AttorneyForFreedom.com

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EXHIBIT E

EXHIBIT E

From: [Tina Retts](#)
To: [Marc Victor](#)
Cc: [david@djctriallaw.com](#); [scottcampbell@lawyer.com](#); [Kathy Wieneke](#); [Kim Penny](#); [Allen Rowley](#); [Holly McGee](#); [Kathy Clements](#); [Milo Leach](#)
Subject: RE: Goudeau case- Freedoms Phoenix website post requesting Phoenix officers/professionals contact Mr. Victor for "confidential interviews"
Date: Wednesday, June 19, 2013 1:16:54 PM
Attachments: [image001.jpg](#)

Marc,

Thank you for your response. We cannot, however, agree to the proposal regarding media coverage.

Additionally, with respect to any statements by any City employees or professionals, will you please let us know if there have been any ex parte contacts with the same. I understand your position relative to the authorization of the statement posted on that website, but notwithstanding that, we would like to clarify whether there has, or has not been, any ex parte contact.

Thank you,
Tina

From: Marc Victor [mailto:marc@attorneyforfreedom.com]
Sent: Wednesday, June 19, 2013 8:10 AM
To: Tina Retts
Cc: [david@djctriallaw.com](#); [scottcampbell@lawyer.com](#); [Kathy Wieneke](#); [Kim Penny](#); [Allen Rowley](#); [Holly McGee](#); [Kathy Clements](#); [Milo Leach](#)
Subject: RE: Goudeau case- Freedoms Phoenix website post requesting Phoenix officers/professionals contact Mr. Victor for "confidential interviews"

Hi Tina. Thanks for your e-mail. The statements apparently posted on the Freedoms Phoenix Website were done so without the approval of any member of the Plaintiffs' legal team. The Plaintiffs have complied with all discovery requests. The footage of me and Alvin Hogue which aired on ABC 15 in their recent coverage of the case was not recently created, but rather old file footage. Additionally, all statements of any City of Phoenix employees or former employees who would offer any testimony at trial have been properly disclosed. Finally, if you guys will agree to abandon your motion for continuance of the September trial date, I will agree not to make any further statements to the media until after the trials. Agree?

Marc

From: Tina Retts [mailto:CRetts@swlfirm.com]
Sent: Tuesday, June 18, 2013 4:38 PM
To: Marc Victor
Cc: [david@djctriallaw.com](#); [scottcampbell@lawyer.com](#); [Kathy Wieneke](#); [Kim Penny](#); [Allen Rowley](#); [Holly McGee](#); [Kathy Clements](#); [Milo Leach](#)
Subject: Goudeau case- Freedoms Phoenix website post requesting Phoenix officers/professionals contact Mr. Victor for "confidential interviews"

Counsel,

It has recently come to our attention, in conjunction with recent media coverage, that there

was September 2009 post on a website where it was relayed that Mr. Victor was representing the Vargas family in a civil suit against the City of Phoenix. Indeed, it appears that this was posted after at least one Notice of Claim was served. In that post, there was a solicitation for any law enforcement or other “professional” involved in the Baseline Killer investigation to come forward and give an interview the confidentiality of which would be “aggressively protected.”

The exact text of this post, encouraging contact is as follows: “ Marc Victor (www.AttorneyForFreedom.com) is the Attorney representing the Vargas family in the wrongful death case arising out of the Baseline Murders case. Marc is asking that anyone with information related to the Baseline Murders investigation please contact him immediately. Marc is aware most members of law enforcement involved in this case acted honorably and were not complicit with the recklessness, gross negligence and subsequent cover up in this case. Marc would like to confidentially speak with the officers and other professionals involved as soon as possible. Marc will aggressively undertake all efforts to keep the interview completely confidential. Marc can be reached at 480-755-7110 or through email at marc@attorneyforfreedom.com . Thank you for your help in this matter.”

Based upon the recent Channel 15 news report, it appears that some unidentified detective may have done so. Yet, no such information was produced in response to Defendants’ multiple Interrogatories requesting that Plaintiffs provide the substance and detail of all statements of any City of Phoenix employee or former employee who would offer any testimony that Plaintiffs would seek to utilize as an admission. There are several other discovery requests that seek this type of information as well.

We have serious concerns relative to this website post, media reports, and any non-disclosed interviews that may have taken place. To the extent that there have been any, please identify any current or former City of Phoenix employees that you have interviewed outside the presence of any City of Phoenix counsel relative to the allegations in this case. As you are aware, there are certain categories of employees and certain employees who possess certain types of information who many not be interviewed in this manner due to the ex parte nature of the contact. We also request any written correspondence/emails with any identified individuals as those documents would also be responsive to numerous discovery requests. We are seeking this information for purposes of evaluation of the same and to protect our client’s interests. We also request that you do not have any contact with any current City of Phoenix employee, or any former employee falling within the prohibited categories, regarding the allegations of this case unless there is an attorney representing the City present.

Please also be aware that we will address this with the Court if necessary. The civil rules do not contemplate “aggressive confidentiality” of such information and it was requested, several different ways, in interrogatories and requests for production. We also believe that this is information required to be disclosed under Rule 26.1.

We would also request, in light of the fast approaching trial date, that the Plaintiffs and/or

their attorney cease involvement in any news coverage relative to this case. The jury summons, if they have not gone out already, will likely issue shortly.

Thank you for your prompt attention to this matter,
Tina



Christina Retts
Attorney

Direct: (480) 420-1616

cretts@swlfirm.com

www.swlfirm.com

This electronic mail transmission contains information from the law firm Struck Wieneke & Love, P.L.C. that may be confidential or privileged. Such information is solely for the intended recipient, and use by any other party is not authorized. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of this message, its contents or any attachments is prohibited. Any wrongful interception of this message is punishable as a Federal Crime. Although this e-mail and any attachments are believed to be free of any virus or other defect that might affect any computer system into which it is received and opened, it is the responsibility of the recipient to ensure that it is virus free and no responsibility is accepted by the sender for any loss or damage arising in any way from its use. If you have received this message in error, please notify the sender immediately by telephone (480) 420-1600. Thank you.

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EXHIBIT F

EXHIBIT F

Marc Victor Youtube Account Detail

www.youtube.com/watch?v=N7E0Hj0tWVU

KPNX 12 News at 10pm Baseline Killer
Marc Victor · 30 videos · 30 views

Published on Jun 14, 2013
Attorney Marc J. Victor on the Baseline Murder lawsuit against the City of Phoenix Police Department.

All Comments (3)
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- Attorney For Freedom Show with Dr. McDougall · 50 views · 25 weeks
- ABC 15 Mornings Marc Victor Baseline Murder Case · 3:28 · 10 views
- 12 News at 10pm Driving While Black · 2:46 · 4 views
- ABC15 News at 10 Driving While Black · 1:47 · 10 views
- Attorney For Freedom Show with Jessie Thornton · 1:06 · 1 view
- Rothman Hypnosis Phoenix Arizona - EFT On The News · 6:18 · 123 views
- Stepping Stones & Camp Paz on Channel 12 News KPNX June 6, 2013 · 2:56 · 143 views
- 12 News Today KPNX Mar 5, 2012 Sunrise Mountain Cheer.mpg · 6:05 · 1,722 views
- Caribe Devina KPNX 12 News Meteorologist Phoenix, Az · 7:47 · 11 views
- KPNX 10pm open 11/07 · 7:55 · 1,028 views
- KPNX 12 News gets CPR tips and surfing lessons from Dig Surf Waterpark · 2:54 · 125 views

www.youtube.com/watch?v=VTbyLkaatGg&feature=youtu.be

ABC 15 News Baseline Killer Case with Marc Victor
Marc Victor · 30 videos · 105 views

Published on Jun 12, 2013
Christopher Sogn at ABC News covers The Baseline Murders Case and the Wrongful Death lawsuit filed against the City of Phoenix Police Department by the Law Firm Marc J. Victor P.C.

The Phoenix Police Department waited almost a year to process DNA evidence that would have identified the "Baseline Killer" and prevented the murders or attempted murders of these people, the families say in separate lawsuits. Mark Gondeau was convicted on Oct. 31, 2011 of all murders attributed to the "Baseline Killer," and was sentenced to death on top of a 438-year sentence for rape and assault.

The surviving families seek millions in a wrongful death lawsuit and are represented by Attorney Marc J. Victor of Chandler.

For more information on the case see.

- What Happened in 62 · 6:18 · Recommended for you
- Creating Elizabeth: The Women That Brought Her To Life · 3:22 · Recommended for you
- Wife of convicted 'Baseline Killer' Mark Gondeau talks · 3:24 · 1,800 views
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- ABC News 15 with Marc Victor on Nathan Powell Case · 1:33 · 143 views
- Attorney For Freedom Show with Jessie Thornton · 1:06 · 7 views
- Baseline killer case takes an early twist · 1:39 · 7,398 views
- Looking back to the search for the Baseline Killer · 3:48 · 101 views
- Baseline Killer trial in PHX · 2:46 · 166 views
- ABC 15 Mornings Marc Victor Baseline Murder Case · 3:28 · 10 views

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KPNX 12 News at 10pm Baseline Killer
36 view s



ABC15 News at 10 Driving While Black
70 view s



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16 view s



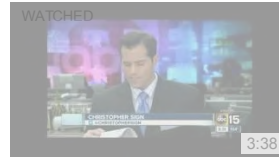
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ABC News 15 with Marc Victor on Nathan Powell Case
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ABC 15 News Baseline Killer Case with Marc Victor
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Attorney For Freedom Show with Rick Fisher
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ABC 15 Marc J Victor News Driving While Black
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111 view s



Attorney For Freedom Show
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Marc Victor on KP... Jodi Arias 4pm 5-21-2013
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Marc Victor on Traces of Reality with Guillermo
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ABC 15 Mornings Marc Victor with Christopher Sign on Jo...
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12 News at 10pm With Marc Victor
155 view s



Marc J Victor Channel 12 News Jodi Arias 5-15-13
263 view s



Attorney For Freedom Show 5-15-13
84 view s



ABC 15 News Mornings Marc Victor on Jodi Arias Murder
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ABC News at 11 with Attorney Marc J Victor on Jodi Arias
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Marc Victor on ABC 15 mornings
104 view s



Marc J. Victor Channel 12 News on the Jodi Arias Trial
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Attorney Marc J. Victor Talks About Self-Defense
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Marc J. Victor Interviewed About the Baby Gabriel Case
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12 News at 10pm Marc Victor Talks About The Jodi Arias
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KP... Arizona Nightly News - Marc J. Victor on Jodi Arias
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12 News at 10 Marc Victor on KPNX
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KPNX 12 news Marc Victor - Jodi Arias Trial
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Marc Victor on Jodi Arias Trial KNXV News
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12 News Interviews Attorney Marc J. Victor on the Jodi
1,303 view s



How to Survive a Traffic Stop
84 view s



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79 view s



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About The Law Firm Marc J. Victor PC
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Marc Victor LD-26 Republican Meeting
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Marc Victor- Surviving a Traffic Stop
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Attorney Marc Victor at ASU 420 Event
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KPNX News Jodi Arias Trial with Marc J Victor
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Marc Victor on Jodi Arias Trial
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ABC15 Mornings- Marc Victor on Jodi Arias Case
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Marc Victor Gun Club Speech "How To Survive a Traffic"
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Bankruptcy Attorney
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6 nacedo@swlfirm.com

7 Attorneys for Defendants City of Phoenix,
Roger Schneider and Allison Sedowski

8
9 **SUPERIOR COURT OF THE STATE OF ARIZONA**
10 **COUNTY OF MARICOPA**

11 ALVIN HOGUE, et al.

12 Plaintiffs,

13 v.

14 MARK GOUDEAU, et al.

15 Defendants.

NO. CV2010-092705

NO. CV2010-099221

NO. CV2012-095374

NO. CV2012-095372

NO. CV2012-095373

(CASES CONSOLIDATED)

**ORDER GRANTING THE CITY
DEFENDANTS' MOTION FOR
RESTRAINING ORDER**

(Assigned to the Honorable Arthur
Anderson)

18 Upon review of the City Defendants' Motion for Restraining Order and
19 good cause appearing,

20 IT IS ORDERED granting the City Defendants' Motion for Restraining
21 Order.

22 IT IS FURTHER ORDERED that any counsel, party, or witnesses under the
23 control of counsel SHALL NOT make any extrajudicial statements that relate to, concern,
24 or discuss the subject matter of this lawsuit directly or indirectly to the media or in such a
25 manner that the speaker intends such statement to be disseminated by means of public
26 communication. This would include counsel conveying information to a third party that
27 counsel authorizes, intends, or expects the third party to disseminate publicly, and the
28

1 dissemination of extrajudicial communication originating with a third party through
2 channels controlled by any counsel, party, or witnesses under control of counsel. Nothing
3 in this Order shall be deemed to prevent or interfere with private discussions by and
4 among the attorneys in preparation of their cases, with their clients, staff, investigators,
5 and witnesses.

6 DATED this ___ day of _____, 2013.

7
8
9 HON. ARTHUR ANDERSON
10 Superior Court Judge
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