

No. 22-196

In the Supreme Court of the United States

ADAM SAMIA, PETITIONER

v.

UNITED STATES OF AMERICA

*ON WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT*

JOINT APPENDIX

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PETITION FOR A WRIT OF CERTIORARI FILED: AUGUST 30, 2022
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II

The following opinions, decisions, judgments, and orders have been omitted in printing the joint appendix because they appear as appendices to the petition for certiorari as follows:

Appendix A: Court of appeals order,
April 20, 2022

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

No. 13-cr-521 (RA)

UNITED STATES OF AMERICA

v.

JOSPEH MANUEL HUNTER, A/K/A “RAMBO”;
ADAM SAMIA, A/K/A “SAL,” A/K/A “ADAM SAMIC”;
CARL DAVID STILLWELL, A/K/A “DAVID STILLWELL,”
A/K/A “JT,” DEFENDANTS

Date: October 16, 2017

SUPERSEDING INDICTMENT

OVERVIEW

1. During in or about 2011 and 2012, JOSEPH MANUEL HUNTER, a/k/a “Rambo,” ADAM SAMIA, a/k/a “Sal,” a/k/a “Adam Samic,” and CARL DAVID STILLWELL, a/k/a “David Stillwell,” a/k/a “JT,” the defendants, each of whom are United States citizens, agreed to commit murders-for-hire in overseas locations in exchange for monthly salaries and bonus payments for each victim. Between in or about late 2011 to early 2012, HUNTER, SAMIA, and STILLWELL traveled from the United States to the Philippines, where they obtained, among other things, information about their intended victims and firearms used to commit the murders.

2. In or about January and February 2012, JOSEPH MANUEL HUNTER, a/k/a “Rambo,” the defendant, provided “target packages” to ADAM SAMIA, a/k/a

“Sal,” a/k/a “Adam Samic,” and CARL DAVID STILLWELL, a/k/a “David Stillwell,” a/k/a “JT,” the defendants, which enabled SAMIA and STILLWELL to surveil their intended victims in the Philippines as they formulated their plans for the murders. On or about February 12, 2012, SAMIA and STILLWELL killed one of their intended victims—Catherine Lee—in the Philippines by shooting her in the face multiple times, in exchange for payment from HUNTER. After killing Lee and disposing of her body on a pile of garbage, SAMIA and STILLWELL had the payments they received from HUNTER for the murder sent to the United States by, among other methods, structured wire transfers.

3. In or about late February and early March 2012, SAMIA and STILLWELL returned from the Philippines to North Carolina, where they both resided.

THE DEFENDANTS

4. JOSEPH MANUEL HUNTER, a/k/a “Rambo,” the defendant, served from 1983 to 2004 in the United States Army, where he attained the rank of sergeant first class. While in the Army, HUNTER led air-assault and airborne-infantry squads; served as a sniper instructor; and trained soldiers in marksmanship and tactics as a senior drill sergeant. Since leaving the Army in 2004, HUNTER, has arranged for the murders of multiple people in exchange for money, among other completed acts of violence undertaken for pay.

5. ADAM SAMIA, a/k/a “Sal,” a/k/a “Adam Samic,” the defendant, is a self-described “Personal Protection/Security Industry” professional. According to SAMIA’s resume, he has worked as an “Independent Contractor” for clients in the Philippines, China, Papua New Guinea, the Democratic Republic of the Congo, and the

Republic of the Congo; and has training in tactics and weapons, including handguns, shotguns, rifles, sniper rifles, and machineguns.

6. CARL DAVID STILLWELL, a/k/a “David Stillwell,” a/k/a “JT,” the defendant, resides in the vicinity of the same city in North Carolina as ADAM SAMIA, a/k/a “Sal,” a/k/a “Adam Samic,” the defendant. According to STILLWELL’S resume, he has training and experience in the field of information technology and has worked at a firm in North Carolina that provides firearms training.

COUNT ONE

(Conspiracy to Commit Murder-For-Hire)

The Grand Jury charges:

7. From at least in or about 2008, up to and including in or about July 2014, in the Philippines, North Carolina, Kentucky, Massachusetts, and elsewhere, JOSEPH MANUEL HUNTER, a/k/a “Rambo,” ADAM SAMIA, a/k/a “Sal,” a/k/a “Adam Samic,” and CARL DAVID STILLWELL, a/k/a “David Stillwell,” a/k/a “JT,” the defendants, in an offense begun and committed out of the jurisdiction of any particular State or district for which at least one of two or more joint offenders has been arrested in and first brought to the Southern District of New York, willfully and knowingly did combine, conspire, confederate and agree together and with each other to travel in and cause another to travel in interstate and foreign commerce, and to use and cause another to use the mail and any facility of interstate and foreign commerce, with intent that a murder be committed in violation of the laws of any State and the United States as consideration for the receipt of, and as consideration for a promise or agreement to pay, a thing of pecuniary value, to wit, HUNTER, SAMIA, and STILLWELL agreed with each other, along

with others, to kill Catherine Lee in exchange for currency and other things of pecuniary value, and used facilities of interstate and foreign commerce to carry out the plan, which resulted in the shooting death of Catherine Lee on or about February 12, 2012 in the Philippines.

(Title 18, United States Code, Sections 1958(a) and 3238.)

COUNT TWO

(Murder-For-Hire)

The Grand Jury further charges:

8. From at least in or about 2011, up to and including in or about July 2014, in the Philippines, North Carolina, Kentucky, Massachusetts, and elsewhere, JOSEPH MANUEL HUNTER, a/k/a “Rambo,” ADAM SAMIA, a/k/a “Sal,” a/k/a “Adam Samic,” and CARL DAVID STILLWELL, a/k/a “David Stillwell,” a/k/a “JT,” the defendants, in an offense begun and committed out of the jurisdiction of any particular State or district for which at least one of two or more joint offenders has been arrested in and first brought to the Southern District of New York, willfully and knowingly traveled in and caused another to travel in interstate and foreign commerce, and used and caused another to use the mail and a facility of interstate and foreign commerce, with intent that a murder be committed in violation of the laws of any State and the United States as consideration for the receipt of, and as consideration for a promise or agreement to pay, a thing of pecuniary value, to wit, HUNTER, SAMIA and STILLWELL killed Catherine Lee in exchange for currency and other things of pecuniary value, and used facilities of interstate and foreign commerce to carry out the plan, which resulted in the shooting death of Catherine Lee on or about February 12, 2012 in the Philippines.

(Title 18, United States Code, Sections 1958(a), 3238, and 2.)

COUNT THREE

(Conspiracy To Murder And Kidnap In A Foreign Country)

The Grand Jury further charges:

9. From at least in or about 2008, up to and including in or about July 2014, in the Philippines, North Carolina, Kentucky, Massachusetts, and elsewhere, JOSEPH MANUEL HUNTER, a/k/a “Rambo,” ADAM SAMIA, a/k/a “Sal,” a/k/a “Adam Samic,” and CARL DAVID STILLWELL, a/k/a “David Stillwell,” a/k/a “JT,” the defendants, in an offense begun and committed out of the jurisdiction of any particular State or district for which at least one of two or more joint offenders has been arrested in and first brought to the Southern District of New York, intentionally and knowingly did combine, conspire, confederate and agree together and with each other, within the jurisdiction of the United States, to commit, at a place outside the United States, acts that would constitute the offenses of murder and kidnapping if committed in the special maritime and territorial jurisdiction of the United States.

Overt Acts

10. In furtherance of the conspiracy and to effect the illegal object thereof, JOSEPH MANUEL HUNTER, a/k/a “Rambo,” ADAM SAMIA, a/k/a “Sal,” a/k/a “Adam Samic,” and CARL DAVID STILLWELL, a/k/a “David Stillwell,” a/k/a “JT,” the defendants, and others known and unknown, committed, the following overt acts, among others:

a. On or about October 19, 2011, while SAMIA was located in the United States, SAMIA received an email from HUNTER that stated, in substance and in part: “Boss says you are on standby until the other guy is ready and you guys will come here together for Ninja stuff We want you guys, but are just waiting until you and your partner can get on the same time table.”

b. On or about December 7, 2011, HUNTER sent an email to the individual described above as “Boss” (“The Boss”) that stated, in substance and in part, “Adam will be leaving on the 8th and will be here on the 9th and the other guy will leave on the 10th and be here the 11th. The WU [i.e., Western Union] of \$1,625 goes to: Adam Samia Roxboro, North Carolina USA.”

c. On or about December 10, 2011, HUNTER traveled from the Philippines to the United States.

d. Subsequent to traveling to the United States, HUNTER called a co-conspirator not named herein (“CC-1”), who was also in the United States, and told CC-1 that HUNTER intended to travel to meet with SAMIA, while SAMIA was located in the United States.

e. On or about January 2, 2012, while SAMIA was located in the United States, SAMIA received an email from HUNTER that stated, in substance and in part, that, when SAMIA arrived in the Philippines, SAMIA should travel via taxi from Manila International Airport to a particular location in the Philippines.

f. On or about January 3, 2012, while STILLWELL was located in the United States, STILLWELL received an email from SAMIA that included, in substance and in part, the instructions provided to SAMIA by HUNTER on or about January 2, 2012.

g. On or about January 8, 2012, SAMIA departed from Raleigh-Durham International Airport in North Carolina to Manila, Philippines.

h. On or about January 9, 2012, while STILLWELL was located in the United States, STILLWELL received an email from SAMIA that stated, in substance and in part, that STILLWELL should “[d]o what the instructions say,” and “the taxi should cost like 220P [i.e., Philippines pesos] with the tip.”

i. On or about January 10, 2012, STILLWELL departed from Raleigh-Durham International Airport in North Carolina to Manila, Philippines.

j. On or about January 23, 2012, HUNTER sent an email to The Boss requesting firearms and silencers that stated, in substance and in part:

Hey, I need the following things:

1 MP5 SD

1 Rifle Silenced with optics

1 .22 or 380 Pistol Silenced

k. On or about January 23, 2012, SAMIA sent an email to HUNTER that stated, in substance and in part:

Hey Bro we are going to need some OP funds (\$3000.00) we both are just about broke we have spent all are money on finding a place to live, the car, phone load, food, taxi’s looking for a place to live, internet, stuff for here an more. I got them to throw in a bed an ac so the boss does not have to buy them trying to save were I can!

l. On or about January 24, 2012, HUNTER sent an email to The Boss that stated, in substance and in part:

“The stuff I received today is good. But, would like a bigger caliber rifle to go along with the small caliber one I received today.”

m. On or about January 24, 2012, HUNTER sent an email to The Boss that stated, in substance and in part, that “Sal” and “JT” would each be owed “35,000” “upon Mission Success.”

n. On or about January 25, 2012, SAMIA and STILLWELL took photographs of Catherine Lee’s place of business.

o. On or about February 2, 2012, SAMIA sent an email to STILLWELL that included a vehicle description and a location in the Philippines believed to be associated with Catherine Lee and stated, in substance and in part, “[s]he goes home there but [is] always out of the house.”

p. On or about February 4, 2012, HUNTER sent an email to The Boss that stated, in substance and in part:

I have all the receipts for the Visas and I was short 3,500 pesos. We need another 1,400 for a laptop computer bag that we modified to hold the tool for concealment. Also, the guys need more gas money, probably 8,600 pesos for gas and tolls for the month. They say this [location in the Philippines] place is a 2 and half hour drive each way. Total needed listed above is 13,500 pesos.

q. On or about February 12, 2012, SAMIA and STILLWELL murdered Catherine Lee in the Philippines by shooting her in the face multiple times.

r. On or about February 12, 2012, SAMIA and STILLWELL disposed of Catherine Lee’s body on a pile of garbage in the Philippines.

s. On or about February 14, 2012, SAMIA sent an email to HUNTER that stated, in substance and in part:

Hey Bro here is our expense report since we have been here you ask for have all receipts, for reimbursement . . . The rent is also d[ue] by the 18th. Rent, dues, parking are d[ue] on the 18th, \$28p [referring to Philippines pesos].

t. On or about February 16, 2012, STILLWELL caused approximately \$4,500 to be transferred from the Philippines to an individual in the United States with an address in North Carolina (“Individual-1”).

u. On or about February 17, 2012, SAMIA caused approximately \$9,000 to be transferred from the Philippines to an individual in the United States with an address in Massachusetts (“Individual-2”).

v. On or about February 20, 2012, STILLWELL caused approximately \$7,000 to be transferred from the Philippines to an individual in the United States with an address in North Carolina (“Individual-3”).

w. On or about February 21, 2012, STILLWELL caused approximately \$5,000 to be transferred from the Philippines to Individual-1 in the United States.

x. On or about February 21, 2012, SAMIA caused approximately \$9,000 to be transferred from the Philippines to an individual in the United States with an address in North Carolina (“Individual-4”).

y. On or about February 27, 2012, SAMIA sent an email to HUNTER that stated, in substance and in part: “Hey just wanted to let you know JT is rolling state side the 29th of FEB, I am heading out the 6th of March, I will drop off[f] the car the 5th.”

z. On or about February 27, 2012, STILLWELL caused approximately \$7,000 to be transferred from the Philippines to Individual-3 in the United States.

aa. On or about February 28, 2012, SAMIA—using the alias “Adam Samic”—caused approximately \$6,000 to be transferred from the Philippines to STILLWELL.

bb. On or about February 29, 2012, STILLWELL departed from the Philippines to Raleigh-Durham International Airport in North Carolina.

cc. On or about March 3, 2012, SAMIA caused approximately \$8,000 to be transferred from the Philippines to Individual-4 in the United States.

dd. On or about March 8, 2012, SAMIA departed from the Philippines to Raleigh-Durham International Airport in North Carolina.

ee. On or about May 18, 2012, HUNTER sent an email to SAMIA that stated, in substance and in part:

Maybe there is some miscommunication or something, because I sure do not understand. First, when I say I need you there ASAP, I meant two days ago or yesterday. I have been more the lenient with you as far as your wishes. Either, you want a job or you do not You are not answering my emails in a timely manner and you are not answering my phone calls at all. I need team members that can get a job done!!!

[. . .]

Let me explain, you signed up for a job with JT, in which I am responsible for both of you. I am expected to get these things done. You said you wanted the job. First, I waited a year for you to be available because

of your other plans. Then you finally come onboard, do one sloppy job which could have endangered everyone and left

(Title 18, United States Code, Sections 956 (a) (1), 956 (a) (2) (A), and 3238.)

COUNT FOUR

(Using And Carrying A Firearm During And In Relation To A Crime Of Violence Constituting Murder)

The Grand Jury further charges:

11. From at least in or about January 2012, up to and including in or about March 2012, JOSEPH MANUEL HUNTER, a/k/a “Rambo,” ADAM SAMIA, a/k/a “Sal,” a/k/a “Adam Samic,” and CARL DAVID STILLWELL, a/k/a “David Stillwell,” a/k/a “JT,” the defendants, in an offense begun and committed out of the jurisdiction of any particular State or district for which at least one of two or more joint offenders has been arrested in and first brought to the Southern District of New York, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, to wit, the murder-for-hire conspiracy charged in Count One of this Superseding Indictment, the murder-for-hire charged in Count Two of this Superseding Indictment, and the conspiracy to murder and kidnap in a foreign country charged in Count Three of this Superseding Indictment, willfully and knowingly did use and carry firearms, and in furtherance of such crimes, did possess firearms, and did aid and abet the use, carrying, and possession of firearms, and in the course of those crimes did cause the death of a person through the use of a firearm, which killing was murder as defined in Title 18, United States Code, Section 1111(a), to wit, HUNTER, SAMIA, and STILLWELL

used a firearm to cause the death of Catherine Lee in the Philippines, and aided and abetted the same.

(Title 18, United States Code,
Sections 924(j), 3238, and 2.)

COUNT FIVE

(Conspiracy To Commit Money Laundering)

The Grand Jury further charges:

12. From at least in or about 2008, up to and including July 2014, in the Philippines, North Carolina, Massachusetts, and elsewhere, ADAM SAMIA, a/k/a “Sal,” a/k/a “Adam Samic,” and CARL DAVID STILLWELL, a/k/a “David Stillwell,” a/k/a “JT,” the defendants, in an offense begun and committed out of the jurisdiction of any particular State or district for which at least one of two or more joint offenders has been arrested in and first brought to the Southern District of New York, intentionally and knowingly did combine, conspire, confederate and agree together and with each other, to commit money laundering offenses in violation of Title 18, United States Code, Sections 1956 and 1957.

13. It was a part and an object of the conspiracy that ADAM SAMIA, a/k/a “Sal,” a/k/a “Adam Samic,” and CARL DAVID STILLWELL, a/k/a “David Stillwell,” a/k/a “JT,” the defendants, and others known and unknown, in an offense involving and affecting interstate and foreign commerce, would and did transport, transmit, and transfer, a monetary instrument and funds from a place in the United States to or through a place outside the United States and to a place in the United States from or through a place outside the United States, with the intent to promote the carrying on of specified unlawful activity, to wit, the conspiracy to use interstate commerce facilities

in the commission of murder-for-hire charged in Count One of this Superseding Indictment, the use of interstate commerce facilities in the commission of murder-for-hire charged in Count Two of this Superseding Indictment, and the conspiracy to murder and kidnap in a foreign country charged in Count Three of this Superseding Indictment, in violation of Title 18, United States Code, Section 1956(a)(2)(A).

14. It was further a part and an object of the conspiracy that ADAM SAMIA, a/k/a “Sal,” a/k/a “Adam Samic,” and CARL DAVID STILLWELL, a/k/a “David Stillwell,” a/k/a “JT,” the defendants, and others known and unknown, in an offense involving and affecting interstate and foreign commerce, would and did transport, transmit, and transfer, a monetary instrument and funds from a place in the United States to or through a place outside the United States and to a place in the United States from or through a place outside the United States, knowing that the monetary instrument and funds involved in the transportation, transmission, and transfer represented the proceeds of some form of unlawful activity and knowing that such transportation, transmission, and transfer was designed in whole or in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, to wit, the conspiracy to use interstate commerce facilities. in the commission of murder-for-hire charged in Count One of this Superseding Indictment, the use of interstate commerce facilities in the commission of murder-for-hire charged in Count Two of this Superseding Indictment, and the conspiracy to murder and kidnap in a foreign country charged in Count Three of this Superseding Indictment, in violation of Title 18, United States Code, Section 1956(a)(2)(B)(i).

15. It was further a part and an object of the conspiracy that ADAM SAMIA, a/k/a “Sal,” a/k/a “Adam Samic,” and CARL DAVID STILLWELL, a/k/a “David Stillwell,” a/k/a “JT,” the defendants, and others known and unknown, in an offense involving and affecting interstate and foreign commerce, would and did transport, transmit, and transfer, a monetary instrument and funds from a place in the United States to or through a place outside the United States and to a place in the United States from or through a place outside the United States, knowing that the monetary instrument and funds involved in the transportation, transmission, and transfer represented the proceeds of some form of unlawful activity, to wit, the conspiracy to use interstate commerce facilities in the commission of murder-for-hire charged in Count One of this Superseding Indictment, the use of interstate commerce facilities in the commission of murder-for-hire charged in Count Two of this Superseding Indictment, and the conspiracy to murder and kidnap in a foreign country charged in Count Three of this. Superseding Indictment, and knowing that such transportation, transmission, and transfer was designed in whole or in part to avoid a transaction reporting requirement under State or Federal law, in violation of Title 18, United States Code, Section 1956(a)(2)(B)(ii).

16. It was further a part and an object of the conspiracy that ADAM SAMIA, a/k/a “Sal,” a/k/a “Adam Samic,” and CARL DAVID STILLWELL, a/k/a “David Stillwell,” a/k/a “JT,” the defendants, who are United States persons, and others known and unknown, in an offense involving and affecting interstate and foreign commerce and that took place, in part, in the United States, would and did knowingly engage and attempt to engage in monetary transactions in criminally derived property of a

value greater than \$10,000, such property having been derived from specified unlawful activity, to wit, the conspiracy to use interstate commerce facilities in the commission of murder-for-hire charged in Count One of this Superseding Indictment, the use of interstate commerce facilities in the commission of murder-for-hire charged in Count Two of this Superseding Indictment, and the conspiracy to murder and kidnap in a foreign country charged in Count Three of this Superseding Indictment, in violation of Title 18, United States Code, Section 1957.

(Title 18, United States Code, Sections 1956(h) and 3238.)

FORFEITURE ALLEGATION

(As to Counts One, Two, and Three)

17. As a result of committing the offenses of conspiracy to use interstate commerce facilities in the commission of murder-for-hire as charged in Count One of this Superseding Indictment, using interstate commerce facilities in the commission of murder-for-hire as charged in Count Two of this Superseding Indictment, and conspiracy to murder and kidnap in a foreign country as charged in Count Three of this Superseding Indictment, JOSEPH MANUEL HUNTER, a/k/a "Rambo," ADAM SAMIA, a/k/a "Sal," a/k/a "Adam Samic," and CARL DAVID STILLWELL, a/k/a "David Stillwell," a/k/a "JT," the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461, any and all property, real and personal, which constitutes and is derived from proceeds traceable to the violations alleged in Counts One, Two and Three of this Superseding Indictment.

FORFEITURE ALLEGATION**(As to Count Four)**

18. As a result of committing the offenses of using and carrying a firearm during and in relation to a crime of violence constituting murder, as charged in Count Four of this Superseding Indictment, JOSEPH MANUEL HUNTER, a/k/a “Rambo,” ADAM SAMIA, a/k/a “Sal,” a/k/a “Adam Samic,” and CARL DAVID STILLWELL, a/k/a “David Stillwell,” a/k/a “JT,” the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c), all firearms and ammunition involved in and used in the commission of the offense charged in Count Four of this Superseding Indictment.

FORFEITURE ALLEGATION**(As to Count Five)**

19. As a result of committing the money laundering conspiracy offense charged in Count Five of this Superseding Indictment, ADAM SAMIA, a/k/a “Sal,” a/k/a “Adam Samic,” and CARL DAVID STILLWELL, a/k/a “David Stillwell,” a/k/a “JT,” the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), all property, real and personal, involved in the offense charged in Count Five of this Superseding Indictment and all property traceable to such property.

Substitute Assets Provision

20. If any of the forfeitable property described in paragraphs 17, 18, and 19 above, as a result of any act or omission of JOSEPH MANUEL HUNTER, a/k/a “Rambo,” ADAM SAMIA, a/k/a “Sal,” a/k/a “Adam Samic,” and CARL DAVID STILLWELL, a/k/a “David Stillwell,”

a/k/a “JT,” the defendants: it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

(Title 18, United States Code, Sections 924, 981 and 982 and Title 28, United States Code, Section 2461.)

/s/ Kim Schmier
FOREPERSON

/s/ Joon H. Kim
JOON H. KIM
Acting United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

JOSPEH MANUEL HUNTER, A/K/A “RAMBO”;
ADAM SAMIA, A/K/A “SAL,” A/K/A “ADAM SAMIC”;
CARL DAVID STILLWELL, A/K/A “DAVID STILLWELL,”
A/K/A “JT,” DEFENDANTS

SUPERSEDING INDICTMENT

S10 13 Cr. 521 (RA)

(18 U.S.C. §§ 1958, 956(a),
924(c) & (j), 1956, 3238, and 2.)

JOON H. KIM
Acting United States Attorney

A TRUE BILL

/s/ Kim Schmier
FOREPERSON

[handwritten notes omitted]

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

No. 13-cr-521 (RA)

UNITED STATES OF AMERICA

v.

ADAM SAMIA AND CARL DAVID STILLWELL,
DEFENDANTS

Date: September 14, 2017, 10:00 a.m.

REPORTER'S TRANSCRIPT OF PROCEEDINGS

Before: HON. RONNIE ABRAMS, District Judge.

APPEARANCES

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Acting United States Attorney for the
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BRITTNEY EDWARDS

* * *

[COURT:] To complete my ruling with respect to severance, I'm going to address Bruton. Both defendants claim that the use of their post-arrest statements in a joint trial would violate Bruton. Mr. Samia seeks severance on this basis, and while Mr. Stillwell doesn't explicitly seek severance on Bruton grounds, I'm going to address his Bruton claim as well.

I'll begin with Mr. Samia's Bruton claim. Mr. Samia argues that use of Mr. Stillwell three post-arrest statements made on July 22, 2015, in a joint trial would violate Mr. Samia's Sixth Amendment right to confrontation under Bruton.

In evaluating this claim, I'm relying on the version of these statements attached as Exhibits A, B, and C to Mr. Samia's motion in limine. As I'll explain, I think that these statements still present a few Bruton problems, but I do believe that these issues can be resolved without severing the trials.

Under Bruton, the admission of a non-testifying codefendant's confession naming the defendant as a perpetrator violates the latter's Sixth Amendment right to confrontation.

The Second Circuit has, however, consistently held that the introduction of a codefendant's confession with a defendant's name replaced by a neutral noun or pronoun does not violate Bruton. That's from the circuit's decision in the Lyle case, 856 F.3d at 203.

The Second Circuit has, for example, determined that the use of neutral words such as "others," "other people" or "another person" as substitutes for the names of codefendants does not violate Bruton. See, for example, the Tutino case, 883 F.2d at 1135.

The Circuit has also approved the use such terms as “neighbor” or “friend” or gendered terms such as “he” or “guy.” See, for example, the Yousef case, 327 F.3d at 149, which used the term, “my neighbor;” the Kyles case, 40 F.3d 526 which used the term “he;” the Williams case, 936 F.2d at 701 which used the term “this guy;” or the Benitez case, 920 F.2d at 1087, which used the term “friend.”

What Bruton requires, the Second Circuit has explained, is “a redaction and substitution adequate to remove the ‘overwhelming probability’ that a jury will not follow a limiting instruction that precludes its consideration of a redacted confession against a defendant other than the declarant.” That’s from Jass, 569 F.3d at 60.

With some exceptions, which I’ll address shortly, Mr. Stillwell’s redacted statements do not violate Bruton. The government has replaced—and when it hasn’t, must replace—Mr. Samia’s name or nickname with neutral nouns or pronouns, including “someone,” “someone else,” “he,” “him,” “anyone else,” “the person,” and “friend.”

Under well-established Second Circuit precedence, the use of these terms in a joint trial does not violate Bruton. See, for example, Williams, 936 at F.2d 701; Benitez, 920 F.2d at 1087; or Tutino, 883 F.2d at 1135.

Mr. Samia argues that this conclusion is incorrect for three reasons: First, he argues that in the context of this trial in which Mr. Samia and Mr. Stillwell are both alleged to have been in the Philippines and have been indicted together, jurors would necessarily infer that the statements references to “someone else” or “him” in fact refer to Mr. Samia.

This argument is not persuasive. The Second Circuit has emphasized that in determining whether the use of a codefendant’s statement would violate Bruton, courts

must review the modified statement “standing by itself” or “in isolation from other evidence introduced at trial.” See, for example, the Jass case, 569 F.3d at page 62, where the Circuit stated that “in making this determination, we review the redacted statement in isolation to evaluate its likely impact on a jury;” the Yousef case, 327 F.3d at 150, which noted that the Bruton inquiry addresses whether “the redacted statement standing by itself,” implicates the defendant; or Williams, 936 F.2d at 700, which explains that the “appropriate analysis to be used when applying the Bruton rule” is to “review the redacted confession in isolation from other evidence.”

So, under this standard, the Second Circuit has determined that Bruton is not violated “where a confession, even as redacted, implicates only one other person other than the declarant, and only the declarant and one other person are on trial.” That’s from the Jass case, 569 F.3d at 59.

Here, when viewed in isolation, the references to “someone else” or “him” or “friend” in Mr. Stillwell’s modified statements do not obviously refer to Mr. Samia. As the Second Circuit stated in Jass, the “other person could have been anyone,” *id.* at 62.

And even if portions of Mr. Stillwell’s statements do implicate only one other person, and only one other person will be on trial, this does not, under Second Circuit precedent, amount to a Bruton violation. See Jass at 569 F.3d at 59 and 62, which rejected the argument that a statement’s reference to “another person” clearly connected the modified statement to a codefendant, where only two individuals were on trial, noting that “a jury would have had to refer to other trial evidence to link the defendant to the redacted statement.”

Second, Mr. Samia appears to argue that the use of gendered nouns or pronouns such as “he,” “him,” or “guy” serve as obvious references to him. The Second Circuit has explained, however, that a simple gender reference lacks the specificity necessary to permit a jury to draw an immediate inference that the defendant is the person identified in the confession. That’s from Jass again at 63.

The Second Circuit has thus approved the use of gender terms as substitutes for a defendant’s name in Brutonized statements. See, for example, the Kyles case at 40 F.3d at 526; or Williams, 936 at 701.

Finally Mr. Samia objects to the use of plural terms such as “we,” “you guys,” or “you too.” This argument is somewhat more persuasive. The government is correct that in many cases, courts have found that the use of plural terms, at least when they’re indefinite, do not raise Bruton problems. See, for example, the Seventh Circuit’s decision in Briscoe, 896 F.2d at 1502; the Fifth Circuit’s decision in United States v. Ramos-Cardenas, 524 F.3d at 608; and the Eastern District of New York’s decision in the Cambrelen case, 18 F. Supp. 2d at 229 to 30.

Nonetheless, I am concerned about the frequent use of the term “we.” And out of an abundance of the caution, I am going to ask the government to redact or otherwise modify the plural pronouns in Mr. Stillwell’s statements. I’m further going to ask the government to modify Mr. Stillwell’s statements in a few other respects.

First, I noticed that the redacted statements still contain several references to Mr. Samia’s name or nickname which must be redacted. I’ll point out a few but obviously take a close look at all the statements.

Samia motion Exhibit A at page 11, lines 4 to 5, where it says: “Would it surprise you to know that we had an

Adam Samia in here just a little while ago and that he's been arrested also?" So take a look at that.

Exhibit A at page 16, line 38:

"Q. Was it the same hotel Adam was staying in?"

"A. Yeah. We stayed, uh, stayed together." So take a look at that as well.

Exhibit B, at page 27, lines 6 through 7: "Tell me how that—tell me how—tell me how you ended up there. How did Adam get you to come there." I want that redacted.

Exhibit C at page 9, line 32: "Sal?"

Exhibit C at page 30, lines 10 through 12: "Um, did you ever talk about this with anyone? You and Adam after this took place." Take out that reference.

So I expect the government to redact these references and to review all of the statements to carefully ensure they contain no other explicit references to Mr. Samia or to Mr. Stillwell.

Second, I noticed that some of the redactions resulted in stilted or ungrammatical sentences, and I'll give you a couple of examples.

Exhibit A, page 17, lines 44 to 45, now reads: "Do you remember riding in an Innova van anyone else?" I think you're missing the "with." You had taken that out.

Exhibit A, page 21, lines 21 through 23: "I think there was at least four other people, there, and including and her." You want to take out the "and."

So, again, I expect you to clean these up.

Thus, to the extent that the government seeks to introduce Mr. Stillwell's post-arrest statements in a joint trial, I will require the government to further redact or

modify these statements. They must redact the plural pronouns, redact any remaining references to Mr. Samia by name or nickname, and modify sentences that, as already modified, are stilted or nongrammatical.

Ms. Donaleski, do you think you can do that by the end of the month, September 29?

MS. DONALESKI: Absolutely, your Honor.

MR. SCHNEIDER: I'm sorry?

THE COURT: September 29 they're going to submit revised Brutonized versions. Because I think any outstanding Bruton issues with the use of Mr. Stillwell's post-arrest statements in a joint trial may be resolved with relative ease, I'm rejecting Mr. Samia's claim that Bruton requires severance.

* * *

INTERVIEW OF CARL DAVID STILLWELL

DATE: July 22, 2015
 TIME: 12:00 pm
 PARTICIPANTS: Carl David Stillwell (“Stillwell”)
 Thomas Cindric (“Cindric”)
 Eric Stouch (“Stouch”)
 ABBREVIATIONS: [UI] Unintelligible
 [PH] Phonetic spelling
 [//] Overlapping Voices

* * *

STILLWELL: Uh... this is... dumb? I—yeah.

CINDRIC: Are you surprised by this?

STILLWELL: Absolutely.

STOUCH: You are?

CINDRIC: Um... [//]

STOUCH: In—in—in what way? [//]

CINDRIC: Yeah.

STILLWELL: ... ah... well, uh...

STOUCH: Time is 11:25 AM.

[UI]

STILLWELL: I’ve been overseas once.

STOUCH: OK.

CINDRIC: Where’d you go?

STILLWELL: Philippines.

STOUCH: Okay, and when—when was that? [//]

CINDRIC: When was that?

STILLWELL: ... late... 2011 or 2012? What, first year?

STOUCH: Okay.

CINDRIC: Okay.

STILLWELL: Just went over to... get the hell away, my father had died the previous year... and... I just needed to, go stress relief, went drinking and whoring, basically.

STOUCH: Okay.

CINDRIC: Did you go with anyone?

STILLWELL: Uh... I met a friend over there.

~~CINDRIC: Who'd you meet?~~

~~STILLWELL: Uh... Adam Samia.~~

~~CINDRIC: Okay.~~

STOUCH: Okay. So you met him over there?

STILLWELL: Yeah. Yeah, yeah, he went ahead of me.

STOUCH: Okay.

STILLWELL: (clears throat) Excuse me. He went ahead of me.

~~STOUCH: Okay, maybe — where's Ad — is Adam from here?~~

~~STILLWELL: Yeah.~~

~~STOUCH: Okay. And... what — what did you guys do [//]~~

~~CINDRIC: Were you doing any work over there? [//]~~

~~STOUCH: Yeah.~~

~~STILLWELL: Ha, we were just over drinking and whoring.~~

~~STOUCH: Okay.~~

STILLWELL: Hm... Yeah, nothing... went gambling and won some money and... know, played in a casino over there. [//]

CINDRIC: Did you win money?

STILLWELL: Yeah.

CINDRIC: How much money did you win?

STILLWELL: Hell, I don't even remember now.

CINDRIC: Is it money that you brought back with you, or did you Western Union it back?

STILLWELL: I Western Union'd some back.

* * *

STOUCH: Go ahead.

CINDRIC: Did you go by another name while you were over there?

STILLWELL: No.

CINDRIC: You never used the nickname JT?

STILLWELL: No.

CINDRIC: No?

STILLWELL: Never, I mean... I'm—David Stillwell.

CINDRIC: Okay.

STOUCH: Did you ever claim to be... from a different country?

STILLWELL: I mean... yo, the... people I met? I mean, there's reason they couldn't be from anywhere but here.

STOUCH: Okay. Like, what- what kind of people did you meet? Like did you [//]

STILLWELL: Just the - locals in the restaurants and bars and whatnot. Like w-

STOUCH: Where did you hang out? [//]

STILLWELL: Waitresses...

STOUCH: Like what part of the Philippines did you hang out?

STILLWELL: It was in... the Manila area, um... was it Makati –

STOUCH: Makati area?

STILLWELL: Um... and then... moved over... to another portion... what is it, um, near the um, near the old capital, I think? I think? I can't remember the name of the place now, but...

STOUCH: Okay. Where'd you stay?

STILLWELL: Um... stayed at, um... a hotel for the first couple weeks and then, uh... there was a condo or— it was more like an apartment or something, the whole complex... where... looks like most of the people who... were there were from other countries vacationing there...

STOUCH: Okay. Did you like it over there? Like did you have a good time? [//]

STILLWELL: Yeah, it was pretty cool, you know.

STOUCH: Yeah.

STILLWELL: Yeah, it's just... different.

STOUCH: Uh-huh. In what way?

STILLWELL: [UI] uh... [//]

STOUCH: We travel around, we're just curious, you know [//]

STILLWELL: [UI] North Carolina?

STOUCH: Yeah, right. (laughs)

CINDRIC: That's certain. That's for certain.

STOUCH: Yeah.

STILLWELL: Well I mean it was cool, we—I mean I saw all kinds of, shopping malls...

STOUCH: Uh-huh.

STILLWELL: Just, [UI] around.

STOUCH: Gotcha.

CINDRIC: Did you go to a bar called Howzat? Do you remember that?

STILLWELL: ... Sounds... [//]

STOUCH: There's a kickboxing club up above it, or something like that, MMA club?

STILLWELL: Sounds familiar, probably [//]

CINDRIC: Yeah, I was just curious.

STILLWELL: I mean I wouldn't call 'em... like, bars.

* * *

STILLWELL: Sure.

CINDRIC: Would it surprise you to know that... we had An—Adam Samia in here just a little while ago, and that he's been arrested also?

[/A]

STILLWELL: At thi—at this point nothing is surprising, I mean I'm surprised by any of this.

STOUCH: Are you—are you really?

STILLWELL: Yeah.

STOUCH: Are you—are you—you surprised that you're in this position or are you surprised, that—

STILLWELL: The whole—the whole thing.

STOUCH: Yeah.

CINDRIC: Well did—

STOUCH: There's not a part of you that res- always—kind of— [//]

CINDRIC: Yeah.

STOUCH: —had a lingering—

CINDRIC: Yeah, I mean—did, did you ever monitor, like, the internet to see if there was, um, the arrests of, like, you say you didn't know Paul LeRoux...

STILLWELL: Mhm.

CINDRIC: ... you didn't know Joseph Hunter?

STILLWELL: Yeah.

CINDRIC: Um... I'm surprised by this.

STILLWELL: Okay.

CINDRIC: “Because ~~Adam says~~ [*someone told us*]...you all knew Joseph Hunter.

* * *

STILLWELL: Raleigh.

CINDRIC: Where'd you stop through? Where was your layover? ... If you recall.

STILLWELL: ... I think, I'm pretty, well, no, I absolutely know we stopped in... Hawaii—

CINDRIC: Okay.

STILLWELL: —on one way over, so I don't remember [UI]... whether there was another one between Hawaii... and Manila. [UI]

CINDRIC: So you get to Manila. Do you know ~~Adam's~~ *[anyone else is]* gonna be there, or did you not know ~~Adam~~ *[anyone else]* was gonna be there?

STILLWELL: Yeah, we were, um—we got there, and just—

CINDRIC: Okay.

STILLWELL: —hung out.

CINDRIC: So, you get to the airport. Does ~~Adam~~ *[anyone]* pick you up, or do you... get a taxi?

STILLWELL: ... I got a taxi when I was there.

CINDRIC: Okay.

STILLWELL: And went to Makati.

CINDRIC: Okay. And you stayed at a hotel there.

STILLWELL: Yeah.

CINDRIC: Okay. Was it the same hotel Adam was staying in?

STILLWELL: Yeah. We stayed uh, stayed together.

CINDRIC: Same room?

STILLWELL: Yeah.

~~CINDRIC: Okay. Um, so the first night there... what, you go out to the bar and start whoring right away?~~

STILLWELL: [UI][//]

CINDRIC: ~~'Cause we know—we know, we know, the little petite girls aren't your style—~~

STOUCH: (laughs)

CINDRIC: ~~we—we know from your emails, you like the curvy women a little better. Right?~~

STILLWELL: ~~I—I like all of them, I— [//]~~

CINDRIC: ~~Okay. But that's not what you said in the emails, you prefer the curvy women in the emails, is what you said.~~

STILLWELL: ~~Okay. You're [//]~~

CINDRIC: ~~Okay? I'm just asking. Just asking.~~

STILLWELL: ~~It just depends on who I'm—~~

CINDRIC: ~~[//] What—that—that—at that particular time. Right? Okay? So you start gambling, you're going to the casinos, you're hanging out—w-when does Adam start going to look—go out on—go out and start looking for, real estate?~~

STILLWELL: ~~He's gone out on his own a couple times, [//]~~

STOUCH: ~~Okay.~~

STILLWELL: ~~I don't know.~~

STOUCH: ~~[U]~~

STILLWELL: ~~I don't remember every move [//]~~

CINDRIC: ~~Okay.~~

STILLWELL: ~~uh, I g- made, hell I may have gone with him and not remembered.~~

CINDRIC: ~~Okay. Do you remember riding in an In-nova van with him [*anyone else*]?~~

* * *

STILLWELL: ... I was in the Philippines... 'cause I had to... get the hell out of North Carolina. Get away from my business... and decompress.

STOUCH: So how'd you end up in the middle of a murder?

CINDRIC: And how'd you end up with murder charges?

STILLWELL: Well that's what I would like to know.

CINDRIC: Well I just told you.

STILLWELL: Well, I mean... (sigh) I understand what you just told me, I'm just trying to figure out... how the hell I'm in the middle... of something that I didn't do.

STOUCH: Do you remember how many people, just think back on this, okay, think back on this—how many people you guys met with that day that she was killed? You see those—you see those real estate properties, traveling out to r- Onarosa Farms [PH] or wherever it was, to see these places, you met with one day, then you wanted to see a property further away, and, so now you have... I think there was... at least four other people, there, and *[including]* ~~then the two of you~~, and her. ... And she ended up dead the same day. And I get it, you guys were... acting like you were Canadians... but... we wouldn't be sitting here with—with ~~two~~ Canadians, [UI]. ... This is your—this is your chance to tell what you want—the side of the story you want to tell. We have a completely... different story [//]

CINDRIC: And we have—and we have—we have [//]

[UI]

~~CINDRIC: And we have what Adam said.~~

STILLWELL: Well, I- [//]

STOUCH: And- and for me... if I truly wasn't the guy who pulled the trigger, I think I'd want to get out from under that. Being that guy. That's just me, though.

CINDRIC: Because here's the thing. You're not going home today. Okay? Um, you'll be in Greensboro, and you'll be facing charges. Okay? You'll then be transferred to the Southern District of New York, and you will be tried in the Southern District of New York.

STOUCH: ... The prosecutors, of this case, are down here from New York.

* * *

STILLWELL: Well, some of it came from ~~Adam~~ [someone else]. Some of it was mine and legitimate stuff that I won gambling.

CINDRIC: Okay.

STILLWELL: But not all of it.

CINDRIC: Okay.

STOUCH: Why do you think it was shady?

CINDRIC: Yeah. Explain that.

STILLWELL: I didn't see who did it...but, you know, I should have questioned it more at the scene.

CINDRIC: So, so, let's take another step. So, so the, the money, we see the money you anticipate something shady happened with that, right?

STILLWELL: Mhm.

CINDRIC: ~~Did you see Adam~~ [Did anyone who was with you have] ~~with~~ a weapon while you were over

there?...Because I, I, I ask you that because there's a weapons charge in your charge.

STOUCH: Certainly.

~~CINDRIC: So, how would Adam have gotten a weapon over there?~~

STILLWELL: I'm trying to recall whether I saw him with a gun, or not.

CINDRIC: Do you know if Fernando gave him the gun?

~~STOUCH: Was there ever a time you came into your apartment and Adam had some guns in there?~~

~~CINDRIC: In the bag.~~

~~STOUCH: In the bag...and you were like "shit, where did this come from?"~~

~~CINDRIC: And you just didn't say anything because your buddy, he's doing his thing and you're doing yours. Why get yourself caught in the middle of it?~~

STILLWELL: I'm trying to remember whether I saw guns. Hell, I went to every single gun shop that I saw in the Philippines while I was there trying to remember if he had them...I believe I saw him with a gun. But saying that, [UI] with guns every single day.

CINDRIC: Sure.

STILLWELL: So I'm just...

STOUCH: Yeah, but not...

CINDRIC: Not in the Philippines.

STOUCH: Not in the Philippines.

STILLWELL: Well, not in the Philippines, but—

CINDRIC: You're with guns every single day in the United States...

STILLWELL: Yeah.

CINDRIC: ...because you have concealed carry.

STILLWELL: Right.

CINDRIC: You didn't take guns when you flew over there [UI].

STILLWELL: [UI]

CINDRIC: So, did you see him with a gun over there?

STILLWELL: I believe that yes, I did see him with a gun.

CINDRIC: Do you recall what kind of gun?

STILLWELL: No, I don't.

CINDRIC: You're a gun expert. I would call you a gun expert. You're pretty familiar with guns, right?

STILLWELL: Mhm.

CINDRIC: And you can't recall what kind?

STILLWELL: I'm trying to put that back together. Honestly, guys, I'm trying...

CINDRIC: Okay.

STILLWELL: ...to get my memory...

CINDRIC: Well, no, no, no. I'm, I'm trying to...

STILLWELL: I'm trying to get my memory...

CINDRIC: Okay.

STILLWELL: ...uh, straight on, and I don't remember...

STOUCH: But, you, do you know the difference between a 45, and a 40, and a 9, and 22?

STILLWELL: Well, absolutely...absolutely.

STOUCH: And then, if a gun, like, if they modified the gun at all, or anything, you would recognize that.

STILLWELL: Part and parcel of my job.

STOUCH: Alright. So, what'd he use?

STILLWELL: I wanna say it was a hand gun.

STOUCH: Mhm.

STILLWELL: And I don't recall whether...whether it was a center guard handgun, a [UI] handgun. I wanna say it was a full size.

CINDRIC: 22?

STILLWELL: I wanna say a full sized 4-inch gun of some nature. Like I said, I don't recall right off the top of my head. [UI] it was a 22, a 9 millimeter, a 45, or what.

STOUCH: Was it modified at all?

CINDRIC: Did it have a suppressor?

STILLWELL: I wanna say it had a threaded barrel.

STOUCH: What do you mean by that? 'Cause I'm not as much a gun guy. Like when you said a threaded barrel.

STILLWELL: Threaded barrel would be for a flash [UI] suppressor...

STOUCH: Suppressor.

STILLWELL: ...or whatever.

STOUCH: Just to, to keep the...

STILLWELL: But I don't, I don't recall seeing a suppressor, 'case that would, should stand out in my mind, because...

STOUCH: The threaded barrel [UI] like on a 22 or something like, what does that look like?

STILLWELL: Just extension of the barrel. The barrel coming out the end of the gun with [UI] on it. But I'm trying to recall whether it was a center fire gun, a rim fire gun. I'm trying to recall exactly what it was.

~~STOUCH: Do remember where you saw him with it?~~

~~STILLWELL: Condo, apartment. Somewhere along there. I don't remember when it was.~~

~~STOUCH: But would he travel with it sometimes?~~

~~STILLWELL: I don't recall seeing him travel with it, but that's not, I don't think it would be unusual if you had one to travel with it. You know? Kinda what...~~

~~CINDRIC: What you guys do.~~

~~STILLWELL: ...normal, everyday. You know, I put my wallet in my pocket.~~

~~STOUCH: Sure. [UI]~~

~~CINDRIC: Let me ask you this. What's Adam do for a living?~~

~~[00:24:01]~~

~~STILLWELL: He works with me, um, making and selling holsters.~~

~~STOUCH: What else does he do?~~

~~STILLWELL: As far as I know, that's it. Works, works on his Aunt's farm, or whatever, but he [//] works with me, making and selling holsters.~~

~~STOUCH: How'd they get such a big place down here?~~

~~STILLWELL: I always assumed that he, his dad has money.~~

~~STOUCH: Yeah. It's a pretty nice place, right?~~

~~STILLWELL: Mhm.~~

~~STOUCH: What's it like inside? Is it nice inside?~~

~~STILLWELL: I've only been inside once or twice.~~

STOUCH: So, you remember him having a gun over there. Would he have had it when you guys were going to look at real estate, or anything like that?

[00:24:59]

STILLWELL: If I judge how [UI] day to day here, I would say yes.

STOUCH: Okay.

STILLWELL: And if I took that farther and said that, you know, while I'm travelling here, or he's travelling here, yes, if I had a gun I would have it with me. But I'm just, I wouldn't recall really seeing it once, maybe twice. And I really just don't think that much of seeing guns.

~~STOUCH: Did Adam ever talk about ever shooting somebody? Whether it's in line of his duty, certain jobs?~~

~~CINDRIC: Did he ever talk about doing a job in the Congo?~~

~~STILLWELL: I wanna say he had talked about working in Africa.~~

~~STOUCH: Okay.~~

~~STILLWELL: I don't recall Congo, or anything particular [UI][/] I don't know whether he was in, had done any work in, uh, in Africa or the Middle East.~~

~~STOUCH: Talk about being in Hong Kong before?~~

~~STILLWELL: [UI] talk about Hong Kong. But other than...~~

~~STOUCH: Who did, who's he, did you, did you know the guy he was working for back then?~~

* * *

STOUCH: Then do it.

STILLWELL: I wanna put the, get the trip together from start to finish, and give you what I can. At the same time, what clears me and sends me home?... 'Cause I have a, I have a business to run. I mean, this is... the, the implication of this kills my business.

STOUCH: Certainly.

STILLWELL: I mean, yeah, so what sends me home.

STOUCH: Nothing sends you home right now. We're not gonna sit here and lie to you and tell you [/] you're going home today.

CINDRIC: No.

STILLWELL: That's all.

CINDRIC: The question for you is: what keeps you out of jail for the rest of your life? Or for the next 20 years until you die?

STOUCH: Exactly.

CINDRIC: That's the question.

STILLWELL: I did not kill anybody, gentlemen.

CINDRIC: Okay.

STOUCH: [UI] there.

STILLWELL: I was there and things that I may have done led to that. I need to divest myself of it in however way that gets me clear of this...but what I'm, what my theory is, 'cause I'm looking up properties for somebody that leads to somebody being killed, you're right, that implicates me. How do I make that not...what it is, in an implication of that?

STOUCH: Do you...

CINDRIC: You did not kill anybody?

STILLWELL: I did not kill anybody.

* * *

CINDRIC: I wanna be the guy who goes to them and says "David's 100% on board. Let's do everything we can do to help him" and go to bat for you. I do. But I don't have anything to work with right now. That's his phone. My question becomes, give me something to work with.

STILLWELL: What do you wanna work with?

CINDRIC: Did ~~Adam Samia~~ *[someone]* pull the trigger on that woman?

STILLWELL: Yes.

CINDRIC: Were you present?

STILLWELL: Yes.

STOUCH: Did it happen in a van?

STILLWELL: Yes, it did [UI] vehicle.

STOUCH: Who was driving the vehicle?

STILLWELL: I was driving.

CINDRIC: Were you shocked he pulled the trigger?

STILLWELL: Yeah.

CINDRIC: Were you sickened by him pulling the trigger?

STILLWELL: Pretty much.

CINDRIC: And you wanted to get the fuck away from him and that in the Philippines?

STILLWELL: Gentlemen, and, and, I, I know what you deal with.

CINDRIC: Mhm.

STILLWELL: And I'm trying not to bullshit you. I really am trying to put the, the physical events of the trip together. I'm not trying to bullshit you on any of this, but the bottom line is [UI] a stupid idiot in the wrong place at the wrong time.

STOUCH: Yeah, but at least you're willing to admit that.

CINDRIC: Can I ask you this, did you know what you were going over to the Philippines for?

STILLWELL: No.

CINDRIC: Tell me how that, tell me how, tell me how you ended up there. How did Adam get you to come up there?

STILLWELL: I...it, it really was to get the hell out of North Carolina.

CINDRIC: Okay.

STILLWELL: Get the hell away from the business, and decompress after my father's death.

CINDRIC: Okay.

STILLWELL: The rest of it kind of dropped on me.

[00:43:00]

STOUCH: Was there a chance that, did you know before going there there was a chance to make a little money while you're there?

[//][UI]

CINDRIC: [UI] to fully explain.

STILLWELL: Yeah, I don't, I don't remember whether that was dropped on me when we got there, or when we got back. I think [UI] when I got back, before we left.

STOUCH: Let me ask you this, like, you, you knew you weren't putting up your own money to go there?

STILLWELL: [UI] a lot of money to go there, I paid for the ticket.

STOUCH: But you were getting reimbursed.

STILLWELL: No, I did not know I was being reimbursed for it.

STOUCH: So, ~~Adam~~ *[no one ever]* ~~never~~ told you like look, dude, there's no, like, no expenses. You're in the Philippines making a little money. Get away, get out of here. I'm not talking about what you spent on other stuff.

* * *

~~STOUCH: Okay, but you're in the Philippines. Did he tell you "look, we can make a little money. Just gotta scare this lady a little bit. Get some information out of her."? Like, you never thought like, you didn't think he was gonna shoot her at the time?~~

~~STILLWELL: The only, I have no idea, gentlemen, but...~~

~~STOUCH: Okay, so like, what was the...did he just say "we gotta scare her a little bit" or?~~

STILLWELL: Honestly, not a lot was said about it.
[UI] What happened happened.

STOUCH: Well, what did happen...when you were out there that day?

STILLWELL: I think we just kinda said all of that.

STOUCH: You looked at the property, driving back, and the next thing you know...he turns and...what'd he shoot her with?

STILLWELL: A handgun. I couldn't remember whether it was a center fire, rim fire, or what, but it was a handgun.

CINDRIC: Did your senses kind of shut down after you heard the pop in the van? Because, kinda li—I mean you're in a confined area, boom. I mean, did you just go like "Oh, shit"?

STILLWELL: Uh, yeah.

[00:47:00]

CINDRIC: What'd you say to him?

STILLWELL: I don't recall what I said at that moment.

CINDRIC: I mean, my, my, my response would have been like "what the fuck?"

STILLWELL: Well, I'm sure something like that was said. I don't, like I said, I don't recall anything being said. I don't. I, that's the best way to describe it. I was shut down at that point.

CINDRIC: When you drove around, how, I, I mean, you're driving around clearly now there's blood and all

everywhere. Is ~~Adam~~ *[anyone]* giving the directions at that point. Like, go here, go there, we gotta find a place to drop her? How's that working?

* * *

CINDRIC: while [//]...

STILLWELL: I don't remember being...

CINDRIC: ...you were in the Philippines?

STILLWELL: I don't think anybody [UI] Canadian. I know I remember talking to bar girls and whatnot.

STOUCH: No, but I'm talking about while with the real estate people.

STILLWELL: Not that I, not that I remember. Honestly. Not that I remember talking [UI] 'cause I didn't really...

STOUCH: Do you remember any nicknames you went by when you were over there?

STILLWELL: [//][UI]

STOUCH: No, you didn't use the name Bill Maxwell?

STILLWELL: No, I don't...

CINDRIC: Do you use JT?

STILLWELL: I don't remember using a JT for anything.

~~STOUCH: Did Adam use a nickname?~~

~~STILLWELL: Yes. But I don't remember it being any of those, to me.~~

STOUCH: Sal?

STILLWELL: That sounds familiar, but I can't tell you 100% that that's something I'd associate, you know, with ~~him~~ *[anyone]*.

CINDRIC: Did you ever know there were sketches of you?

STILLWELL: No.

STOUCH: See, the, maybe the good or bad [UI] being somewhat truthful is that there's a lot of people that met you guys while you were over there.

STILLWELL: Oh sure.

* * *

CINDRIC: Okay.

STILLWELL: She would be the person to ask.

CINDRIC: Okay. Okay. Um, you didn't keep the driver's license. We asked you that. If you had the driver's license from the murder.

STILLWELL: No, I [UI] I, I, I have nothing [UI]. I mean...

CINDRIC: I gotcha. No, uh, understood. Um, did you *[ever talk about this with anyone?]* ~~and he ever talk about this?~~ You and Adam after this took place? Like, back here? Just kind of was kind of those things left unsaid. Did the "what if" scenario ever come in? What if we knock on the door? or somebody in, meaning law enforcement.

STILLWELL: No, not really. No. I can't recall any time that it was ever really broached in any fashion. I just...

CINDRIC: [//][UI]

STILLWELL: ...honestly.

CINDRIC: I figured from your standpoint you wanted to just put it behind you and then from his standpoint I thought he might wanna make sure the story was the same.

STILLWELL: Yeah, I...definitely want, want it behind, but I, I, I [UI] I, I will gradually make way...

CINDRIC: Sure.

STILLWELL: ...for every detail to minimize my involvement in this. I mean, I know there's nothing that, um, you can say, or whatever to give me any guarantees, but...

CINDRIC: [UI]

STILLWELL: But what can you tell me of any hope of coming out of [UI] on the end of, ass end of this?

[00:48:59]

CINDRIC: I can tell you that if you cooperate, cooperate honestly, um, that that will be brought before the judge's attention, and that it goes a very long way that you would cooperate in a situation such as this.

DISTRICT COURT DOCKET ENTRY 524-2**Proposed Testimony from Law Enforcement
Witness(es) Regarding the Relevant Substance
of Carl David Stillwell's Post-Arrest Statement**¹

The Government intends to call a witness at trial to testify that, on July 22, 2015, Carl David Stillwell (“Stillwell”) was informed of the charges against him, was read his *Miranda* rights, waived those rights, and made the following statements, in substance:

- Stillwell informed the agents that he had only been overseas once and that was to go to the Philippines in late 2011 or 2012.
- Stillwell stated that he sent a few thousand dollars back to the United States via Western Union. Stillwell later acknowledged that it was not an accident that all the transfers were under \$10,000.
- Stillwell stated that he stayed in the Philippines for approximately a month.
- Stillwell stated that he and the individual with whom he went to the Philippines mostly stayed in the Makati area of Manila but then they moved over to another section of Manila “near the old capital.” Stillwell further stated that initially he had stayed in a hotel and then he moved to a condo or apartment in a complex mostly used by tourists.

¹ The Government reserves the right to modify the proposed testimony based on further rulings from the Court as well as in view of counter-proposals and/or arguments from defense counsel.

- Stillwell stated that the Howzat Bar “sounded familiar.” Stillwell later acknowledged that he thinks he and the individual he went to the Philippines with “ate there quite a bit.”
- Stillwell stated that he “believe[d]” he saw the person he was with possess a “full-size” handgun with a threaded barrel to attach a flash suppressor, but that he did not recall seeing a flash suppressor. He believes that the person with whom he viewed real estate had it with him on the same day that they looked at real estate together.
- Stillwell again stated that he did not kill anyone but he “was there and things that I may have done led to that.”
- Stillwell stated that he was present when another person pulled the trigger on “that woman.” Stillwell further stated that the shooting happened in the van while Stillwell was driving. Stillwell stated that the person used a handgun to shoot her.
- Stillwell further stated that he was handed 20 or 30 thousand dollars after she was killed.
- Stillwell identified stillwell20@gmail.com and cds@grandfatheroak.com as email accounts he used.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

No. 13-cr-521 (RA)

UNITED STATES OF AMERICA

v.

ADAM SAMIA AND CARL DAVID STILLWELL,
DEFENDANTS

Date: April 3, 2018, 10:00 a.m.

REPORTER'S TRANSCRIPT OF JURY TRIAL

Before: HON. RONNIE ABRAMS, District Judge.

APPEARANCES

GEOFFREY S. BERMAN

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Southern District of New York

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DAVID M. STERN

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Attorneys for Defendant Samia

ROBERT W. RAY
BRITTNEY M. EDWARDS
Attorneys for Defendant Stillwell

* * *

MR. EGAN: On February 12, 2012, Catherine Lee was riding in the backseat of a van driven by Carl David Stillwell on a road outside Manila. Adam Samia was in the passenger seat that night as, he Stillwell and Ms. Lee made their way back into the city after viewing some properties. Ms. Lee was a real estate agent and she'd been looking at property with these men over the last couple days. But as they drove back into Manilla that night Adam Samia pulled out a .22 caliber handgun, turned around, aimed carefully and shot Catherine Lee twice in the face, killing her instantly.

Now, Adam Samia and Carl Stillwell didn't really know Catherine Lee outside of the couple of days they'd spent together. They had no reason to be angry with her, no. This was business because these men, Carl David Stillwell and Adam Samia were paid killers and they had been hired by this man, Joseph Hunter, to fly to the Philippines to do this terrible work, to find and to kill the people that Mr. Hunter's boss wanted dead, people like Catherine Lee.

Now, this story began long before Catherine Lee got into the van that night. Catherine's murder was a culmination of a series of events that began when Adam Samia linked up with a group of mercenaries years before. Those mercenaries worked for an international criminal. A man who smuggled gold, weapons, drugs, missiles, pretty much anything that you can think of, all over the world. That's where Samia first met Hunter, an Army veteran, who had also linked up with this group. And because of

Samia's involvement in this group in 2011 when Hunter's boss was looking to fly two hitmen to fly to the Philippines to murder his enemies he reached out to Adam Samia and brought him and David Stillwell onboard to do just that.

As a result of their involvement in these crimes, these defendants are charged with conspiracy to commit murder-for-hire, conspiracy to murder and kidnap outside of the United States and related federal charges. David Stillwell and Adam Samia are also charged with laundering the \$35,000 that they each got paid for Ms. Lee's murder.

Ladies and gentlemen, the evidence at this trial will prove that these defendants are guilty as charged.

Now I want to take some time now to tell you what the government is going to prove at that trial and then I'll take a little bit of time to tell you how the government is going to prove it.

The evidence will show that since at least 2008, Joseph Hunter and Adam Samia worked for a man named Paul LeRoux. I expect you will learn a lot about Paul LeRoux in the next couple weeks. You'll learn that LeRoux ran a criminal empire that spanned at least four continents and that he did business in some of the world's toughest spots. He made millions running an illegal online pharmacy and selling prescription drugs into the United States. He smuggled gold out of the Congo. He raised a small private Army in Somalia to protect his interests. He tried to sell missile technology to the Iranians and he bought methamphetamine from the North Koreans.

Now on paper during this time these men worked for a company called Echelon. But Echelon was really just a front group for LeRoux's group of mercenaries. These

were men with military backgrounds or weapons expertise who provide whatever protection was needed for Paul LeRoux's business interests around the world.

If LeRoux needed his drugs guarded, these were the guys to do it. If LeRoux needed money that was owed to him collected, these were the guys that he turned to. And if Paul LeRoux wanted someone murdered, jobs that this group called "ninja work" or "bonus jobs", these guys got the call. They called their illicit tasks "missions" and they knew that their one and only job requirement was to do whatever was necessary to complete their mission.

From the beginning Samia was an enthusiastic member of the group. He did missions for LeRoux all over the globe from the Congo to Papua New Guinea but he expressed particular interests in something he called wet work, a twisted term for murdering another human being. Now he wasn't assigned any murders at the beginning. But in 2009, 2010 and 2011, he kept asking, begging for his chance. Meanwhile, Hunter continued to move up in the organization.

During this time Paul LeRoux became convinced that his head of security, the man who had actually recruited Hunter into this group was stealing from him. So LeRoux killed him. He wanted it very clear he would not tolerate theft or disloyalty, particularly since it was becoming a growing problem. During this period LeRoux became convinced that a number of people were trying to double cross him and he wanted someone to help with that problem. Joseph Hunter was that guy.

LeRoux made him the new head of security and told him to put a new team together. But this time the structure would be different. On Hunter's watch there was going to be what they called the business side people in

charge of asset protection and smuggling but there was going to be another side, the ninja side. And these men have one job, to murder to continue to settle the long list of scores that Paul LeRoux wanted settled.

So in the fall of 2011 Hunter reached out to Samia, the guy who had been expressing interest in wet work. Hunter explained that a new team was being assembled to carry out these so-called bonus jobs. And he wanted to know if Samia was still interested in the work. And because LeRoux had made it very clear that hit jobs required two man teams, Hunter told Samia he would need a partner. Samia jumped at the chance and he recruited David Stillwell.

You'll learn that David Stillwell and Adam Samia knew each other well back home in Roxboro, North Carolina and that they even worked together. David Stillwell had never been outside of the country. But you'll learn that LeRoux through Hunter was offering \$10,000 in salary and \$25,000 for each murder they committed. Too good to pass up. David Stillwell applied for a passport and after some initial preparations the two men flew out on separate flight a couple days apart in January 2011. As soon as they arrived in the Philippines they met with Hunter and received their target packages.

You'll learn that a target package is just information on their victims. Their names, their address, where they worked, what they drove. Basically, the information that Paul LeRoux's surveillance teams in the Philippines had already gathered. Basically, any information that might help Samia and Stillwell hunt their victims. They got to it. Samia and Stillwell started doing research and conducting their own surveillance taking pictures, trying to learn what they could about their victim's lives.

Hunter meanwhile dealt with the logistics of the hit requesting weapons, silencers, disguises if needed, basically, any tools they might need for these murders. And because these men were hoping to get paid early and often they talked about how long it might take to commit a particular job. If they thought it would take too long the person was too far away, too hard to find, they just asked for another victim, another person who was a little closer and easier to kill. And in early February 2012 Hunter passed Samia and Stillwell a hit package for a woman named Catherine Lee.

As I mentioned before, Catherine Lee was a real estate broker in the Philippines. She had helped LeRoux purchase some property. But LeRoux heard that she had inflated the price of that property working with some of his employees and had kept the extra money for herself. So LeRoux wanted her dead.

Samia and Stillwell started their work. They learned about her. They studied her. They came up with their plan. They would pretend to be real estate clients looking to purchase land around Manila. They would have her show them properties and they would wait for their chance. Now at first when they were looking for properties the opportunity didn't come. But then on February 2012 as they were driving back in the van their moment came. On the road back to Manila Adam Samia pulled out a gun and murdered Catherine Lee as Stillwell drove down the road. Catherine's body would be found the next morning in the rain in a pile of garbage by the side of the road.

Having completed this awful mission, Hunter paid Samia and Stillwell their money, \$35,000 in cash apiece as promised covering their \$10,000 salary and the \$25,000 bonus for the murder itself. Both men immediately began

sending the money home to trusted friends, family, seven thousand, eight thousand dollars at a time trying to do whatever they could to avoid law enforcement's scrutiny.

Shortly after the murder, police in the Philippines began investigating and sketches of the perpetrators appeared on the news. Nevertheless, Samia and Stillwell were anxious to get back to work. After all, for these men more murders meant more money. So within days of Catherine Lee's murder they were out working on their next target package but Hunter decided it would be safer if they went home. Stillwell left first at the end of the month. Samia left a couple days later vowing to come back and continue the work.

That's what the government will prove at that trial, that these men were part of an international hit squad, a team of killers and that they orchestrated Catherine Lee's murder as part of their assignment to systematically murder those people that their boss wanted dead.

Now, I want to spend a little time talk talking about how the government will prove it, what types of evidence you'll see and hear in this case. One type of evidence that you will see obviously, is the testimony of witnesses. You'll hear from some of the people in the Philippines who worked on the case. You'll hear from the officer who responded to the scene when Catherine Lee's body was found by the side of the road. You'll hear from the medical examiner who performed the autopsy. And you'll also hear from a sergeant from North Carolina, a member of the—county sheriff's department who helped with the arrest of Samia Stillwell three years later in 2015. He'll tell you about the evidence that was recovered from inside Samia and Stillwell's houses and from their business. He'll describe the loads of electronic and documentary evidence

that was recovered and he'll even describe how a particular key that investigators later learned was the key to the van in which Samia and Stillwell murdered Catherine Lee, that key was found in Adam Samia's house.

But some of the most crucial testimony you'll hear will be the first accounts, firsthand accounts of what happened from some of the participants in the conspiracy themselves. For example, you will see a video of Joseph Hunter as he describes in detail his involvement in Catherine Lee's murder including how the two hitmen botched the job and he was forced to send them home. And you'll hear from a DEA Agent Eric Stouch who interviewed Stillwell on the day of his arrest and he'll tell you how in that interview David Stillwell admitted to driving the car while the man he was with turned around and shot Catherine Lee.

You'll also hear directly from two other very important witnesses who will be able to give you a unique perspective on what happened here. You will hear from Timothy Vamvakias. Vamvakias served in the military with Hunter and actually recruited Hunter to join LeRoux's team of mercenaries. He'll be able to take you inside that international criminal organization and explain how he and its other members worked, how they talked and what kind of missions they did for LeRoux. He will tell you that "bonus jobs" or "ninja work" meant assassinations. He will tell you that in 2011 Paul LeRoux was looking to hire a team of assassins. That's it plain and simple.

And then you will also hear from Paul LeRoux himself, the boss. He will take the witness stand and he will explain to you in his own words how his criminal organization worked and what he asked his hitmen to do. He will explain that by 2011 he had developed what was basically a kill list, people who he felt had crossed him, who he

wanted dead. And he will explain how he tasked Joseph Hunter with carrying out that job.

Now given their roles in the organization, their participation in these crimes, Paul LeRoux and Tim Vamvakias can give you an insider's perspective into this crime like no other witness you are going to see. But make no mistake about it. These men are criminals and they committed very serious crimes. LeRoux himself will tell you about his involvement in everything ranging from absolutely brutal murders to trying to plot a coup in the Seychelles. And Timothy Vamvakias will tell you about his own criminal past, about his involvement in a conspiracy to execute a DEA agent and a DEA informant.

And I expect when they take that stand they will tell you that they are testifying in hopes of receiving some leniency and you should absolutely consider that when you listen to their testimony. But you should also consider the degree to which their testimony is corroborated by some of the other evidence you are going to see in this case. Some of that corroborating evidence will come in the vast amounts of electronic evidence you will see, evidence seized from the e-mail accounts of these men and their criminal associates to communicate with one another, as well as electronic evidence that I described before that was seized out of the homes of Samia and Stillwell.

You'll see e-mails between these men discussing bonus work and ninja work, discussing logistics of murders including what weapons they would need and discussing how much everyone will get paid. And you'll even see a Facebook post from Adam Samia two days after Catherine Lee was murdered telling a friend how it's easier to put down a person than a dog, an absolutely horrifying reflection given his involvement in the murder not even 48 hours before.

In addition to these e-mails you will see evidence that was extracted from these computers and cellphones and hard drives and thumb drives that belonging to Samia and Stillwell, evidence of these hit packages describing their victims, photos of Catherine Lee's business in the days leading up to the murder, internet researchers on how to kill people, research on money laundering and a picture of a bloody head wrapped in a towel taken shortly after the murder found on a SIM card in David Stillwell's phone and on a computer that he and Samia shared.

And you won't just see this mountain of digital evidence. An analyst will come and explain that evidence for you. He'll explain how you this electronic information is connected and describe the efforts that Samia and Stillwell took to cover their tracks.

And finally, you'll see the documentary evidence that corroborates the witness's testimony, phone records that showed the connections between the defendants and bank and financial records that will show how Samia and Stillwell tried to conceal their money as they came back to the country.

This is just a preview of what we think the evidence will show. There's a lot of different types of evidence and a lot of different types of witnesses. So we're going to ask you to do three things while you sit here.

One, pay careful attention to the evidence.

Two, listen closely to Judge Abrams and her instructions on the law.

And three, use your common sense, the same common sense you use everyday.

And if you do these three things when all is said and done, you will reach the only conclusion that is supported

by the evidence in this case and that is that these defendants are guilty.

Thank you.

* * *

MR. DE CASTRO: May it please the Court, the government, ladies and gentlemen of the jury, I, along with Valerie Gotlib as the judge introduced earlier represent Joseph Hunter.

The government went to some lengths here to describe its case against Mr. Hunter, that he is a United States military veteran who went to work for Paul LeRoux. As a result of his work for Mr. LeRoux he committed very serious crimes for which he is here standing trial. These are very serious allegations and the government must prove them to you beyond a reasonable doubt. On top of the three things that the government wants you to think about during this trial, we want you to think about two things right now.

One, opening statements are not evidence. They're not. The judge told you that earlier. They're not. Mr. Hunter is presumed innocent. You can only find him guilty if the government proves each and every element of each and every charge in this case beyond a reasonable doubt.

As I said to you, opening statements are not evidence. What Mr. Egan outlined for you just now, just like what I'm saying to you right now is simply what the government anticipates the evidence will show and what I anticipate the evidence will show. It is not evidence. The evidence will come in the form of testimony from that witness stand. You will get to watch those witnesses. You'll hear those witnesses. You can judge those witnesses. It's evidence that the government discussed that they will introduce but it is the government's burden to prove each and

every element of each of those counts of which Mr. Hunter is charged but it's your job to hold them to that burden. You promised us all, you just took an oath that you will do that. You will reach a verdict after according to the law and the evidence in the case. So we ask you to hold the government to its proof in each and every count of the indictment.

Mr. Hunter is presumed innocent. If you were asked right now to vote, your vote would have to be not guilty. He is presumed innocent. The government hasn't presented any evidence yet. They simply gave you an outline of what they hoped to show. So you have to wait. You have to hear all of the evidence. You have to evaluate it for yourself. You can't take our word for it. You have to evaluate it for yourself and see if it proves what the government says it proved. Mr. Hunter has a clean slate. That's what the judge told you earlier and that's what the presumption of innocence is.

Because Mr. Hunter is presumed innocent and the burden always remains at this table, it's for the government to prove their case, we don't have to cross-examine any witnesses. We don't have to produce any evidence. We don't have to call any witnesses of our own. In fact, I expect you are not going to see Ms. Gotlib and I ask lots of questions of the witnesses, engage in lengthy cross-examinations. Don't hold that against Mr. Hunter because remember, it's the government's burden, not our burden to prove our innocence. They have to prove his guilt.

And I expect that at the conclusion of case I am going to get up here and I'm going to argue to you that they haven't met that burden and that they haven't proved this case against Mr. Hunter beyond a reasonable doubt.

Thank you.

* * *

MR. RAY: May it please the Court, Judge Abrams, counsel, good afternoon, ladies and gentlemen of the jury. My name is Robert W. Ray and together with my colleague, Brittney Edwards and Stella Leung, a paralegal from our office, it is our solemn responsibilities to represent the third defendant in this case. His name as you know now is Carl David Stillwell. He goes by “David”, his middle name, and he is from North Carolina.

MR. RAY: He’s in court here today in New York to answer for crimes against the United States alleged by the government involving the killing of Catherine Lee. But only insofar as the prosecution in this case can prove to you, unanimously, beyond a reasonable doubt, that Mr. Stillwell well knew before he left North Carolina bound for the Philippines that the purpose of his trip was to kill or kidnap another person in a foreign country.

In other words, everything in this case as it concerns Mr. Stillwell, and as far as finding him guilty of any of the charges alleged in the indictment, depends entirely on the government’s obligation and ability to prove to your satisfaction beyond a reasonable doubt that David Stillwell before he left the country, joined a conspiracy knowing that its objective was to kill or kidnap in a foreign country.

With that in mind, let me just review with you, first, generally the government’s central allegation contained in the indictment. It is the following:

First, the indictment charges that the three defendants on trial here are United States citizens who agreed to commit murder overseas for money; second, in late 2011 and early 2012, it is alleged that the three of them then left the United States and traveled to the Philip-

pinos, whereupon, once there, they obtained target information about their victim, and the firearm or firearms used to commit the murder; and finally, third, on February 12, 2012, Mr. Samia and Mr. Stillwell killed Catherine Lee in exchange for payment from Mr. Hunter.

Now, mind you, the indictment as Judge Abrams has already cautioned you, is not evidence of anything. I am here to tell you at the outset, and again, at the end of this trial, that as far as my client Mr. Stillwell is concerned, the government's central allegation is just wrong. I expect before this trial has concluded you will hear evidence that in late 2011 and early 2012, Joseph Hunter was not in the United States, but was instead already in the Philippines and that he had been there for some time.

Next, while it is true that all three defendants are U.S. citizens and that Mr. Stillwell and Mr. Samia are friends and business colleagues from North Carolina, the three of them never met together in the U.S. before Mr. Samia and Mr. Stillwell traveled to the Philippines, and thus, finally, based on the evidence or lack of evidence in this case, any conspiracy to commit murder in a foreign country could not have been one Mr. Stillwell knowingly joined until after he had arrived in the Philippines.

In this case, you are not going to hear me argue that it wasn't him or that he wasn't there. I will tell you now that Mr. Stillwell was in the Philippines and that he was in the van with the victim. He was the driver of that vehicle. And he got paid. Before leaving the Philippines, he transferred money back to the United States.

Ladies and gentlemen, Mr. Stillwell gave a postarrest statement to agents who will testify in this case. You will hear about his admissions. What you won't hear is that he knew in advance of his travels that the purpose of his trip

was to kill or kidnap in a foreign country, and you won't hear that because it just didn't happen.

So what I am asking you to do in this case, and it is a big ask, I know, is that you pay close attention to all of the evidence presented here over the next three weeks. Listen carefully to what the government can prove in this case, but just as importantly, and I submit, most importantly to Mr. Stillwell, listen to what the government cannot prove in this case.

In short, I implore you to withhold judgment until all of the evidence is presented, and not to jump to any conclusions until all is said and done. Fairness, justice, and your oath require nothing less than your very best consideration of the evidence and lack of evidence.

Remember also, that while Mr. Stillwell made statements following his arrests, and you may consider them, he has no obligation to testify and answer to the charges leveled against him. His answer is that he is not guilty, and as the judge has already instructed you, if he chooses to not testify in his own defense, you may not hold that against him.

Finally, I trust that you recognize that each defendant in this case is entitled to rely on your consideration of the evidence against him only. How you may decide the case against his codefendants should have no bearing on how you decide this case as to Mr. Stillwell. Each defendant deserves separate consideration by you, and the rendering of a separate verdict, particularly here given the unique facts and circumstances of each defendant.

The government has said a lot of things about what it expects to prove in this case. It has alleged that my client is part of an international mercenary killing machine led by Paul Le Roux who will testify before you.

At this stage of the case, however, I would just ask you to consider what I expect the evidence will show is undisputed. David Stillwell applied for the first and only passport of his life in late September 2011. He was then in his early 40s. He had never previously traveled outside the United States until his trip to the Philippines in January 2012.

Now, I expect that you will hear days on end of testimony about the existence of a conspiracy to murder-for-hire victims overseas. What the evidence will not demonstrate is any proof that David Stillwell joined that conspiracy while here in the United States knowing that its purpose was to commit murder or kidnapping in a foreign country. If I am right about that, I will ask you to return a verdict of not guilty at the end of this case.

As my colleagues have already suggested to you, and is customary in every criminal trial, you are reminded and cautioned that a defendant in a criminal case is presumed innocent. That means he need not prove anything. Anything at all. As I mentioned just moments ago, even, for example, the lack of evidence in a case brought by the government requires that you find him not guilty. Indeed, being presumed innocent means that throughout this trial, through the Court's instructions on the law, and even during your deliberations, Mr. Stillwell is entitled to rely on your oath that you cannot and will not find him guilty unless and until all of you determine that the government has met its high burden of proof beyond a reasonable doubt as to each and every element of the charges contained in the indictment.

If you do that, Mr. Stillwell will receive a fair trial, and I submit to you, a fair consideration of the evidence will result here in your verdict of not guilty as to David Stillwell.

Thank you very much.

* * *

RUBEN M. APOSTOL, JR.,
called as a witness by the Government,
having been duly sworn, testified as follows:

MS. DONALESKI: May I inquire?

THE COURT: You may.

DIRECT EXAMINATION

BY MS. DONALESKI:

* * *

Q. Mr. Apostol, directing your attention to February 13, 2012. Did you respond to a crime scene that day?

A. Yes.

Q. How were you notified about the crime scene?

A. Our office received a telephone call from provincial tactical office center pertaining to a found cadaver along Monte Carlo Street, El Monte Verde, Barangay San Juan, Taytay, Rizal.

Q. I'll just ask you to say the address again slowly, please. I believe it was Monte Carlo Street; is that right?

A. Yes, it is along Monte Carlo Street, El Monte Verde, Barangay San Juan, Taytay, Rizal.

Q. Did you respond to that location?

A. Yes, we did.

MS. DONALESKI: Ms. Shields, could you please publish Government's Exhibit 9.

Q. Mr. Apostol, do you see that location depicted on this map

El Monte Carlo Street, El Monte Verde, San Juan, Taytay, Rizal?

A. Yes.

Q. Could you please point it out?

A. It's in the center. This is a partial map of Taytay.

MS. DONALESKI: Ms. Shields, could you please highlight Monte Carlo Street.

Q. Mr. Apostol, is that the location of the crime scene you responded to on February 13, 2012?

A. Yes.

MS. DONALESKI: Thank you, Ms. Shields.

Q. What did you find when you got there?

A. Upon arrival at the scene, we found a crowd of people and a lifeless cadaver at the vacant lot.

Q. At the vacant lot?

A. Yes, a vacant lot.

Q. What were the weather conditions?

A. At that time this was—it was rainy.

Q. And where was the body found?

A. In a vacant lot beside a pile of garbage covered with blanket.

Q. The body was covered with a blanket?

A. Yes, ma'am.

* * *

MARIA ANNALISSA DELACRUZ,
called as a witness by the Government,
having been duly sworn, testified as follows: wit

THE COURT: You may proceed.

MS. DONALESKI: Thank you, your Honor.

DIRECT EXAMINATION

BY MS. DONALESKI:

* * *

MS. DONALESKI: Finally, Ms. Shields, could you please publish for the witness only Government's Exhibit 604. You can scroll to the second page.

Q. Do you recognize this document, Dr. Dela Cruz.?

A. Yes, ma'am.

Q. What do you recognize it to be?

A. This is the medico-legal report I prepared.

Q. For Catherine Lee?

A. For Catherine Lee.

MS. DONALESKI: The government offers Government's Exhibit 604.

THE COURT: Any objection?

MR. DE CASTRO: No.

MR. RAY: No objection.

MR. SCHNEIDER: No objection.

THE COURT: It will be admitted.

(Government Exhibit 604 received in evidence)

MS. DONALESKI: Ms. Shields, you can publish page 1 to the jury. You can take that down. Thank you, Ms. Shields.

BY MS. DONALESKI:

Q. What, if anything, did you notice about the body based on your external examines?

A. During the postmortem examination, ma'am, it was noted that there were two gunshot wounds on the face of Catherine Lee and those gunshot wounds were located in the lower portion of each eye. It's here. And also contusions on the left medial canthus. It's in the middle portion of the eye and right lateral canthus, the lateral side of the right eye, and the right zygomatic area. It's here.

MS. DONALESKI: Just let the record reflect the witness has pointed to immediately under each of her eyes.

THE COURT: It shall so reflect.

Q. You mentioned the term "contusion." What is a contusion?

A. Contusions are bleeding under the skin.

Q. Was the body wet?

A. Yes, ma'am.

Q. Were you able to determine how long Catherine Lee had been dead?

A. In my opinion, ma'am, the body has been dead for within the 24 hours period.

Q. Did you recover anything from Catherine Lee's body?

A. Yes, ma'am.

THE COURT: I'm sorry. When you say "within 24 hours," you mean for less than 24 hours; is that correct?

THE WITNESS: It's within, yes, ma'am. Yes, your Honor.

Q. Did you recover anything from Catherine Lee's body?

A. Yes, ma'am.

Q. What did you recover?

A. I recovered two slugs inside the brain.

Q. What is a slug?

A. It's a fired bullet.

Q. Are you familiar with the term "tattooing"?

A. Yes, ma'am.

Q. What is tattooing?

A. Tattooing is the term used to describe punctate abrasions observed in the epithelial tissue which comes into contact with unburned powder or burned powder from grains of gun powder.

Q. Did you find any on Catherine Lee's body?

A. None.

Q. What, if anything, did the lack of tattooing lead you to conclude?

A. That the gunshot wounds didn't come from a distant fire.

Q. It didn't come from distant fire?

A. Yes.

Q. Were you able to approximate how far away the gun was from Catherine Lee's face?

A. In my opinion, it's beyond 18 inches away from Catherine's face.

Q. Were you able to determine which bullet wound was inflicted first?

A. No, ma'am.

Q. Why not?

A. It's in my opinion also that the bullet or the gunshot wound was fired simultaneously, since upon opening up of the brain, I noted that there were uniform distribution of the hemorrhage or the bleeding in the brain.

Q. And you mentioned you believed they were fired simultaneously?

A. Yes, ma'am.

Q. What do you mean by "simultaneously"?

A. That one was fired after the other, immediately.

Q. Were you able to determine how soon death would have occurred after those two bullet wounds?

A. It's an immediate death, ma'am.

Q. Were you able to determine the cause of death?

A. Yes, ma'am.

Q. What is the cause of death?

A. Gunshot wounds in the head.

Q. Did Catherine Lee die because she was shot?

A. Yes, ma'am.

* * *

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

No. 13-cr-521 (RA)

UNITED STATES OF AMERICA

v.

ADAM SAMIA AND CARL DAVID STILLWELL,
DEFENDANTS

Date: April 4, 2018, 10:00 a.m.

REPORTER'S TRANSCRIPT OF JURY TRIAL

Before: HON. RONNIE ABRAMS, District Judge.

APPEARANCES

GEOFFREY S. BERMAN

Interim United States Attorney for the
Southern District of New York

REBEKAH DONALESKI

EMIL BOVE

PATRICK EGAN

Assistant United States Attorney

CESAR DE CASTRO

VALERIE A. GOTLIB

Attorneys for Defendant Hunter

DAVID M. STERN

JEREMY SCHNEIDER

Attorneys for Defendant Samia

ROBERT W. RAY
BRITTNEY M. EDWARDS
Attorneys for Defendant Stillwell

* * *

ERIC STOUCH,

called as a witness by the Government,
having been duly sworn, testified as follows:

THE COURT: You may proceed.

MS. DONALESKI: Thank you, your Honor.

BY MR. EGAN:

* * *

Q. During your interview, did you ever ask Mr. Stillwell whether he had ever been out of the country?

A. Yes.

Q. What did he say?

A. He said he had been overseas once.

Q. Did he indicate where he had gone?

A. The Philippines.

Q. Did he say when?

A. Yes.

Q. When was that?

A. Late 2011 or 2012.

Q. Did you ask him how long he stayed?

A. Yes.

Q. What did he say?

A. Approximately one month.

Q. Did Mr. Stillwell indicate whether he had gone alone or with someone else?

A. He stated that he had met somebody else over there.

Q. Did he describe where he and the person that he met over there stayed while in the Philippines?

A. Yes, he explained that he and the other person initially stayed at a hotel, but then moved to what he described as a condo or apartment-type complex in the old capital area of the city.

Q. And he stated that they lived together?

A. Yes.

Q. Stayed in the same place?

A. Yes.

Q. To his knowledge, did the person that he was with in the Philippines ever carry a firearm?

A. Yes.

Q. Did he describe what kind of firearm it was?

A. He described it as a full-size, four-inch gun of some nature, but could not recall whether it was a nine millimeter, .22, or .45 caliber.

Q. Did he notice any other features of the firearm?

A. Yeah, he recalled that it had a threaded barrel.

BY MR. EGAN:

Q. What is a "threaded barrel"?

A. What he explained is that it would be to attach a flash suppresser.

Q. What is a “flash suppresser”?

A. It’s also known as a “silencer”. It would suppress gunshot noise or a muzzle flash.

Q. Did he recall ever seeing a flash suppresser?

A. No.

Q. Was there a particular occasion that he remembered that individual having that gun in their possession?

A. Yes.

Q. When was that?

A. He described a time when he and that other individual had traveled outside of Manila to view a property and that he had observed a gun then.

Q. And at any point during the interview did you ask him about the murder of Catherine Lee?

A. Yes.

Q. Did he have information about that murder?

A. Yes.

Q. What did he say about it?

A. He stated, “I did not kill anybody gentlemen but I was there and things I may have done led to that.”

Q. Did he say where she was when she was killed?

A. Yes. He described a time when the other person he was with pulled the trigger on that woman in a van that he and Mr. Stillwell was driving.

Q. Did Mr. Stillwell indicate whether he was paid for his role in it?

A. Yes.

Q. What did he say?

A. Explained after the murder he was handed money which he described to be 20 to \$30,000.

Q. At any point during the interview did you ask him about money transfers made back to the United States?

A. Yes.

Q. What did he say about that?

A. He acknowledged that he had sent money back to the United States via Western Union.

Q. Did he send it all at once or in pieces?

A. In pieces.

Q. Did he describe why he did that?

A. Yes. He acknowledged that it was no accident that it was sent in increments less than \$10,000 and acknowledged that it was to hide it from the U.S. Government, and also gave another explanation he was trying to hide money from his wife.

MR. EGAN: Nothing further, your Honor.

THE COURT: Cross-examination?

MR. RAY: Thank you, your honor.

CROSS-EXAMINATION

BY MR. RAY:

* * *

Q. My question also with regard to defendant Joseph Hunter, did you have occasion to meet with or discuss?

MR. EGAN: Objection.

THE COURT: Sustained.

Q. Well, without getting into which others—in other words there were other people including friends and relatives of the defendants that you interviewed?

MR. SCHNEIDER: I would object. I would ask this be limit his client, to Mr. Stillwell.

THE COURT: I agree. Just to be clear, the testimony thus far from the special agent is only admissible as to Mr. Stillwell and not as to Mr. Samia and Mr. Hunter. I hope that's clear.

* * *

PAUL CALDER LEROUX,

called as a witness by the Government,

having been duly sworn, testified as follows:

DIRECT EXAMINATION

BY MR. BOVE:

* * *

Q. Mr. LeRoux, do you know of a man named 'Adam Samia'?

A. Yes.

Q. How did you learn that name?

A. Approximately, 2018 I received an e-mail from a man named 'Dave Smith'. In that e-mail was Adam Samia's passport copy and his name.

Q. Did Adam Samia work for you?

A. Yes.

Q. What type of work did Adam Samia do for you?

A. Adam Samia worked for me as mercenary on various jobs.

Q. During what period of time?

A. From approximately 2008 through 2012.

Q. Have you met Adam Samia in person?

A. No.

Q. Do you know of a woman named 'Catherine Lee'?

A. Yes, I do.

Q. Who was Catherine Lee?

A. Catherine Lee was a real estate broker in the Philippines.

Q. Sir, where is Catherine Lee today?

A. I had her killed.

Q. Why?

A. I believed that she was involved in stealing money from me.

Q. How do you know that Catherine Lee was murdered?

A. I was told she was killed by Joseph Hunter. Sorry. What I mean is I was told by Joseph Hunter that she had been killed.

Q. Did Hunter tell you who participated in the murder?

A. Yes. Joseph Hunter told me that the kill team consisting of Adam Samia and his partner were the ones that killed Catherine Lee.

* * *

Q. Mr. LeRoux, how did the gold related money laundering work?

A. I sent mercenaries, Echelon mercenaries to Africa to purchase gold using the funds that had been laundered to Hong Kong and principally cash.

Q. You just used the term “Echelon mercenaries”; is that right?

A. Yes.

Q. What do you mean by that?

A. Echelon is the front company that was set up and operated by Dave Smit. It’s a front company which hired a number of Echelon mercenaries.

Q. Now, were your mercenaries assigned to actually purchase the gold or were there experts involved?

A. There were experts involved.

Q. Describe how that worked.

A. On every project the experts were sent to actually assess the gold for purchase and to buy the gold. The Echelon mercenaries were there principally to ensure that if any of them stepped out of line there would be beatings, shootings intimidation and if necessary, killings.

Q. You have used the term “mercenary” a few times already today. What does that word mean to you?

A. The word “mercenary” means a trained person with military experience with an aggressive posture who will beat, intimidate threaten, shoot and/or kill anyone on instruction.

Q. Why did you feel it was necessary to send mercenaries to Africa in connection with the gold purchases?

A. The reason I felt it was necessary is because there was a lot of theft and a lot of potential scams, I wanted to

make sure that any time there was any problem the mercenary would take it upon himself or under instruction to intimidate, threaten, shoot and if necessary, kill whoever stepped out of line.

Q. Now I'd like to focus for a minute on the year 2008. I believe you said a moment ago that the mercenaries you've used in that timeframe worked for a front company called "Echelon"?

A. Yes.

Q. Who ran Echelon?

A. In 2008 it was Dave Smith.

Q. Did you meet Dave Smith in person?

A. Yes, I did.

Q. When approximately?

A. Approximately, 2005.

Q. How did you meet him?

A. I met Dave Smith in approximately 2005 at a coffee shop.

Q. During that initial meeting what, if anything, did Smith say to you about the types of mercenaries he could make available?

A. Dave Smith said he had a group of mercenaries available who enjoyed killing and torturing and beating and those mercenaries were available for me for any projects I had in mind.

Q. Over what period of time did Dave Smith work for you?

A. He worked for me approximately from 2005 through to 2010.

Q. What happened in 2010, sir?

A. I had Dave Smith killed.

Q. Did you participate in that murder?

A. Yes, I did.

Q. Why did you have Dave Smith killed in 2010?

A. I believed that Dave Smith was part of a plot to have me killed and I also believed that he was stealing money from me.

Q. Now I would like to focus on the time period between 2008 and approximately 2010 or 2011. Who were some of the Echelon mercenaries that worked for you during those years?

A. Adam Samia, Joseph Hunter, Lachlan McConnell, Leonard Jones, John O'Donahue, Timothy Vamvakias.

Q. Are you familiar with a man named Chris Demeer?

A. Yes, I am.

Q. Who was Chris Demeer?

A. Chris Demeer was also at the time a Echelon mercenary.

* * *

Q. So this is an e-mail from Dave Smith to you, dated May 18th of 2008, correct?

A. Yes.

Q. And the e-mail begins: Hi Paul, the following is salary.

MR. BOVE: Could you please highlight that.

(Pause)

Q. Do you see that?

A. Yes, I do.

Q. What is your understanding of what Dave Smith meant by “salary”?

A. He is referring—and I understood he is referring here to the salaries for the Echelon mercenaries.

Q. Between about 2008 to 2009 what was the typical salary that you paid to these mercenaries?

A. Approximately, five thousand U.S. dollars.

Q. Did that amount change over time?

A. Yes, it did.

Q. When you said approximately five thousand U.S. dollars, is that a monthly salary?

A. Yes, it was.

Q. Did the mercenaries incur expenses?

A. Yes, they did.

Q. For what types of things?

A. Travel expenses, living expenses, fuel and so on.

Q. Did you pay their expenses?

A. Yes, I did.

Q. Now, other than salary and expenses, did you make other payments to the mercenaries?

A. Yes, I did.

Q. How did you refer to these other payments?

A. The other payments were referred to as bonus jobs.

Q. What types of things did you pay a bonus for to the mercenaries?

A. Acts of killing and any other acts of violence.

Q. What was the bonus that you paid for a murder to the mercenaries?

A. Twenty-five thousand U.S. dollars.

* * *

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

No. 13-cr-521 (RA)

UNITED STATES OF AMERICA

v.

ADAM SAMIA AND CARL DAVID STILLWELL,
DEFENDANTS

Date: April 5, 2018, 9:40 a.m.

REPORTER'S TRANSCRIPT OF JURY TRIAL

Before: HON. RONNIE ABRAMS, District Judge.

APPEARANCES

GEOFFREY S. BERMAN

Interim United States Attorney for the
Southern District of New York

REBEKAH DONALESKI

EMIL BOVE

PATRICK EGAN

Assistant United States Attorney

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VALERIE A. GOTLIB

Attorneys for Defendant Hunter

DAVID M. STERN

JEREMY SCHNEIDER

Attorneys for Defendant Samia

ROBERT W. RAY
BRITTNEY M. EDWARDS
Attorneys for Defendant Stillwell

* * *

DIRECT EXAMINATION [OF PAUL CALDER LE-
ROUX] (resumed)

BY MR. BOVE:

* * *

MR. BOVE: Ms. Shields, can you please publish Government Exhibit 400-20. Let's start on page 2 of this exhibit and if you can zoom in on the email dated December, 16, 2009.

This is an email from an account, prostreet60@yahoo.com sent to Samia on December 16, 2009.

It reads, "Hey, you want do work with Joe? 9K plus bonus. I don't want to get into details. If yes, I will have Joe contact you."

Let's take a look at the next message on this thread, which starts on page 1. This is an email dated December 16, 2009 from Samia to Hunter and it reads, "Hey, bro, Dave sent me this email today. You know anything about this? Or is this what we spoke about or something different? Let me know. And are you still in SA or are you going to be home for the holidays? Adam."

Let's take a look at the next message, which is dated December 17, 2009, and this is Hunter's reply.

"Adam, I just got here in the U.S. for the holidays and I will give you a call. This is something else other than what I told you about. It is for doing the serious thing in Africa. I will talk to you later."

If you can zoom in, please, on the top message. This is the last response on this thread from Samia to Hunter dated December 18, 2009. "Roger that, bro. Give me a call."

Ms. Shields, can we take a look at Government Exhibit 400-21, please, and if you can zoom in on the bottom email.

This is a message to Samia from someone using the alias John Stevens.

Ms. Shields, if you can highlight the subject line, please. The subject reads, "Dude, Dave here." And the message to Samia says, "The job is simply it. 9K a month, plus 25K bonus on each job done. As you know what Joe does for us. Clean up with our problem people. You will work with Joe. Need answer."

Ms. Shields, can you highlight the text that says, "25K bonus," please.

BY MR. BOVE:

Q. Mr. LeRoux, what types of things were you paying a \$25,000 bonus for between 2009 and 2012?

A. Murders.

MR. BOVE: Ms. Shields, could you please zoom in on the email in this thread dated December 28, 2009, 52838.

This is Samia forwarding that message to Joseph Hunter. "Hey, bro. Give me a call again AASP. I have some ideas."

* * *

Q. What were some of the things that you spoke to Hunter about in the Philippines following the murder of Dave Smith?

A. I confirmed with Joseph Hunter that Dave Smith had been killed. I stated he had been killed because he was stealing money and said to Joseph Hunter that he should be the one to take over the Echelon mercenary team. The Echelon mercenary front operation was no longer required however. I also told Joseph Hunter that I needed a new team put together for upcoming murders and the payment for each murder was \$25,000.

Q. Was there any discussion about salary for Hunter in connection with this potential promotion?

A. Yes.

Q. What was discussed on the topic of Hunter's salary?

A. It was discussed that Joseph Hunter would receive approximately 12,000 U.S. dollars because he would be the manager of the new kill teams.

Q. And you said that there was discussion needing to recruit new mercenaries for murders; is that right?

A. Yes.

Q. Was there any discussion about how those teams should be constituted or their size?

A. Yes.

Q. What was said during this meeting about that topic, the size of the murder teams?

A. I discussed with Joseph Hunter that the new kill team should consist of two men.

Q. Based on this meeting did Hunter accept the promotion?

A. Yes, he did.

MR. BOVE: Ms. Shields, could you please publish Government Exhibit 104-4.

(Video/audiotape played)

Q. After you promoted Hunter to take over for Dave Smith in early 2011, did Hunter recruit men to come to the Philippines to commit more murders?

A. Yes.

MR. BOVE: Ms. Shields, could you please publish Government Exhibit 400-34 and let's start at the very bottom.

(Pause)

MR. BOVE: This is a message from Adam Samia to Joseph Hunter with the subject "Uzi" dated March 15, 2011. Samia sent Hunter a link to YouTube. Now if we could take a look at next message in this thread.

(Pause)

This is Hunter's response to Samia dated March 18th of 2011.

Adam, if you want to know about work, get a prepaid card and call me from some phone that is not yours at this number. You might have to add a zero in front of the nine, I don't know. You can call me any time. Joseph Hunter.

And now let's take a look at next message please.

(Pause)

this is from Samia to Hunter dated March 20, 2011.

Joe, tried calling that number at 20:30 hours my time. It would not go through. It was saying the number was not in service. Can you call my cell? Adam.

Ms. Shields, now if you could publish 400-36 and please zoom-in on the bottom e-mail dated April 9, 2011.

This is a message from Samia to Hunter with the subject "Hey, bro".

Hey bro, how are things going? I have a guy that is interested in going to work if you are interested. He would be a good second guy. E-mail me or call for more info. I am still in the process with TC. If it don't work out I will be getting in contact with you. Take care, bro and watch your six. Adam.

If you could zoom-in on the top message.

This is Hunter's response sent to Samia dated April 16, 2011.

Hi, yes, received your e-mail. Will keep him in mind. Right now don't need anyone. Already have eight guys working for me on various things. But people will always leave, so replacements could be needed at any time. Joseph Hunter.

* * *

Q. In this timeframe that you are talking about, 2010 and 2011, did you believe anyone else was involved in stealing money from you with Nestor Del Rosario?

A. Yes.

Q. Who were some of the others that you believed were involved?

A. Naomi Edillor and Catherine Lee.

Q. Who is Naomi Edillor?

A. Naomi Edillor was a purchasing manager that worked for me and also a real estate broker.

Q. What is a purchasing manager?

A. It's basically somebody who handles purchasing products, issuing invoices, issuing checks and also assisting me and getting items through Customs.

Q. Through Customs where?

A. Through Customs in the Philippines.

Q. You said Edillor also worked as a real estate agent?

A. Yes.

Q. You testified yesterday that Catherine Lee was a real estate agent as well?

A. Yes.

Q. What was your connection to Catherine Lee?

A. Catherine Lee was the real estate broker who was responsible for the transaction involving me purchasing some land in the south of the Philippines.

Q. What did you believe happened in connection with that transaction that led you to target Catherine Lee?

A. I believed that money was stolen.

* * *

MR. BOVE: Ms. Shields, please bring up Government Exhibit 414-3 and if you could zoom-in on the message please.

(Pause)

Q. Mr. Leroux, what is this?

A. It is an e-mail from Joseph Hunter.

Q. What is written on the subject line?

A. Two guys.

Q. This message begins: Sir, Chris sent me an e-mail saying that something happened to his mother and he had to go to Belgium and will be back in one week.

Do you see that?

A. Yes.

Q. Who did you understand Hunter to be referring to when he wrote "Chris"?

A. I understood he meant Chris Demeer.

Q. Then the e-mail continues:

Then he said that the big guy is quitting because he is going back to his old job. He wants \$8,600 for airfare back to New Zealand.

Do you see that?

A. Yes.

Q. Who did you understand Hunter to be referring to when he wrote "the big guy"?

A. I understood he was referring to Daddy Mac.

Q. After you received this e-mail, did you discuss these topics in person with Joseph Hunter?

A. Yes, I did.

Q. Did you also communicate with Hunter using black-berry messages?

A. Yes, I did.

Q. What were the some of the things that you discussed with Hunter using those two men?

A. I discussed with Joseph Hunter that a new kill team was needed as soon as possible and that the kill team should consist again of two men.

Q. What did Hunter communicate to you that led you to believe that a new kill team was necessary?

A. Hunter told me that Chris Demeer and Daddy Mac had essentially quit.

Q. Did you give Hunter any specific instructions about what to do once the team was recruited?

A. It was understood that as soon as the team was recruited there would be additional murders.

* * *

MR. BOVE: Ms. Shields, if you could move this to the left please. In the right window please bring up Government Exhibit 400-42 and if you could zoom-in on the e-mail dated October 11, 2011 at 10:36 a.m. This is an e-mail, Hunter to Samia as I said dated October 11, 2011, subject, Western Union. The first paragraph—if you could highlight that Ms. Shields—refers to a Western Union transfer to Adam Samia in the amount of \$1610. Then there are two references to Benny in message. Could you please highlight those.

(Pause)

The e-mail ends:

When Adam arrives we need to go to this hotel.

Q. I ask you, Mr. Leroux, to take a look at the address below the reference of the hotel in the e-mail; do you recognize that?

A. Yes, I do.

Q. What is that?

A. That hotel is the hotel I was staying at in Brazil at the time.

MR. BOVE: Could you now please zoom-in on the top e-mail in 400-42. This is from Adam Samia to Hunter also on October 11, 2011. Subject Western Union and Samia writes: "Received it. Thanks". Will someone be meeting me at the airport?

Ms. Shields, if you could bring up on the right now 400-43. If could you start by highlighting the subject line. And now if you could take a look at 400-44 on the right side please. If you could zoom-in on the message.

This is a message that Samia sent on October 12, 2011, an e-mail account Krisha79@GMail.com, subject, "keep this".

Now if you could bring up Government Exhibit 400-46 on the right and please turn to page two in the exhibit and zoom-in on the e-mail, "hey bro".

(Pause)

This is a message from Samia that reads:

Hey bro, it's not going to make my original flight. Trying to sort it out ASAP. Let me know how long the boss is going to be there and if he still wants to be there or I can change tickets to meet him somewhere else. I would need to have a sit-down before my guys come there. Stay safe and watch your six.

Now if you could on the left bring up page one of Government Exhibit 400-46 and zoom-in on the bottom header. And only page two let's take a look at the e-mail.

This is an e-mail response from Hunter to Samia dated October 14, 2011 on the left side of the screen. It begins, "Adam".

And then on the right side of the screen if you can move that into the main window please. Hunter wrote to

Samia you fucked this up. You didn't got your visa. Now you read every word I say carefully. You get a refund on ticket. If there is no refund available, then you are expected to pay for the cost of the ticket. We are not paying for a ticket because you did not get a visa.

The second thing is you and your guys work for me here in PI or the states. You do not work for the boss directly unless he puts you on an independent job that does not involve me. Your job and one of your other guys is here in PI following my order. No negotiations. No complaining. No bullshit. You'll be paid to do a job with a result. The key word is "result". We do not pay for thinking about it. We do not pay for trying. We do not pay for your time. We pay for the end result. Do you understand?

Ms. Shields, if you could now highlight the part of the e-mail that says you and one other guy prepared to ninja stuff. Get your shit ready and stand by. I will tell you when to get on the plane. No fucking delaying. No availability issues. If you want to work do what I say.

Thank you, Ms. Shields.

Now on the left side of the screen could you please bring up the first page of 400-46 and take a look at Samia's response.

MR. BOVE: If you can zoom in on the October 19, 2011 email at 12:45. I'm sorry. That's my mistake. The one below that. This is from Adam Samia to Hunter, "I understand I can transfer the ticket to PI. I can leave whenever you want me to. The other guy is one month out. He will meet me there, he said."

* * *

Q. Mr. LeRoux, before the break, we were looking at documents related to early October 2011. Do you recall that?

A. Yes, I do.

Q. And do you recall being informed that Adam Samia failed to travel to Brazil to meet with you?

A. Yes.

Q. What was the intended purpose, from your perspective, of that planned trip?

A. From my perspective, I understood it was about discussing the upcoming murders, specifically how they were to be conducted.

MR. BOVE: Now, on the right side of the screen, if you can put up Government Exhibit 414-9.

Q. Mr. LeRoux, what is 414-9?

A. It is an email from Joseph Hunter dated October 16, 2011, to me.

MR. BOVE: Ms. Shields, can you please highlight the subject line of this email. So the subject says, "Can you send me Adam's flight details, please." Do you see that?

A. Yes.

Q. Who wrote that text?

A. I did.

MR. BOVE: Now Ms. Shields, if you can zoom in on the bottom email of 414-9.

Q. This is dated October 15, 2011, at 11:06 a.m. Hunter responded, "He won't be coming. He did not get his visa." Do you see that?

A. Yes.

Q. What did you understand Hunter to mean there?

A. I understood he meant that Adam Samia won't be coming because Adam Samia failed to get the visa.

Q. Did you exchange other communications with Hunter about this issue?

A. I did, yes.

Q. How did you exchange those communications?

A. Using Blackberry messaging.

Q. In those communications, did Hunter provide you with more details about Samia's attempt to travel to Brazil?

A. Yes, he did.

Q. What did Hunter communicate to you about that topic?

A. Hunter told me that he went to the airport, meaning Adam Samia went to the airport without a visa and was denied boarding the flight.

Q. After it was clear that Samia wasn't going to travel to Brazil, did you give Hunter any instructions?

A. I did, yes.

MR. BOVE: Let's take a look at the next email, at 414-9, please. If you can zoom in on the three lines above the October 15, 2011, date.

Q. Mr. LeRoux, who wrote the text that's on the right side of the screen from Government Exhibit 414-9?

A. I did.

Q. Who were you referring to when you wrote "he," in the first line?

A. I was referring to Adam Samia.

MR. BOVE: Let's now take a look at Hunter's response. You can zoom in on the top email.

Q. Mr. LeRoux, what is this?

A. It is an email from Joseph Hunter dated October 16, 2011, to me.

Q. This message starts, "The guy is crazy with attitude so I had to set him straight. He said he wanted a sitdown with you before the other guys came on board and he explained to him that he is hired to do a job with an end result. I told him he does what he is told and he gets paid. I told him we are not paying for him to think about doing stuff, we're not paying him to try; we're not paying him for his time. I told him we are paying for the result, period."

Do you see that text?

A. I do, yes.

Q. When Hunter started that email with that guy, who did you understand him to be referring to?

A. Adam Samia.

MR. BOVE: Ms. Shields, if you can highlight the text "do a job with an end result" in the second line.

Q. Do you see that, Mr. LeRoux?

A. Yes, I do.

Q. What did you understand Hunter to mean by "end result"?

A. I understood he meant that since Adam Samia had already agreed to be part of the upcoming murder team, he meant the murders.

MR. BOVE: Further down in this email there's a sentence beginning, "Anyway." Ms. Shields, can you highlight that.

Q. This sentence says, "Anyway, he said he understands and he is ready to come here, but other guy cannot come for a month."

Do you see that text Mr. LeRoux?

A. Yes.

Q. What did you understand Hunter to mean when he wrote, "Come here"?

A. I understood he meant come to the Philippines.

Q. In the part of the sentence that says, "But the other guy cannot come for a month," What did you understand Hunter to mean?

A. I understood Hunter was referring to the other man who was part of the kill team. The other man who would agree to conduct murders alongside Adam Samia.

MR. RAY: Objection, your Honor. Move to strike. Lack of foundation.

THE COURT: Hold on a second.

Overruled.

Q. At the end of this email Hunter writes, "So Adam is ready to come here but does not have a partner yet. What do you want to do with him, have him standby or come to PI?"

Do you see that?

A. I see it.

Q. What did you understand Hunter to mean when he wrote that Adam did not have a partner yet?

A. I understood he meant that the second person had agreed to be part of the kill team for the upcoming murders, but that the other person for the murders was currently unavailable.

Q. So this email ends with a question from Hunter, "What do you want to do with him, have him stand by or come to PI?" Do you see it?

A. Yes, I do.

Q. Did you communicate an answer to Hunter?

A. Yes, I did.

Q. What did you instruct Hunter to do?

A. I instructed Hunter that since I didn't want to pay for the kill team to be sitting in the Philippines doing nothing waiting for me, that he should wait.

Q. Who should wait?

A. Adam Samia.

Q. Wait for what?

A. Adam Samia should wait until the second person for the kill team for the upcoming murders in the Philippines is available because I didn't want Adam Samia sitting in the Philippines being paid for no reason.

MR. BOVE: Ms. Shields, we still have 400-46 on the left side of the screen. Can you please zoom in on the email dated October 19, 2011, 12:45. This is an email from Hunter to Samia dated October 19, as I said.

This one says, "Boss says you are on standby until the other guy is ready and you guys will come here together for ninja stuff. Your driving guy is on standby until we get a modified vehicle for him to use in his thing. Should know more about that next week. We want you guys, but are

just waiting until you and your partner can get on the same timetable. The drive is definitely going to be used, as soon as we can make it safe as possible for him.”

* * *

MR. BOVE: Ms. Shields, can you please bring up 402-4. Zoom in on the header, please. This is an email from Carl David Stillwell to Adam Samia dated December 6, 2011, with subject, “Your United flight confirmation, January 10, 2012, Raleigh Durham to Manila.”

Ms. Shields, if you can please bring up 414-11.

Q. Mr. LeRoux, what is this?

A. That is an email from Joseph Hunter dated December 6, 2011 to me.

Q. This email says, “Need to WU \$1,625 airfare for the other guy coming with Adam in Jan. Adam will be leaving on the 8th and will be here on the 9th except the other guy will leave on the 10th and will be here on the 11th.”

Do you see that?

A. Yes.

Q. What did you understand Hunter to mean by “WU”?

A. I understood he meant Western union.

* * *

Q. Mr. LeRoux, what is this?

A. That is an email from Joseph Hunter dated December 12, 2011, to me.

Q. What’s in the subject line of this email?

A. “Salaries.”

MR. BOVE: Ms. Shields, if you can please highlight the fourth sentence in the email. It reads, "I have had a driver on standby for other two months and nothing has happened." It's in the second line.

Q. What did you understand Hunter to mean when he wrote that?

A. I understood he meant he has had a driver, meaning somebody who was willing to ship the Tramadol from Texas to the east coast on standby. He's referring specifically here to John Wilson.

MR. BOVE: And in the line below Hunter writes, "I am working for less pay than Dave."

Ms. Shields if you can highlight that, please.

Q. What did you understand Hunter to mean by that?

A. I understood he was complaining that he was earning less money than Dave Smith.

Q. Towards the ends of this email, starting at the third line from the bottom, Hunter wrote, "As far as the PI guys go, I cannot make them do it and I can't make them get here because of other commitments. Adam has been on standby and you instructed to have him wait until his partner can come and that was what was done. Everyone needs to be paid immediately."

Do you see that part of the email?

A. Yes, I do.

MR. BOVE: Ms. Shields, if you can please highlight "PI guys."

Q. What did you understand Hunter to mean by the "PI guys"?

A. I understood that he was referring to the kill team consisting of Adam Samia and his partner.

MR. BOVE: Ms. Shields, if you can please publish in the main window 400-51 and if you can zoom in on the bottom message from Samia to Hunter that begins, “Hey, bro.”

So this message reads, “Hey, bro, hope you had a good New Year. I will need the contact info for when I get to PI, address, location, EXT for me and the other guy. Also, did you get the email I sent last week about the driver?”

Let’s take a look at Hunter’s response, which was dated January 2, 2012 at 9:20 a.m. Hunter writes, “OK. When you arrive, go and change the money, then go outside and go to the meter taxi line. You will take the meter taxi to Burgos Street and go to the Howzat Bar. It is pronounced like ‘how’s that.’ It is on the same side of the street as the Ringside Bar, the right of it about two hundred meters. I will be waiting for you there. My number is 09 499 851 697. That number is to be used for emergencies only. Do not call. When you get here, I will give you a work phone. The boss will make a decision on the driver this week and if all is good, we’ll send the 2K next week or the end of this week.”

Now let’s take a look at Samia’s reply. This is a message in Government Exhibit 400-51 from Samia to Hunter dated January 2, 2012, which reads, “Copy that. What do you need for my banking info—SWIFT number? Routing number? An account number? Anything else?”

Q. Mr. LeRoux, do you see the reference to SWIFT numbers in at that message?

A. Yes.

Q. Do you know what a SWIFT number is?

A. Yes, I do.

Q. What's a SWIFT number?

A. It's a code that banks use to identify one another, which is used for transferring money from one bank to another.

MR. BOVE: Ms. Shields, can you please publish Government Exhibit 401-7. If you can zoom in on the message.

This is an email from Samia to Stillwell20@gmail.com dated January 9, 2012. This message reads, "Hey, bro, in Tokyo. Local time is 1542. All is well. I will email or text you when I get there if anything changes. If you are to meet at a different place, I will let you know, but as of now, we will go with that place I sent you."

If you can bring up 401-8, please. This is an email from Samia to Stillwell dated January 9, 2012. It reads, "Hey, in PI. All is well. Do what the instructions say to do. The taxi should cost like 220P with the tip. I'm in the Howzat Hotel, room 3, but I will meet you in the bar in front."

Ms. Shields, can you please now publish just for the Court and counsel, Government Exhibits 600-1 and 600-2.

Your Honor, these are the travel records that are the subject of our motion and we move to admit them pursuant to your ruling.

THE COURT: They'll be admitted.

MR. BOVE: Ms. Shields, can you please publish Government Exhibit 600-2 and zoom in on the first two paragraphs.

This document reads, "This is to certify that the name Samia, Adam George appears in our available computer database file with the following travel records as shown in

the attached list. This certification is issued upon the request of the Honorable Ricardo V. Paras, III, Chief State Counsel, Department of Justice, Manila, for whatever legal purpose it will serve.”

Ms. Shields if can you zoom in on the letterhead, please. Ms. Shields, if you can bring up Government Exhibit 408-8 in the top of the screen and zoom in on the email, please. Then in the bottom of the screen, if you bring up page 2 of Government Exhibit 600-2 and please zoom in and highlight the second row, which reflects an entry in the Philippines on January 9 of 2012.

Now, Ms. Shields, if you can publish Government Exhibit 401-9. If you can zoom in on the message, please. This is a message from Samia to Stillwell as well as Andrea.stillwell@gmail.com, which is dated January 11, 2012. The subject reads, “Hi, it is Adam.” The content of the message says, “David is here safe and sound. The Internet is down at his hotel. He will get in touch with me tomorrow. Have a good day.”

Ms. Shields if you can move that to the left, please. In the right bring up Government Exhibit 600-1 and if you can zoom in on the certification, please.

This certification reads: This is to certify that the name Stillwell Carl David appears in our available computer database file with the following travel records. If you can zoom in on the left head, please in 600-1. Now please zoom in on the second of the two travel entries and highlight the date, please.

You can take those down. Thank you.

* * *

Q. Now, I'd like you to focus on January of 2012. Did you have any meetings with Hunter in the Philippines around that time?

A. Yes.

Q. More than one?

A. Yes.

Q. Let's talk about the first one. Did you discuss a murder target at the first meeting?

A. Yes.

Q. Who?

A. Dazl Silverio.

Q. Why did you ask Hunter to have Dazl Silverio killed?

A. I believed that Dazl Silverio was stealing money from me in the past.

Q. What did you communicate to Hunter at this meeting?

A. That the kill team consisting of Adam Samia and his partner should kill Dazl Silverio.

MR. BOVE: Ms. Shields, if can you please bring up four 414-14 and if you can zoom in on the header in the first paragraph to start.

Q. Mr. LeRoux, what is this?

A. That is an email from Joseph Hunter dated January 15, 2012 to me.

Q. The email starts, "Need another person."

Do you see that?

A. Yes, I do.

Q. What did you understand Hunter to mean when he wrote, "Need another person"?

A. I understood he meant that the kill team consisting of Samia and his partner needed another person to kill.

Q. The email continues, "The one you gave me is going to take a long time. She has four addresses, one which is an island 200 miles from here. Her in-laws say she is in hiding and no one has seen her including your guys. Need someone we can find now and get it done right away."

When Hunter wrote "she has four addresses," who did you understand him to be referring to?

A. I understood he was referring to Dazl Silverio.

Q. And in the second line of the email there's a sentence, "Her in-laws say she's in hiding and no one has seen her including your guys."

Do you see that?

A. Yes.

Q. When Hunter wrote, "your guys," who did you understand him to be referring to?

A. I understood he was referring to the surveillance team consisting of the Filipino Noyt and the rest of the Filipino surveillance team assigned by Noyt.

Q. When Hunter concluded that email, "Need someone we can find now and get it done right away," what did you understand him to mean?

A. I understood he meant that at the needs a new victim intended as soon as possible so he could get it done as soon as possible.

Q. Did Hunter make any comments to you in this time frame about what was driving his sense of urgency about what was communicated in this email?

A. Yes, he did.

Q. What did he tell you?

A. Hunter told me that the kill team consisting of Samia and his partner wanted to kill one person a month.

Q. Did he say why?

A. Hunter told me that they wanted to make money.

MR. BOVE: Ms. Shields, if you can please zoom in on the remainder of the email.

Q. So this part of the message says, "Below is the links for the things I talked to you about," and then there's an Internet link and underneath that it says, "We need the mask above with eyebrows added. The base price is \$810 plus \$120 for the eyebrows for a total of \$930." Then there's a second link and the message continues.

"This mask we need, which is \$810; plus the eyebrows, \$120; plus soul patch, \$100; plus goatee, \$220, for a total of \$1,250. These masks take six weeks to make and are delivered to a stateside address, so please order them now."

BY MR. BOVE:

Q. Mr. LeRoux, there were references in this portion of the email to masks.

Do you see those?

A. Yes, I do.

Q. Did you talk to Hunter in person about these masks?

A. Yes, I did.

Q. What were some of the things that were said during your communication with Hunter about the masks that are being referenced here?

A. Hunter told me that he was concerned that the kill team consisting of Samia and his partner might be identified, so Hunter wanted to purchase masks so the kill team could sneak around and conduct the murder without fear of any witnesses being able to identify them.

Q. Did you order the masks?

A. Yes, I did.

Q. Where did you have them shipped?

A. I had the masks shipped to John Wall in Kentucky.

Q. Who is John Wall?

A. John Wall was a staff member working for me in Kentucky at the time.

Q. Why didn't you ship the masks to the Philippines?

A. I understood that the website did not allow international shipping.

Q. Did you communicate any instructions to Wall about the masks?

A. Yes.

Q. What did you instruct Wall to do?

A. I instructed John Wall that when the masks would arrive in Kentucky, he should ship them to me in the Philippines.

Q. Do you know if that was completed by the end of February 2012?

A. I believe it was not, no.

MR. BOVE: Now, Ms. Shields, if we could focus back in on the top of this email.

Q. You testified a moment ago that you understood Hunter to be referring to Dazl Silverio when he used the female pronoun in the first line here, "she"?

A. Yes.

Q. Do you know if Silverio was killed by Hunter and his team?

A. She was not.

Q. And you said that this email ends with a request from Hunter for a new murder target?

A. Yes.

Q. Did you identify a second murder target to Joseph Hunter in January of 2012?

A. Yes.

Q. Who was the second target?

A. Catherine Lee.

Q. Did you talk to Hunter in person about Catherine Lee?

A. Yes.

Q. What were some of the things that you spoke about with Hunter when you discussed Catherine Lee?

MR. RAY: Objection to the form of the question.

THE COURT: Can you rephrase that.

Q. What was discussed when you talked to Hunter about Catherine Lee?

A. I, during the meeting with Joseph Hunter, said that Catherine Lee was the next intended target, that Catherine Lee was a real estate broker, and that since Catherine Lee was a real estate broker, Catherine Lee could be killed in the same method—manner as Naomi Edillor, meaning the kill team consisting of Adam and his partner can pretend to be real estate buyers.

Q. After you had this conversation with Hunter, did you provide him with information about Catherine Lee?

A. Yes.

Q. What type of information?

A. I provided to Hunter a set of information including Catherine Lee's name and address.

Q. How did you obtain that information?

A. That information was obtained for me by the Filipino surveillance team consisting of Noi and his staff.

MR. BOVE: Ms. Shields, can you please publish Government Exhibit 414-15.

Q. Mr. LeRoux, what is this?

A. That is an email from Joseph Hunter dated January 17, 2012, to me.

MR. BOVE: Ms. Shields, please highlight the subject line.

Q. The subject says "new subject." Do you see that?

A. Yes.

Q. Who wrote that?

A. I did.

Q. Did you send the initial email in this communication?

A. Yes.

Q. What, if anything, did you send to Hunter in the initial email?

A. I sent the information of Catherine Lee such as her name and her address.

MR. BOVE: May I approach, your Honor?

THE COURT: You may.

Q. I'm showing you a document marked for identification marked for identification as Government Exhibit N226A. This is a document contained on the document marked as Government Exhibit N226.

Mr. LeRoux, do you recognize that?

A. Yes, I do.

Q. What is Government Exhibit N226A?

A. This exhibit is the information that I sent consisting of Catherine Lee's name and her address.

Q. Is that the information that was in the attachment to the email that is Government Exhibit 414-15?

A. Yes.

MR. BOVE: Your Honor, the government offers N226A.

THE COURT: Any objection?

MR. RAY: No objection.

THE COURT: It will be admitted.

(Government Exhibit N226A received in evidence)

MR. BOVE: Ms. Shields, if you can please move 414-15 to the left and on the right side bring up N226A. If you can zoom in on the text, please.

BY MR. BOVE:

Q. Now, Mr. LeRoux I'd like you to focus on the left side of the screen. What was Joseph Hunter's response when you sent him the information relating to Catherine Lee?

A. Joseph Hunter asked if there is a picture of Catherine Lee.

Q. Do you recall providing a photograph of Catherine Lee to Joseph Hunter in response to this request?

A. I did not provide a photograph.

MR. BOVE: You can take that down, please. If you can bring up now Government Exhibit 414-16. If you can zoom in on the second email. Thank you.

Q. Mr. LeRoux, what is this?

A. This is an email from Joseph Hunter dated January 23, 2012, to me.

Q. And the email starts, "Hey, I need the following things."

Do you see that?

A. Yes.

Q. Then there's a reference to "one MP5 SD." Do you see that text?

A. Yes.

Q. What did you understand Hunter to be referring to when he wrote that?

A. I understood he meant an MP5 submachine gun with an attached silencer.

Q. Are you familiar with that type of firearm?

A. Yes.

MR. BOVE: May I approach, your Honor?

THE COURT: You may.

Q. I'm showing you what's been marked for identification as Government Exhibit 131-3.

Do you recognize that?

A. Yes, I do.

Q. What is it?

A. That is an MP5 submachine gun with an attached silencer.

MR. BOVE: Your Honor, the government offers 131-3.

THE COURT: Any objection?

MR. STERN: No objection.

MR. RAY: No objection.

THE COURT: It will be admitted.

(Government Exhibit 131-3 received in evidence)

MR. BOVE: Ms. Shields, if can you move to the email to the left please and bring up 131-3 on the right.

BY MR. BOVE:

Q. Is that the type of firearm that you understood Hunter to be requesting in the first line of the email?

A. Yes.

Q. Now, I'll ask you to take a look at the left side of the screen. There's a second entry, and Ms. Shields if you can highlight it, please. It reads, "One rifle silenced with optics."

Do you see that?

A. Yes.

Q. What did you understand Hunter to mean by that?

A. I understood he meant a rifle with a silencer with a scope.

Q. Below that there's a reference to "one .22 or .380 pistol silenced."

Do you see that?

A. Yes.

Q. What did you understand him to be requesting there?

A. I understood he was requesting either a .22 caliber pistol or a .380 caliber pistol, both with a silencer.

Q. You referred to a silencer a couple times. What is that?

A. A silencer is a device designed to reduce the amount of noise that is caused by a bullet being fired from a gun.

Q. Now, at the point you received this email, had you had conversations with Hunter about his request for weapons for this murder?

A. Yes.

Q. What, if anything, did Hunter say to you about why he wanted both a pistol and a rifle?

A. Hunter said to me that he wanted a pistol in case the murders occur at close range and a rifle in case the murders occur from a distance, a long-range shot. And by "murders," I'm refer specifically here to the Catherine Lee murder.

MR. BOVE: Ms. Shields, in the left window can you please zoom in now on both messages.

Q. So the first email that you were just referring to was sent at 6:08 a.m. Do you see that? Excuse me. 6:00 a.m.

A. Yes.

Q. The second email in this thread was sent at 6:02 a.m. Do you see that?

A. Yes.

Q. Who sent that message?

A. The message was sent by Joseph Hunter.

Q. So in the second message that we're looking at, the top message in the thread, what did Hunter write?

A. In the second message he wrote that he needs the three weapons.

Q. And when Hunter wrote, "I need them ASAP," you understood him to be referring to the firearms in the email below?

A. Yes.

Q. What, if anything, did you do based on the email from Hunter?

A. I instructed my staff member Tony to collect the necessary firearms from the RWB warehouse and deliver them to Hunter.

MR. BOVE: Ms. Shields, if we can take a look at 414-17 in the main window, please. Let's start at the bottom if you can zoom in.

Q. This is a message from Hunter on January 23, 2012 at 7:00 p.m. Do you see that?

A. Yes.

Q. And part of the text says, "one rifle silenced with optics." Is that Hunter's part of the message?

A. Yes.

Q. Then below that there's a question. "What type?" Do you see it?

A. Yes.

Q. Who wrote "what type"?

A. I did.

Q. Let's take a look at the top message.

What is this?

A. That is a message from Joseph Hunter dated January 24, 2012 to me.

Q. This email says, "556 if you have one. The stuff I received today is good, but would like a bigger caliber rifle to go along with the small caliber one I received today."

Do you see that?

A. Yes.

Q. When Hunter wrote "556," what did you understand him to mean?

A. I understood he meant a 5.56 caliber rifle.

Q. Are you familiar with that type of firearm?

A. Yes.

MR. BOVE: May I approach, your Honor?

THE COURT: You may.

Q. I'm showing you a photograph marked for identification as Government Exhibit 131-2. What is that?

A. That is a photograph of a 5.56 caliber rifle.

MR. BOVE: Your Honor, the government offers 131-2.

THE COURT: Any objection?

MR. STERN: No.

MR. RAY: No.

THE COURT: It will be admitted.

(Government Exhibit 131-2 received in evidence)

MR. BOVE: If you can move the email to the left and bring up 131-2.

BY MR. BOVE:

Q. Mr. LeRoux, back to the email on the left the second sentence says, "The stuff I received today is good."

Do you see that text?

A. Yes.

Q. What did you understand Hunter to mean by that?

A. I understood he meant that the weapons that had been delivered by Tony to him were of good quality, acceptable.

Q. Did you take any steps to—in response to Hunter's request for a 5.56 rifle?

A. Yes, I did.

Q. What did you do?

A. I instructed my staff member Tony to collect the necessary rifle from the RWB warehouse and deliver it to Joseph Hunter.

MR. BOVE: Ms. Shields, can you please bring up Government Exhibit 414-18 and zoom in on the message, please.

Q. What is this?

A. That is an email from Joseph Hunter dated January 24, 2012 to me.

Q. What's written in the subject line?

A. Salaries.

Q. The email begins, "Salaries due for 1 February." And the then the first entry says, "Fernando 15,000."

Do you see that?

A. Yes.

Q. Who did you understand Hunter to be referring to when he wrote "Fernando"?

A. Himself.

Q. And what was your understanding the basis for the \$15,000 salary request in this email?

A. I understood the basis was because Hunter had been successful as the manager of the previous kill team that had killed Edgar at my request and after that murder of Edgar, Hunter requested the salary upgrade to 15,000.

Q. The second entry in the email refers to "Tay."

Do you see that?

A. Yes.

Q. Who did you understand Hunter to be referring to?

A. I understood he was referring to Tim Vamvakias.

Q. What is your understanding of where Vamvakias was located in approximately January 2012?

A. My understanding was that he was located in Texas.

Q. Doing what?

A. Handling the Tramadol operation.

MR. BOVE: Ms. Shields, if you can highlight the bottom two entries, please.

Q. These bottom two entries refer to "sound JT."

Do you see that?

A. Yes, I do.

BY MR. BOVE:

Q. Who did you understand Hunter to be referring to when he wrote Sal JT?

A. I always thought he is referring to the kill team consisting of Adam Samia and his partner.

Q. Did you know which code name Samia was using?

MR. RAY: Objection to the form of the question.

THE COURT: All right. rephrase that please.

Q. Do you know specifically when Hunter wrote "Sal" who he was referring to as between Samia and Stillwell?

A. I did not.

Q. Now, there are references here to 35,000 for each man; do you see that?

A. I do.

Q. What did you understand the 35,000 to consist of?

A. I understood it consisted of ten thousand salary and 25,000 for the murder.

Q. Now both entries read "paid upon mission success", do you see that?

A. I do.

Q. What did you understand Hunter to mean when you wrote “mission success”?

A. I understood he meant when Catherine Lee is dead, when the kill team consisting of Samia and his partner have killed Catherine Lee the mission is a success.

MR. BOVE: If you could please bring up Government Exhibit 414-19.

(Pause)

Q. Mr. LeRoux, what is this?

A. That is an e-mail from Joseph Hunter dated February 4, 2012, to me.

Q. What’s in the subject line?

A. Funds.

Q. Now this message begins: Sir, I have all the receipts for the visas and I was short 3500 pesos; do you see that?

A. Yes, I do.

Q. When Hunter referred to “visas”, what did you understand him to mean?

A. I understood he meant that the kill team consisting of Samia and his partner had overstayed their visa in the Philippines.

Q. There’s a request here for funds in the subject line?

A. Yes.

Q. The first sentence it references Hunter being short 3500 pesos; do you see that?

A. Yes.

Q. What did you understand Hunter to mean?

A. I understood he meant that an additional 3500 pesos was paid for the visas extensions.

Q. What is the currency that's used in the Philippines?

A. Philippines peso.

Q. Now the second sentence of this e-mail reads:

We need another 1400 for a laptop computer bag.
It'll be modified to hold the tool for concealment.

Do you see that?

A. I do, yes.

Q. When Hunter wrote the term "we" who did you understand him to be referring to?

A. I understood he was referring to himself and the kill team consisting of Adam Samia and his partner.

Q. When Hunter wrote "we modified to hold the tool for concealment", what did you understand him to mean?

A. I understood he meant that modifications were made to the laptop computer bag in order to hold the gun.

Q. And based on the reference to a computer bag, what type of firearm did you understand Hunter to be referring to?

A. I understood that since the computer bag is smallest referring to the .22 caliber firearm.

Q. Now the e-mail continues:

Also the guys need more gas money, probably 8600 pesos for gas and tolls for month; do you see that?

A. I do, yes.

Q. When Hunter wrote "the guys", who did you understand him to be referring to?

A. I understood he was referring to the kill team consisting of Adam Samia and his partner.

Q. The next sentence says:

They say this Las Pinas place is a two and a half hour drive each way; do you see that?

A. Yes, I do.

Q. When Hunter wrote “they” who did you understand him to be referring to?

A. I understood everything still referring to the kill team consisting of Adam Samia and his partner.

MR. BOVE: My I approach, judge?

THE COURT: You may.

Q. I’m showing a document marked as Government Exhibit Five; do you recognize this?

A. Yes, I do.

Q. What is it?

A. It’s a map of the area around Manila encompassing Las Pinas.

Q. Does that map fairly and accurately depict those portions of the Philippines?

A. Yes, it does.

MR. BOVE: The government offers Exhibit Five.

THE COURT: Any objection?

(No objection)

THE COURT: It’ll be admitted.

(Government’s Exhibit 5 received in evidence)

MR. BOVE: Bring that up on the right side of the screen please.

Q. Do you see the Las Pinas area on the map marked on Exhibit 5?

THE COURT: Yes, I do.

MR. BOVE: Ms. Shields, if you would draw a circle around that.

Q. Where is Manila relative to Las Pinas?

A. Manila is approximately one hour's drive north of Las Pinas.

MR. BOVE: Now, on the right side if you'd please bring up Government Exhibit 226A. If you could zoom-in please.

(Pause)

MR. BOVE: Ms. Shields, in 414-19 could you please highlight the sentence "they say this Las Pinas place is a two and a half hour drive each way". And Government Exhibit N226A could you please highlight the address.

Q. Mr. LeRoux, is Las Pinas city in Las Pinas in the Philippines?

A. Yes, it is.

Q. Government Exhibit N226A is the information you provided to Joseph Hunter regarding Catherine Lee?

A. Yes, it is.

* * *

Q. Now you testified yesterday in the beginning that Catherine Lee was murdered at some point, correct?

A. Yes.

Q. How did you first learn about that?

A. I received a communication from Joseph Hunter and Joseph Hunter told me that the kill team consisting of Adam Samia and his partner had successfully killed Catherine Lee.

Q. After you received that communication, did you meet with Hunter?

A. Yes.

Q. Where was the meeting?

A. In the Philippines.

Q. Did you bring anything to the meeting with Hunter in the Philippines?

A. Yes.

Q. What did you bring?

A. I brought with me approximately 70,000 U.S. dollars.

Q. Do you remember when approximately this meeting occurred?

A. Approximately, the middle of February 2012.

Q. Why did you bring cash to the meeting with Hunter?

A. I brought cash to the meeting with Hunter because previously I had received the e-mail stating that the cash was needed on mission success and the mission was successful according to Hunter since Catherine Lee was dead. And I also brought the cash in case the people leave the Philippines a hurry. And by "the people" I am referring to the kill team consisting of Samia and his partner.

* * *

Q. Before the break you were testifying about a meeting with Joseph Hunter in the Philippines, correct?

A. Yes.

Q. And I believe you said that that meeting took place in mid February of 2012?

A. Yes.

Q. And this was a meeting where you and Hunter discussed the murder of Catherine Lee, correct?

A. Yes.

Q. What, if anything, did Hunter say to you during that meeting about the manner in which the murder was conducted?

A. Joseph Hunter told me that the kill team consisting of Adam Samia and his partner had killed Catherine Lee in the silver Innova. Additionally, Hunter told me that Catherine Lee had been killed by the kill team with a .22 caliber pistol and that Catherine Lee's dead body had been dumped in a pile of garbage by the side of the road.

Q. You just referenced a silver Innova?

A. Yes.

Q. When Hunter said that, what did you understand him to be referring to?

A. I understood everything referring to the silver Innova which was one of the two vehicles that Hunter and the kill team consisting of Samia and his partner had been assigned.

Q. Isn't an Innova a van?

A. The Innova is a Toyota van, yes.

MR. BOVE: Ms. Shields, could you please publish Government Exhibit 414-21 and zoom-in please.

(Pause)

Q. Mr. LeRoux, what is this?

A. This is an e-mail from Joseph Hunter dated February 13, 2012 to me.

Q. So this e-mail says:

Need three new cheap phones for Commo and 1500 pesos for the parking of the two vehicles that was paid today. All three of us need to go home in April to do our taxes. Must be done by 15 April. So, they plan on doing one more and then go and come back. Tay and bird also want one month off after the stuff is picked up there. Also, need you to agree to buy my desktop and laptop from me if it is not a problem when this a all over. They are compromised and can't be taken to the U.S. with all the stuff that has been downloaded on them.

Mr. LeRoux, I'd like you to focus on the first sentence, "need three new cheap phones for Commo"; do you see that part of the sentence?

A. Yes, I do.

Q. What did you understand Hunter to mean by that?

A. I understood Hunter meant that the team, the kill team consisting of Adam Samia and his partner, as well as Hunter needed new telephones for secure communication.

Q. And that sentence continues with a reference to the parking of the two vehicles that was paid today. Do you see that?

A. Yes, I do.

Q. What did you understand that to be a reference to?

A. I understood that was a reference to the silver Innova, the Toyota silver Innova van and additional vehicle that the kill team consisting of Samia and his partner were assigned.

MR. BOVE: If you could highlight the sentence that says “so they planed on doing one more and then go and come back.”

Q. Mr. LeRoux, what did you understand Hunter to mean when he wrote that?

A. I understood he meant that the kill team consisting of Samia and his partner wants to kill one more person and then go home to the U.S. and then come back to kill more people.

Q. I would like to talk about the reference in this e-mail to the two vehicles. Did you take any steps to recover the Toyota

Innova van in mid February of 2012?

A. Yes, I did.

Q. What did you do?

A. I instructed my Philippine staff member, Tony, to collect the vehicles from Hunter especially, the Toyota Innova van and turn it over to my Israeli staff.

Q. Why did you say “especially the Toyota Innova van”?

A. I said “especially the Toyota Innova van” because in the meeting with Joseph Hunter he had told me that the victim, Catherine Lee, had been killed in the van and the van was full of blood and debris from the murder.

Q. You just made reference to Israeli staff; is that right?

A. Yes.

Q. What Israeli staff were you referring to?

A. I had a number of Israeli individuals in the Philippines working for me. I'm referring to two of them named Nathan and Daniel.

Q. Why did you instruct that the van, the Toyota Innova be turned over to these two Israelis?

A. I instructed that the van be turned over to the two Israelis because I wanted to personally oversee the cleaning of the Toyota Innova van.

Q. Did you see the Toyota Innova van before Catherine Lee was murdered?

A. Yes.

Q. Where?

A. I saw the Toyota Innova van outside my house in—which is south of Manila.

Q. Was there anything being done to the van when you saw it?

A. Yes.

Q. What did you see?

A. I saw the van, the Toyota Innova van being cleaned. I saw a huge amount of soapy water coming out of the side of the back of the vehicle.

* * *

Q. Let's talk for a bit about your arrest in Liberia.

A. OK.

Q. You said that happened in September of 2012?

A. Yes.

Q. Why did you travel to Liberia?

A. I traveled to Liberia to meet individuals who I believed were involved with me in the methamphetamine conspiracy to manufacture and to export methamphetamine to the United States.

Q. And you were arrested, where, in Liberia?

A. I was arrested in a hotel in Monrovia in Liberia.

Q. Did you start to cooperate at some point after that?

A. I started to cooperate with the DEA on the aircraft on the way to the United States.

* * *

Q. How many charges did you plead guilty to?

A. I pled guilty to a total of seven felonies.

Q. What are those felonies?

A. Methamphetamine drug conspiracy, money laundering, wire fraud, computer hacking, a food and drug violation, a sanctions violation, and aiding and abetting a felon.

* * *

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

No. 13-cr-521 (RA)

UNITED STATES OF AMERICA

v.

ADAM SAMIA AND CARL DAVID STILLWELL,
DEFENDANTS

Date: April 10, 2018, 9:45 a.m.

REPORTER'S TRANSCRIPT OF JURY TRIAL

Before: HON. RONNIE ABRAMS, District Judge.

APPEARANCES

GEOFFREY S. BERMAN

Interim United States Attorney for the
Southern District of New York

REBEKAH DONALESKI

EMIL BOVE

PATRICK EGAN

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ROBERT W. RAY
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Attorneys for Defendant Stillwell

* * *

CASEY REAVES,
called as a witness by the Government,
having been duly sworn, testified as follows:

DIRECT EXAMINATION

BY MS. DONALESKI:

* * *

Q. Did there come a time when you would learn that Adam would be going to the Philippines?

A. Yes.

Q. How did you learn that?

A. He told me.

Q. Did he tell you before he left?

A. I believe so.

Q. Was he going with anyone?

A. I'm not sure if he was going with anyone at the time, but I knew David was going. I don't know if they went together or how that worked out.

Q. And what was your understanding of why Adam and David were going to the Philippines?

A. To do security.

Q. How do you know that?

A. That's what Adam said.

Q. Did you speak with Adam while he was in the Philippines?

A. Yes.

Q. Once or more than once?

A. More than once.

Q. How did you speak? By phone, by email?

A. Skype and email.

Q. And please describe what he told you during those conversations?

A. We would just have general conversation about the weather, the food, how we were back home.

Q. What did he tell you about where he was living?

A. In an apartment and it was very minimal, nothing fancy or anything.

Q. And did there come a time when you had a video conversation with Adam in the apartment?

A. Yes, through Skype.

Q. And what was your understanding of whether David was there with Adam?

A. Yes, it was my understanding he was there.

Q. How do you know that?

A. I think he was in the kitchen fixing something and I could hear him and I asked Adam was that David and he said yes.

* * *

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

No. 13-cr-521 (RA)

UNITED STATES OF AMERICA

v.

ADAM SAMIA AND CARL DAVID STILLWELL,
DEFENDANTS

Date: April 11, 2018, 9:30 a.m.

REPORTER'S TRANSCRIPT OF JURY TRIAL

Before: HON. RONNIE ABRAMS, District Judge.

APPEARANCES

GEOFFREY S. BERMAN

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Southern District of New York

REBEKAH DONALESKI

EMIL BOVE

PATRICK EGAN

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ROBERT W. RAY
BRITTNEY M. EDWARDS
Attorneys for Defendant Stillwell

* * *

DAVID BAKER,
called as a witness by the Government,
having been duly sworn, testified as follows:

DIRECT EXAMINATION

BY MR. EGAN:

* * *

Q. Did there come a time when you learned that David Stillwell was going in the Philippines?

A. Yes.

Q. Approximately, was he going alone or with someone else?

A. With Adam, as far as I know.

Q. When you say “Adam” do you mean Mr. Samia?

A. Correct.

Q. As best as you can recall, approximately, when did they go?

A. It was in January of 2012 I believe.

Q. And when was the first time you heard about it?

A. I don’t remember exactly. They had talked about going over to the Philippines for a while.

Q. When you say “a while” do you mean a matter of days, a matter of weeks, a matter of months?

A. I would say months easily.

Q. What was your understanding of the purpose of the trip?

MR. SCHNEIDER: Objection. Withdrawn.

THE COURT: You can answer.

A. They were going to go do security work.

* * *

TIMOTHY VAMVAKIAS,

called as a witness by the Government,

having been duly sworn, testified as follows:

DIRECT EXAMINATION

BY MS. DONALESKI:

* * *

Q. How do you know Joseph Hunter?

A. Joseph Hunter and I served in the U.S. military together and also served as mercenaries for Paul LeRoux.

Q. What did Joseph Hunter tell you about Catherine Lee?

A. Joseph Hunter told me that Catherine Lee owed Paul LeRoux money and Paul LeRoux wanted her dead. So Joseph Hunter then hired Adam Samia and a friend of his to travel to the Philippines where they picked her up in a van. Adam Samia was in the passenger seat. His friend was driving the vehicle. Catherine Lee was in the back of the van. And sometime during, sometime while they were riding Adam Samia turned around with a .22 caliber pistol with a silencer and shot Catherine Lee in the face. And after that Adam Samia and driver dumped her body off somewhere.

* * *

Q. Mr. Vamvakias, were you working for a particular company?

A. Yes, I was.

Q. What was the name of the company?

A. Echelon Associates.

Q. What is Echelon Associates?

A. It was a front company for Paul LeRoux's mercenaries.

Q. You've used the word "mercenary," what does the word "mercenary" mean to you?

A. Gun for hire.

Q. Were you given a title at Echelon Associates?

A. Yes, I was.

Q. What was your title?

A. Risk management agent.

Q. Do you have any experience as a risk management agent?

A. No, I do not.

Q. Sit here today, do you know what a risk management agent is?

A. No, I don't.

Q. What was your salary at this time in 2008?

A. I believe it was approximately 7,000 a month.

Q. How were you paid?

A. In cash or through a wire.

Q. How did you pay for your expenses?

A. I would fill out an expense report and turn that in with receipts and that I would be reimbursed.

Q. What did you call the jobs that you did for Paul LeRoux?

A. Missions.

Q. How were you assigned missions?

A. I was assigned missions through Dave Smith.

Q. How would Dave Smith provide you the information you needed to complete a mission?

A. He would meet with me in person.

Q. How long did you work for Paul LeRoux in 2008?

A. Approximately six months.

Q. How many missions did you perform during that time?

A. Approximately five.

Q. And where did you perform them?

A. I performed them in the Philippines, Hong Kong, Sri Lanka, Papua New Guinea, Mali in Africa, and also Ghana in Africa.

MS. DONALESKI: Ms. Shields, could you please publish Government Exhibit 1.

Q. Mr. Vamvakias, can you please identify where the Philippines are on this map.

A. Yes, just southeast of China, east of Vietnam.

MS. DONALESKI: Ms. Shields, could you please a circle on that.

Q. You mentioned you had performed a mission in Papua New Guinea. Can you please identify where that is on the map?

A. Yeah, just northeast of Australia.

Q. You mentioned you performed a mission in Hong Kong. Can you identify Hong Kong on the map?

A. It's to the northwest on the edge of China there of the Philippines—from the Philippines. Excuse me.

Q. You mentioned you performed a mission in Sri Lanka. Can you identify Sri Lanka on the map?

A. Yes, it's just south of India.

MS. DONALESKI: Thank you, Ms. Shields.

Q. You performed a mission in Mali. Can you identify Mali on the map?

A. Yes. It's in West Africa, just west of Niger.

Q. Finally, you mentioned you performed a mission in Ghana. Can you identify Ghana on the map?

A. Yes, it's two countries to the south of Mali.

MS. DONALESKI: Thank you, Ms. Shields. You can take that down.

Q. What types of work did you perform for Paul LeRoux in 2008?

A. In 2008, I smuggled cash and I also smuggled gold, was part of a gold operation, and also part of a murder conspiracy out of Papua New Guinea.

Q. Did you also attempt an arson in 2008?

A. That's correct. That was also in Papua New Guinea.

Q. In 2008, did you know the details of every mission in advance?

A. No.

Q. What was your understanding of what these missions could involve?

A. I knew these missions could involve criminal activity. I knew that they could involve violence and possibly murder.

Q. Were you willing to do all of that?

A. Yes, I was.

* * *

Q. Did Dave Smith tell you how he met Adam Samia?

A. Yes, he did.

Q. What did he tell you?

A. He told me that he was at a firearms course in the United States and that's where he met Adam Samia.

Q. Did there come a time when you discussed Adam Samia with Dave Smith?

A. Yes.

Q. Approximately when did that conversation occur?

A. Approximately between spring and summer of 2008.

Q. Had you heard Adam Samia's name before that conversation?

A. Yes, I have.

Q. From whom?

A. From John O'Donoghue.

Q. What did John O'Donoghue tell you about Adam Samia?

A. Joe O'Donoghue said that I may be working with him on an upcoming mission and that there was also some grumbling going on with some of the other guys that were working for LeRoux at the time because Adam didn't have any military background, so some guys had a problem with that.

Q. How did Adam Samia's name come up in your discussion with Dave Smith?

A. Dave and I were out and we were still trying to figure out whether they were going to place me in Mozambique or whether I would go to Kinshasa in the Democratic Republic of Congo and work a mission there. And Adam was possibly going to be my partner there, so we were talking about that.

Q. What was your reaction to that news?

A. I was against it. I didn't—I didn't want to partner up with him.

Q. Why not?

A. I had a big issue too with the fact that he didn't have a military background. I felt he didn't have the firearms training, the hand-to-hand combat. I knew we were involved in stressful situations and I felt like he could potentially put our lives at risk and in danger or the mission in danger. And because he didn't have the military background, I also felt like there might be some sort of issue with him having the ability to follow orders.

Q. After you raised your concern with Dave Smith about Adam Samia's lack of military experience, what did Dave Smith tell you?

A. Dave told me that, don't worry, he's a good guy, and he's a gamer, was the first thing he said.

Q. What did you understand "gamer" to mean?

A. I understood it to mean somebody that's also willing to commit the same crimes that we were committing in Paul LeRoux's organization and he was willing to smuggle cash and smuggle gold and anything else, any type of violence or anything else that was included with us working for LeRoux.

Q. Did Dave Smith tell you anything else about Adam Samia?

A. Yeah, he told me that first Adam probably wouldn't be working with us long. He was just trying to save up some money. He was trying to become a security contractor overseas and he was saving up money so that he could take courses in the States until he got a State Department job, but that he was having issues with it because he didn't have the military background.

And then he tried to put me at ease and said that—he says, "You know, Adam mentioned to me—can you believe he actually mentioned wet work to me?" And I said, "Wet work?" He goes, "Yeah, you know, assassinations, but up close and personal." I said, "Oh, so you plan on using him for that down the road?" He goes, "No, Paul's got guys for that, South Africans."

* * *

Q. Did there come a time when you returned to LeRoux's mercenary team?

A. Yes.

Q. When?

A. In approximately spring of 2011.

Q. Who, if anyone, recruited you to rejoin?

A. Joseph Hunter.

Q. When did Hunter first propose rejoining Paul LeRoux's mercenary team?

A. Approximately early 2011.

Q. Did there come a time when you met Hunter?

A. Yes.

Q. Where did you meet?

A. In Manila in Philippines.

Q. Was anyone else present at the meeting?

A. Yes.

Q. Who?

A. Chris Demeer.

MS. DONALESKI: Ms. Shields, can you publish Government Exhibit 111.

Q. Who is Chris Demeer again?

A. Chris Demeer is another mercenary that worked for Paul LeRoux.

MS. DONALESKI: Thank you. You can take that down, Ms. Shields.

Q. Please describe what happened at that meeting between you Joseph Hunter and Chris Demeer.

A. Well, we met—Chris and myself met Joseph Hunter in his hotel room, in a hotel in the Manila, Philippines, and we sat down and talked, and Joseph said things are going to be different this time. The business is going to be split in two. There's going to be the ninja side of things this time and the business side of things and Chris

was to work on the ninja side of the house and I was to work on the business side of the house.

Q. What does “ninja side of the house” mean?

A. “Ninja side of the house” meant performing assassinations.

Q. Murders?

A. Murders, yes.

Q. What, if anything, did Hunter say with respect to the type of work Chris would be performing?

A. He said that Paul LeRoux had a list of people to be murdered and Chris was going to be the first one on board to be taking part in that list and murdering people and he was also going to help him find other people to fit that position so he’d have more ninjas.

Q. And what is a ninja?

A. A ninja is an assassin.

* * *

Q. Did Adam Samia’s name come up during your conversations with Joseph Hunter in 2011?

A. Yes.

Q. Why did Adam Samia’s name come up?

A. Because Joseph Hunter wanted to send him out with me on Tramadol operation, trying find a place for him. And I had issues with that. I felt like we were set-up. I didn’t want him coming out and working with me.

Q. How often did Adam Samia’s name come up when spoke with Joseph Hunter in 2011?

A. Almost every time we spoke it was always an issue because I didn't know if he was going to be brought in or not.

MS. DONALESKI: Would you please publish Government Exhibit 406-07 and zoom-in on it.

Q. This is an e-mail from you to Joseph Hunter dated August 30, 2011. The subject is "food for thought".

Can you please read this allowed

A. Yes. It says: I was thinking you if you are unable to come down for good is it possible for me to find a replacement instead of using Adam? This is a pretty sensitive operation down here. I have a good system and need someone who is going to stick to my protocol without any issue. Let me understand. Thanks.

Q. Who were you referring to when you write "Adam"?

A. Adam Samia.

Q. You say I have pretty sensitive ops down here. What are you referring to?

A. I'm referring to the Tramadol smuggling operation.

Q. When you asked Joseph Hunter is it possible for me to find a replacement instead of using Adam, what do you mean by that?

A. I had Digglar working with me and that situation didn't work out. So he left and I knew I needed somebody else to work with me and I wanted to bring somebody else on instead of [h]im bringing Adam on to fill the position.

Q. Instead of—

A. That's correct.

Q. Did Joseph Hunter allow you to find a replacement for John Conklin?

A. Yes, he did.

Q. Who did you find?

A. Andrew Alejandro.

Q. Did he have a call sign?

A. Yes.

Q. What was it?

A. "Bird".

MS. DONALESKI: Can you please publish Government Exhibit 406-12. Focus on the top e-mail.

Q. This is an e-mail from you to Joseph Hunter dated October 3, 2011. It reads:

I thought we weren't shipping. Now he wants us to ship \$10,000. What happened to Adam? All attempted, but I'm ready to just going to try to ship it off and I'm not down with that it's careless. Let me know. Thanks.

Who were you referring to?

A. First I was referring to shipment of Tramadol. What happened was about a week before that I get a phone call from Joseph Hunter. We had been stockpiling this Tramadol and I'd been waiting for Paul LeRoux to set something up with Hunter to have somebody from the organization to pick the Tramadol up from me in Texas. So while I'm waiting for that to get worked out, about a week before this e-mail Joseph Hunter calls me up and says, Hey Adam and another guy are going to come and pick that stuff up. They should be there by Friday. So I said "OK". so I waited for him. Nobody ever showed up. Friday came and went. The weekend came and went and that's when I sent him the e-mail on Monday after I never heard from Adam. I didn't know if he was coming still or

not. There was an issue because LeRoux wanted us to start shipping pills out. So I was trying to figure out which is it? He was he trying to get us to ship this stuff out or somebody's is going to pick it up?

Q. Did you speak with Hunter after you sent this e-mail?

A. Yes, did.

Q. Please describe that conversation?

A. So he ends up, we end up talking after that e-mail and tells me after all Adam's not coming. I says, why is Adam not coming? He said cause Adam's going to do a bonus job instead. I said who is picking this stuff up? He said, I don't know. I'll get back to you on that. Then I asked him who was going with him? He said, a childhood friend was gonna be going with him. So I was kind of surprised. I said you are going to have him do a bonus job. Has he done this before? He said "no". I said you feel comfortable with that? He said, it's got to get done and I don't want to do it.

MS. DONALESKI: Can you please publish Government Exhibit 406-14 please.

(Pause)

Q. On the top of this e-mail is from Joseph Hunter to you dated October 11, 2011. He writes:

Tay read all of this and tell me what you think and plan a route based on you and Bird's experience. What was Joseph Hunter asking you to explain in this e-mail?

A. He was talking about what would be the safest routes for the Tramadol leaving Texas. And we had be driven routes, picking up cash, making money runs. And

on top of that he had me go out and look at immigration checkpoints just outside of El Paso cause that would be the first checkpoint that we would hit and kind of see what kind of varied securities pattern we were using there and if they were using drug sniffing dogs and how many x-ray machines and things like that. We were trying to come up with safest routes for getting the Tramadol out of Texas.

Q. You just testified your conversation with Joseph Hunter which he told you that Adam Samia and a friend would be doing this bonus job. Did there come a time when you discussed that topic with Joseph Hunter again?

A. Yes.

Q. One time or more than one time?

A. More than one time.

Q. By phone or in person?

A. By phone.

Q. During what period of time approximately did those phone conversations occur?

A. Approximately between October of 2011 and December of 2011.

Q. What did Hunter tell you about who the partner was?

A. He told me that it was a childhood friend of Adams and that he more likely than not would be driving.

Q. Did Joseph Hunter tell you about any salary negotiations with Adam?

A. He didn't mentioned—he didn't mention at the time what the salary was going to be but he did mention that Adam was asking him once he performs the bonus job if Hunter and LeRoux can just pay Adam Samia and he

could pay his driver, his partner whatever he felt he deserved.

Q. You used the term “bonus job”, what does that mean?

A. A murder assassination.

* * *

MS. DONALESKI: Can you please publish Government Exhibit 414-18.

(Pause)

Q. This is an e-mail from Joseph Hunter to Paul LeRoux dated Tuesday February 24, 2012. It reads:

salaries due for one—Fernando \$15,000.

Sir, again, who is Fernando

A. That’s Joseph Hunter.

Q. Tay, \$10,000. Who is Tay?

A. That’s me.

Q. Bird, 7338 started at 5K on 18. Who is Bird?

A. Andrew Alejandre.

Q. Sal and JT, \$35,000, paid upon mission success. Do you know who Sal and JT are?

A. No, I do not.

MS. DONALESKI: Can you please publish Government Exhibit 406-17.

Q. Directing your attention to the bottom e-mail. Did you write that? Can you ask the boss if my pay has been put in yet? Thanks.

A. Yes, I did.

Q. Joseph Hunter responds to you on Tuesday, April 3, 2012. He writes: No, it has not but he is working on it. This is holy week here so it is a bit of a problem right now but he is going to get it done. He cut my pay by three thousand dollars since nothing got done this month because the guys went home for a month. So all indicators to me is that this work will be rapping up soon for me if these guys don't come back. I don't know who else he has available but I will talk with him when I if these guys are coming back.

MS. DONALESKI: Will you please highlight "because the guys went home for a month".

Q. What did you understand Hunter to be referring to when he wrote "because the guys went home for a month"?

A. I think he was referring to Adam Samia and his partner and I know he had a bonus job set up for them and I think he had more than one set up. So I think when they took off and he was worried about them not coming back, once again it put his job in jeopardy so he was worried about losing work.

Q. When he writes all indicators for me is that this work will be rapping up soon for me if these guys gone come back, what did you understand him to be referring to when he said "this work"?

A. Assassinations, murders.

MS. DONALESKI: Can you please publish Government Exhibit 404-18.

Q. This is an e-mail from Joseph Hunter to you dated Sunday April 8, 2012. He writes: Dude, I need one ninja for the game. One of mine is not coming back. I'm still playing with Adam but need another one. This is ASAP as

you know one who wants to play. He writes, "I need one ninja for the game". What did you understand him to be referring to?

A. He's referring to he needs somebody to perform the bonus job. He needs somebody, an assassin for a murder.

Q. When he writes, "I am still playing with Adam but need another one", what did you understand him to mean?

A. That Adam's still on the team to commit murders but he needs somebody else to partner up with him.

Q. Did you know any ninjas?

A. No.

MS. DONALESKI: Can you please publish this side-by-side with Government Exhibit 400-69. This is an e-mail from Adam Samia to Joseph Hunter dated April 7, 2012. Can you please highlight the dates in the two e-mails.

(Pause)

Q. And 400-69 Adam Samia writes:

Hey, JT is out. I will come do the work with you or something here.

* * *

Q. Let's talk about the murder of Catherine Lee. Please describe what Joseph Hunter told you about that.

A. He told me that Catherine Lee had stolen money from Paul LeRoux and that Paul LeRoux wanted her murdered, so he ended up hiring Adam Samia and Adam Samia's friend to come out to the Philippines to carry out that murder. He said that he planned the whole thing for him. He knew.

Q. Who is he?

A. I'm sorry. Joseph Hunter said that he planned the whole murder out for Adam Samia and his friend, to where all they had to do was follow his exact words and they wouldn't run into any problems.

What they ended up doing was, they met with Catherine Lee and she took him out to look at some properties, almost the same situation that Joseph Hunter had with a murder that he did with another real estate agent.

So while they were out there, Hunter was really ticked off because during the day Adam Samia and his partner are riding around town with Catherine Lee and they're looking at properties and the murder is not getting done. And so at some point Adam Samia ends up calling to check in with Hunter and Hunter is ticked off that it's not done yet.

He says, "What have you guys been doing?" He says, Well, look, we haven't had the chance. People have seen us. She's run into friends. It started raining and there were people inside the buildings that they were looking at and they just hadn't had the opportunity to Hunter was pissed off about that and he basically told them don't call me back until it's done.

So after they hung up the phone, Hunter ended up—excuse me, Adam continued into the van—in the passenger seat while his friend was driving and at some point he just turned around while they were driving and shot Catherine Lee who was sitting in the backseat with a .22 automatic pistol with a silencer. He said he shot her in the face and then the two of them, Adam Samia and his partner, ended up dumping the body off when.

When they contacted Hunter afterwards, he was ticked off because—because they didn't do the way he told them to do it and also they ended up leaving her purse,

her cell phone, her jewelry. He wanted them to make it look like a robbery and they didn't do any of that.

Q. Did Hunter tell you how much Adam and his partner got paid?

A. Yeah, he told me—he told me they ended up making, I think it was approximately 25,000 a piece with a \$10,000 cash bonus a piece.

Q. Did Hunter tell you what happened to the van after the murder?

A. Yeah, he told me that they left it in a designated spot for someone else that worked for Paul LeRoux, a Filipino national to show up and clean it out, but he said when the guy showed up to clean the van out, he said it was so grotesque and bloody inside the back it scared him. So he took off. He didn't even clean it. He quit working for LeRoux and everything. He just disappeared.

* * *

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

No. 13-cr-521 (RA)

UNITED STATES OF AMERICA

v.

ADAM SAMIA AND CARL DAVID STILLWELL,
DEFENDANTS

Date: April 12, 2018, 9:50 a.m.

REPORTER'S TRANSCRIPT OF JURY TRIAL

Before: HON. RONNIE ABRAMS, District Judge.

APPEARANCES

GEOFFREY S. BERMAN

Interim United States Attorney for the
Southern District of New York

REBEKAH DONALESKI

EMIL BOVE

PATRICK EGAN

Assistant United States Attorney

CESAR DE CASTRO

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DAVID M. STERN

JEREMY SCHNEIDER

Attorneys for Defendant Samia

ROBERT W. RAY
BRITTNEY M. EDWARDS
Attorneys for Defendant Stillwell

* * *

LAURA HAGY,
called as a witness by the Government,
having been duly sworn, testified as follows:

DIRECT EXAMINATION

BY MS. DONALESKI:

Q. Ms. Hagy, I'll ask you to speak directly into the microphone.

Good afternoon, where do you work?

A. I work for the Drug Enforcement Administration.

Q. And how long have you worked at the DEA?

A. Will be 13 years this October.

Q. And what is your title?

A. I'm an intelligence research specialist.

Q. What are your duties and responsibilities as an intelligence research specialist?

A. I collect and exploit intelligence in furtherance of our investigations.

Q. And where are you currently based?

A. I'm currently based at special operations division. It's supporting the bilateral investigations unit.

MR. SCHNEIDER: Could you speak a little bit louder.

THE WITNESS: Sure.

Q. And where physically are you based?

A. Chantilly, Virginia.

Q. Directing your attention to July 11, 2017, were you in the Philippines that day?

A. I was, yes.

Q. Why were you in the Philippines?

A. We were there to test a key in a vehicle.

MS. DONALESKI: May I approach, your Honor.

THE COURT: You may.

Q. I'm showing you what's already in evidence as Government Exhibit 207. Do you recognize the keys in that bag?

A. I do, yes.

Q. And what do you recognize them to be?

A. These are the keys that were found at the residence of Mr. Samia when the search was conducted.

Q. And are those the keys you took to the Philippines?

A. Yes.

Q. And did you test all of the keys or just one key in the vehicle?

A. One key was tested.

MS. DONALESKI: Ms. Shields, could you please publish Government Exhibit 105-1.

Q. Ms. Hagy, do you recognize this vehicle?

A. I do, yes.

Q. What do you recognize it to be?

A. This is the vehicle the key was tested in.

Q. And where was the vehicle physically located when you tested the key?

A. The vehicle was located in the parking lot at NBI in Manila, Philippines.

Q. What happened when you tested the key in the van?

A. When Special Agent Casey inserted the key in the ignition, the car started.

* * *

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

No. 13-cr-521 (RA)

UNITED STATES OF AMERICA

v.

ADAM SAMIA AND CARL DAVID STILLWELL,
DEFENDANTS

Date: April 16, 2018, 9:30 a.m.

REPORTER'S TRANSCRIPT OF JURY TRIAL

Before: HON. RONNIE ABRAMS, District Judge.

APPEARANCES

GEOFFREY S. BERMAN

Interim United States Attorney for the
Southern District of New York

REBEKAH DONALESKI

EMIL BOVE

PATRICK EGAN

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CESAR DE CASTRO

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JEREMY SCHNEIDER

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ROBERT W. RAY
BRITTNEY M. EDWARDS
Attorneys for Defendant Stillwell

* * *

ADAM SAMIA,

the defendant called as a witness, on his own behalf,
having been duly sworn, testified as follows:

DIRECT EXAMINATION

BY MR. STERN:

* * *

MR. STERN: If we could go to exhibit 400-36 please
and if you could highlight the whole thing there.

Q. At the bottom is an e-mail from you to Joseph
Hunter, right?

A. Yes.

Q. Using your same e-mail address?

A. Yes.

Q. And it reads:

Hey bro, how are things going? I have a guy that is
interested in going to work if you are interested. He would
be a good second guy. E-mail me or call me for more info.
I'm still in the process.

What do you mean by "proses"?

A. "Process".

Q. That's how you spell "process"?

A. That's how I spell it.

Q. With TC. If it doesn't work out I will be getting in contact with you. Take care, bro, and watch your six.

What does that mean "watch your six"?

A. Something I learned when I was in the Congo with Hunter like a face of a clock 12 o'clock is the front. Six o'clock is your back. Just means watch your back.

Q. What did you mean in that e-mail?

A. At the time Mr. Stillwell told me he was interested in getting out of the country he wanted to do some security work or just travel.

Q. What did you mean he would be a good second guy?

A. He'd be another good guy just to be an assistant to help. H[e] didn't have the experience to be a lead guy like Mr. Hunter or O'Donoghue and could be a good second guy to help out.

* * *

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

No. 13-cr-521 (RA)

UNITED STATES OF AMERICA

v.

ADAM SAMIA AND CARL DAVID STILLWELL,
DEFENDANTS

Date: April 17, 2018, 9:45 a.m.

REPORTER'S TRANSCRIPT OF JURY TRIAL

Before: HON. RONNIE ABRAMS, District Judge.

APPEARANCES

GEOFFREY S. BERMAN

Interim United States Attorney for the
Southern District of New York

REBEKAH DONALESKI

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ROBERT W. RAY
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Attorneys for Defendant Stillwell

* * *

THE COURT: Ladies and gentlemen, the evidence is in. Now we're going to hear the summations and closing arguments of the parties. This is not evidence, but it's very important nonetheless. I'm going to ask you to provide the lawyers your undivided attention.

Thank you.

Ms. Donaleski.

MS. DONALESKI: Thank you, your Honor.

Joseph Hunter, Adam Samia, and Carl David Stillwell murdered Catherine Lee, but that's not all they did. Joseph Hunter had been killing and kidnapping, and torturing people for years. Samia had begged Hunter for this work. He was on standby for years, ready and willing to have the chance to murder people for money. Stillwell wanted in too. That's why he studied up on exactly what he needed to do to kill without leaving a trace. That's why he brought a how-to guide on how to be a hit man with him to the Philippines.

And these three men didn't just try and murder Catherine Lee. They tried to kill three other people over just six weeks: Lee, Dazl Silverio, Manuel Jalos, Fitch Penalosa. Four victims, four hit packages, four chances to get paid; one murder, three attempts, an agreement by these three men to kill four people.

The evidence of the defendants' guilt is overwhelming.

Hunter admitted all of this on video. Stillwell confessed to this. You saw email after email of Samia writing

about killing people. These men were on a salary list to get paid for killing Catherine Lee. They sent an expense report two days after her murder. They sent the money back home. Stillwell and Samia kept the hit packages, the trophy shot of Catherine Lee's body, the keys to the van that she was murdered in. The evidence is in, it's clear, it's consistent, it makes sense, and it proves beyond a reasonable doubt that the defendants are guilty.

This is our chance to talk to you about all the evidence you've seen and heard over the last few weeks and to put it into context for you. I'll begin by reviewing the key facts, then I'll discuss the law and how those facts show that the defendants are guilty of each and every charge.

MS. DONALESKI: So what does the evidence show?

The defendants are guilty of Count One because they conspired to murder and kidnap abroad while they were in the United States. Now I expect Judge Abrams will instruct you that a conspiracy is just an agreement between two or more people to violate the law.

The defendants are guilty of Count Two because they used guns to commit murder and aided and abetted the use of guns to commit murder. The defendants are guilty of Count Two because they used guns to commit murder and aided and abetted the use of guns to commit murder.

The defendants are guilty of Count Three because they committed a murder-for-hire and aided and abetted the commission of a murder-for-hire.

The defendants are guilty of Count Four because they agreed to commit a murder-for-hire.

Finally, Samia and Stillwell are guilty of Count Five because they worked together to launder the money that they were paid for the money.

Before I walk through the evidence I want to talk about what happened yesterday when Adam Samia took the witness stand. To be clear the defense has no burden, whatsoever, at this trial. The burden of proof is always with the government and that never changes. Samia did not have to say a single word at this trial but he chose to testify. You heard him on that witness stand. You saw his demeanor. You saw how he answered questions. And you can and should scrutinize his testimony just like you would any of the other evidence in this case. And when you do, you'll realize this what Adam Samia told you was at odds with common sense and at odds with every piece of evidence in this case.

As you saw during his testimony and as you will see as I walk you through the evidence today, Adam Samia lied to you from the beginning to the end. He lied about big things. He lied about small things. And unlike the clear and consistent evidence you've seen that he, Hunter and Stillwell murdered Catherine Lee, Samia's lies just don't make sense and they certainly do not measure up against the overwhelming evidence in this case.

So let's talk about that evidence now and about how you know that the defendants are guilty beyond a reasonable doubt. Let me first give you a brief outline of the timeline that we'll be talking about as we walk through the evidence this morning.

The conspiracy began in 2008 when Joseph Hunter and Adam Samia started to work as mercenaries for Paul LeRoux. Paul LeRoux's mercenaries served one purpose, to kill, kidnap and torture on command all over the world. From the beginning Hunter and Samia were both members of the conspiracy to murder and kidnap abroad. That was what it meant to be a mercenary for Paul LeRoux. In 2009 Samia returned to the United States while Hunter

continued to murder and kidnap and torture on demand all over the world.

In 2009 and 2010 Samia and Hunter e-mailed each other explicitly about committing additional murders abroad while they were both in the United States. In early 2011 Hunter became the leader of LeRoux's mercenaries. And around that same time in March 2011 Samia recruited Stillwell to be his partner in killing. Hunter tasked Samia and Stillwell with murder in late 2011. In 2012 Samia, Stillwell and Hunter tried to kill four people in the Philippines in 2012 and ultimately did kill Catherine Lee on February 12, 2012.

Finally, I'll discuss what the defendants did to destroy evidence of their murders and try and cover their tracks from 2012 to 2015.

The story starts in the summer of 2008 when Hunter and Samia started to work as mercenaries for Paul LeRoux. LeRoux ran a criminal empire that spanned four continents. You saw LeRoux. He took that witness stand and as he told you himself, he has committed horrendous crimes. The scope of his criminal conduct is simply staggering. He murdered people. He sold weapons technology to Iran. He raised an Army in Somalia. He tried to overthrow the Seychelles. He bought North Korean meth. He smuggled weapons across Asia and these were the men that did LeRoux's dirty work.

You heard that LeRoux ran an illegal online pharmacy that earned millions of dollars in criminal proceeds. He started buying gold in Africa to launder those proceeds. LeRoux met Dave Smith in the Philippines and Dave Smith put together a team of mercenaries who were willing to kidnap, kill and torture and do anything Paul

LeRoux wanted them to do. The mercenaries operated under the front company, Echelon Associates.

What is a mercenary? Tim Vamvakias told you that a mercenary is simply a gun-for-hire. Van Vamvakias explained that he knew that any of LeRoux's missions could entail criminal activities, violence and possibly murder.

LeRoux told you the word "mercenary" means a trained person with military experience with an aggressive posture who will beat, intimidate, threaten, shoot and/or kill anyone on instruction. He explained that Dave Smith had a group of mercenaries available who, quote, enjoyed killing and torturing and those mercenaries were available for me for any projects I had in mind.

What is a mercenary? Hunter described it in his own words.

(Audio/video played)

So who are these violent highly trained aggressive men willing to kill, kidnap and torture? Dave Smith, British military; John O'Donoghue, British military; Chris Demeer, French Foreign Legions, Joseph Hunter and Tim Vamvakias and Adam Samia who is a weapons expert.

Dave Smith trained Adam Samia. Dave Smith trained him in tactical shooting. This was a close relationship. Krisha Podkowka told you that Adam Samia was trained by Dave Smith while Samia still lived in Massachusetts. That means that Adam Samia knew Dave Smith beginning in at least 2004. And even Adam Samia had to admit that fact, that he was trained in tactical shooting by Dave Smith.

Now Vamvakias told you that initially the other mercenaries, they resisted Samia joining the team because he

didn't have military experience. But what did Dave Smith say to calm their fears? Don't worry. This guy's a gamer. He's willing to do anything.

And how do you know that these were the members of the mercenary team? You saw the payroll. You saw the e-mails with their passports attached to them. Their names were right there. Government Exhibit 403-9 is a payroll for July 2008. Look at the names, Joseph Hunter, Leonard Jones, Lachlan McConnell, Adam Samia, Tim Vamvakias. Look the project's name, Midas for smuggling gold, and of course also you heard Paul LeRoux tell you that these were his mercenaries.

I'd like to pause here and talk about the cooperating witnesses, Paul LeRoux and Tim Vamvakias. Let me start with Paul LeRoux and I will say this upfront. We are not asking or expecting you to like Paul LeRoux. He is a sociopath. He is evil. He has done horrendous things in his life. That's why the DEA targeted him. That's why we prosecuted him and that is why he is sitting in jail today. We are not asking you to like him. We're not asking you to approve of what he's done, nor could you. We are asking you to listen to him. We're asking you to listen to what he says, to think about how he said it, to consider whether his words are backed up by e-mails, by things found at Samia and Stillwell's homes, by the other testimony at trial. Is what he told you corroborated? Because when you do that you'll see that what he told you is corroborated and is backed up and ultimately his testimony is just one small piece of the overwhelming evidence against the defendants.

The same goes for Tim Vamvakias. He worked for LeRoux as a mercenary right alongside Joseph Hunter and Adam Samia and he committed terrible crimes for LeRoux just like Samia, Hunter and Stillwell did. Again,

we're not asking you to like him or to approve of what he did. We're asking you to listen to what he said and to think about what he said, about what he did, what he saw and what he heard.

So I want to ask you to ask yourselves what was Vamvakias's demeanor like on the stand? Think about how he testified. Think about how he answered questions from both the government and defense counsel. No matter how personal or difficult those questions were he was asked questions about his mother, about his daughter, about his health. He answered all of them directly just the same as he did with all of the other questions. Ask yourselves whether Vamvakias's words are consistent with all of the other evidence that you've seen in this trial. When do you think that you will see that Vamvakias, what he says is backed up by all the other evidence and that shows you that he's telling you the truth. So let's get back to the work that Hunter and Samia were doing for LeRoux in 2008.

Now, I expect Judge Abrams will instruct that you that one of the things you have to find is that an agreement existed to murder and kidnap abroad. And to be clear there is no doubt that this violent conspiracy to murder and kidnap abroad existed.

So let's talk about Joseph Hunter. From the get-go Hunter embarked on a violent reign of terror for LeRoux. When LeRoux wanted to overthrow a sovereign nation, the Seychelles, he sent Joseph Hunter to do advanced work. When LeRoux wanted to buy end user certificates in Mali to track weapons, he sent Joseph Hunter. When LeRoux wanted his money back from Steven Hahn, he sent Hunter to detain Hahn and shoot him until he gave the money back. When LeRoux smuggled weapons from Indonesia to the Philippines on a boat called the Ufuk, he sent Joseph Hunter to ensure that the weapons arrived

safely. When LeRoux wanted his cousin's house fire bombed, he sent Joseph Hunter. When he wanted his business associate Moran Oz kidnapped and tortured until he repaid a debt, LeRoux sent Hunter. Hunter kidnapped Oz. Threw him in the ocean and shot at him until he repaid the money. But of course, you didn't just hear about this from LeRoux. You would have known all about what Hunter had done even if LeRoux had never taken the stand.

(Audio/Video played)

Think about what Hunter just admitted to on that video. He said he committed a bonus work and assassinations. That is murder. He said he kidnapped a guy and shot at him until he gave the money back. That is kidnapping. He admitted to smuggling gold, smuggling weapons, raising an army in Somalia and taking over an island. And look at how Hunter described those activities, murder, torture, smuggling, an attempted coup. He was bragging. He was proud of it. Hunter admitted to torturing and kidnapping Moran Oz, just like LeRoux said he did.

(Audio/Video played)

That is kidnapping. Hunter admitted to hand grenading Matthew Smith's house, just like LeRoux said he did.

(Audio/Video played)

That is attempted murder. Think about this. Everything Hunter admitted to on videotape, LeRoux told you about from the witness stand. That is corroboration and that's why you can believe what LeRoux told you.

So what is crystal clear from the get-go, from minute one is that LeRoux did not hire people for legitimate work. LeRoux hired men to kidnap, torture and kill. That's what the evidence shows and that is exactly what

he hired Hunter, Samia and Stillwell to do and that is exactly what they did.

Now, Hunter wasn't killing, kidnapping and torturing alone. He worked with other people including Adam Samia. Samia and Hunter worked together in 2008, in Mali, in the DRC. You know that because they have the exact same passport stamps at the exact same time. Samia even kept the itinerary for his DRC trip with Hunter in his bedroom seven years later. That's Government Exhibit 222.

Now, you heard about the treasure trove of evidence that the DEA found in Adam Samia's bedroom in 2015 when they executed a search warrant. That treasure trove included Government Exhibit 222 which is the Congo itinerary for Hunter and Samia. We'll you talk more about that more in a moment.

You know that Hunter and Samia enjoyed working together. Vamvakias told you that. And Hunter sent this e-mail to Samia on September 22, 2008 which is Government Exhibit 409. Hunter wrote, quote, stay safe and I hope to see you down the road sometime.

We already talked about the type of work Joseph Hunter did for LeRoux in 2008 and 2009. So let's talk more about the work that Samia did.

Samia was assigned a mission in Papua New Guinea with John O'Donoghue. Vamvakias told you about that. And you saw that Samia kept the flight itinerary. The DEA found it in his bedroom. That's Government Exhibit 227. Again, that corroboration and that's why you know that Vamvakias is telling you the truth.

O'Donoghue told Vamvakias that he and Samia performed surveillance of a target in a boat using a rifle with a long-range scope.

MR. STERN: Objection.

MS. DONALESKI: Van Vamvakias asked O'Donoghue if he was doing that kind of work now, meaning murder. And O'Donoghue said he didn't have the stomach for it. What does this mean? It means that as of June 2008 Samia was all in. He knew there was a conspiracy to murder and kidnap abroad and he is willing and even eager to commit murders.

Now, John O'Donoghue might not have had the stomach for murders but Adam Samia did. From the very beginning Samia asked Dave Smith for wet work. "Wet work" is a sick term for murdering another human being. But Dave told Adam that Paul LeRoux had some Africans for that.

Let's pause and take a look at how Samia described his work for LeRoux during this time. This is from Adam Samia's resume which is Government Exhibit 435.

So Samia wrote that he engaged in ground combat with many threats, be it indigenous people of the area for individuals with interests in our principle and assets.

Ground combat? Is Samia a soldier? No. Is Samia at war? No. "Ground combat" is another way of saying "killing people". Samia got up on the witness stand yesterday and testified that he was hired to be a glorified errand boy. He was paid thousands of dollars to do nothing. That is simply not backed up by all of the evidence that you've seen. LeRoux wouldn't hire a weapons expert and former soldiers to run errands for him.

Samia even gave you an example of just how close he got to murdering someone in the Congo yesterday. He told you about how he got out of a truck with a rifle and confronted someone who got in his way. It wasn't self-de-

fense. That was someone who was willing to resort to violence to carry out the instructions of Dave Smith and Paul LeRoux. That is someone who already at this point had agreed to commit murder and kidnapping and whatever else it took to carry out the mission.

What is abundantly clear is that as early as 2008 Samia knew exactly the type of work that Paul LeRoux's mercenaries did because he did it himself. There was no way that anyone would think that the work that they were doing for Paul LeRoux was anything but violent, illegal, criminal tasks. There is no legitimate security work where Paul LeRoux was concerned. Samia smuggled gold and guarded stash houses. He scoped a target using a high-powered rifle. He asked for wet work. The evidence shows that Samia knew exactly what type of work Joseph Hunter did for LeRoux too.

Look at this e-mail from Hunter to Samia in October 2008, which is Government Exhibit 411. Hunter says, quote, I'm still in Africa but I'm leaving on Saturday with Lach to go to PI. OD is supposed to come and replace us. I did the thing with bad Steve and then came to Mozambique.

You know what the thing with bad Steve is. Hunter kidnapped Steve Hahn and shot him in the hand. Adam Samia knew what Hunter meant too. He didn't respond, What thing? What Steve? No. He knew exactly what Hunter was talking about. This e-mail shows you that there was no insulation. There is no compartmentalization. These guys shared the details of what they were doing because they were proud of it, because they needed to know what each other was doing to be safe. They had no secrets from each other. They told each other exactly what they were doing.

What is also crystal clear is that Samia was fully integrated in the LeRoux organization in 2008. He wanted more of it, more weapons. Let's hook at some of the evidence from that treasure trove the DEA found in Samia's bedroom in North Carolina in 2015.

Kelly Peralta's card. LeRoux told you who that was. He was a member of the Chinese Triads, a criminal gang who negotiated the purchase of the North Korean map. DEA agents found John O'Donoghue's business card, satellite phone numbers used by Joseph Hunter, Lachlan McConnell, Joseph Hunter's address, Joseph Hunter's Congo ticket stub, the address for an apartment in Hong Kong. Samia's Papua New Guinea expenses and tickets, the e-mail address Samia used to communicate with LeRoux's mercenaries with the password "Bad Ass", and of course LeRoux's name, Mr. LeRoux Paul Calder.

What kind of a person keeps all of this stuff? Someone who's proud of it, someone who glorified it, someone who wanted to remember all of the bad ass things that he had done, someone like Adam Samia.

As time passed Samia kept at it. He wanted bonus work. Look at this e-mail from Hunter to Samia on December 17, 2009. Hunter writes: I just got here in the U.S. for the holidays and I will give you a call. This is something other than what I told you about. It is for doing the serious thing in Africa. Samia responded: Roger that, bro. Give me a call.

Use your common sense. When Joseph Hunter says it is for doing the serious thing in Africa, what do you think he means? You know exactly what he means because you know exactly the type of man that Joseph Hunter is. This is a man who thinks nothing of kidnapping or torturing someone, who doesn't blink when he throws a grenade in

a house. There is no mystery when Joseph Hunter says something is serious. He means murder. This e-mail is devastating proof as to Hunter and Samia. It proves that they conspired while in the United States to commit murders and kidnappings abroad.

What came next only a few days later is even more devastating. That's Government Exhibit 421.

On December 27, 2009 Dave Smith wrote to Samia: The job is simply it. 9K per month plus 25K bonus on each job done as you know what Joe does for us. Clean-up with our problem people. You will work with Joe. Need answer.

Samia forwards it to Hunter and writes: Give me a call again ASAP. Have some ideas.

Dave Smith wrote: You know what Joe does for us.

Joe of course Samia knows and Samia has ideas. Think about the evidence. Think about what you've seen and heard. There's only one thing that LeRoux pays \$25,000 for. Murders.

Hunter told you that himself. LeRoux pays \$25,000 for murder. You see the screen shot right here. He says: So Benny used to pay 25K minimum for the bonus rate.

Now Samia tried to tell you that this e-mail was about going deeper into the jungle. That makes no sense and contradicts all of the evidence that you have seen in this case. LeRoux didn't pay \$25,000 for Samia to take a few extra steps into the jungle. LeRoux paid \$25,000 for murder. There is only one thing that that e-mail between Samia, Smith and Hunter is about. Murdering people.

And why did Samia and Hunter want bonus work? They're in this for the money.

(Audio/Video played)

Why kill anyone unless I get paid? Samia kept at it. He asked Hunter to follow-up on all that stuff and work. He wrote Hunter in January 2010 and then again in February of 2010. Samia kept asking. Look at this e-mail from May 2010 which is Government Exhibit 427. Samia asked Smith for LeRoux's contact information presumably to cutout Dave Smith the middleman who wasn't assigning him any bonus work. and look at Smith's response. He says: I asked him. He does not want to give it out. He has his own SA working for him at a lot cheaper price which I understand.

Now you know what this means. Paul LeRoux told you what it means. He had his own South African hitman, Marcus, working for him at the time.

Vamvakias also told that you Dave Smith gave Adam Samia the exact same response when Samia asked him for wet work. He told him that LeRoux has South Africans for that. Now what Vamvakias told you is backed up by all of the other e-mails between Samia and Dave Smith and Hunter between 2009 and 2010 where Samia asks for murders but he was told that Paul LeRoux had South Africans for that. That's corroboration. And it shows you that Vamvakias was telling the truth.

So what does this e-mail show? Samia asked to do bonus work. He asked to kill people and Smith told him that LeRoux already had it covered. Samia continued to ask for bonus work in 2010. First, in September 2010 Samia asked Smith if he was still in Massachusetts. And the two men arranged to meet to, quote, talk about that thing. That's Government Exhibit 429. But you don't have to wonder what "that thing" was because Samia e-mailed him a month later. Look at this e-mail which is Government Exhibit 430. Samia writes: I'm sure we can get it done but there's a lot of variables. Has anyone been out

there to do logistics on this? Do you have a folder on the principal with pics, times, dates, movements? What is his standing in the community? Is he connected with anyone, et cetera? All this will depend on price and if there needs to be more than one person on the job. Are you and me doing it? Let me know some details.

You know what Samia was talking about, a murder, a hit package, a kill team. But before Samia can commit that murder Dave Smith was murdered himself in 2010. LeRoux told you about it. LeRoux told you that he believed Smith had stolen money from him and was part of a plot to kidnap and kill LeRoux. LeRoux literally had Smith dig his own grave and then LeRoux murdered him.

And who took his place? Joseph Hunter. In early 2011 Joseph Hunter was promoted to be the manager of the mercenary group. LeRoux testified that he promoted Hunter and told him that he needed a new kill team consisting of two men for upcoming murders. You heard about this from Hunter himself.

(Audio/Video played)

You heard the same story Vamvakias who was one of the mercenaries that Hunter asked to rejoin the team. Vamvakias told you about that meeting with Hunter in early 2011 when Hunter said that things were going to be different. There would be a business side of the house and a ninja side of the house. And you know what ninjas did. They murdered people. Vamvakias was on the business side of the house. He was tasked with going to Mexico to smuggle Tramadol into Texas. Vamvakias told you that the ninja side of the house was Hunter as the manager of the kill team. Demeer and his partner, Daddy Mac, were

the new kill team. LeRoux also testified that Hunter introduced Demeer and Daddy Mac to him as the new kill team.

So let's talk about what Adam Samia was up to during this time in early 2011. He wanted in. Remember, he considered himself to be on active standby. You remember seeing his resume. That was Government Exhibit 435. And Hunter considered bringing him back. He told Vamvakias that and he e-mailed Samia that. That's Government Exhibit 434. Hunter wrote: If you want to know about work, get a prepaid card and call me from some phone that is not yours.

What's a prepaid card? Hunter thinks it's an anonymous way to call. He knew that Samia was in the United States at this time and he knew that there would be phone records available. That's why Joseph Hunter didn't appear on Samia's phone records in 2011. Joseph Hunter was too smart for that. Hunter didn't care about Samia's phone bill like Samia told you yesterday. Hunter cared about whether the call could be traced. That's why he told Samia to call him from a number that wasn't his so that they could talk about murder without being traced or tracked back to the United States where they could be prosecuted.

LeRoux only hired two-men teams for murders. So Samia recruited Stillwell. Only a few weeks after that e-mail Samia e-mailed Hunter, quote, I have a guy that is interested in going to work if your interested. He would be a good second guy. Now, Hunter doesn't need them at this time but he told Samia that replacements could be needed at any time.

And even Samia didn't dispute this. He admitted yesterday that this e-mail was about David Stillwell. How else

do you know that Samia and Stillwell were a kill team in waiting as of early 2011? Because Hunter complained about it after the murder. Hunter wrote in this e-mail which is from May 2012, you signed up for a job with JT which I'm responsible for both of you. I am expected to get these things done. You said you wanted the job. First, I waited a year for you to become available because of your other plans. Then you finally come onboard, do one sloppy job which could have endangered everyone and left. Hunter complained about waiting for Samia and Stillwell for a year in March 2012. Samia's e-mail about having a second guy is in April 2011. The second guy is Stillwell.

So who is Carl David Stillwell? And why did Samia recruit him? David Baker told you that Stillwell told people that he was in the Army, that he had been a ranger, that he held a sniper certification and they had done drug interdiction work in South America. Baker told you that Stillwell told that story to lot of people. So when Samia need a partner he didn't turn to David Baker. You saw him on the witness stand. He worked at a car wash. Samia turned to Carl David Stillwell who he believed to be a trained Army sniper. You know that Samia believed that based on this May 2009 e-mail from Samia and to Stillwell. Samia is thanking Stillwell for his military service. That's Government Exhibit 418.

Stillwell hold himself out to be a trained Army sniper and that is exactly the type of person that Samia would recruit to be his kill team partner. Stillwell and Samia were close. They worked together. They ate lunch together everyday. They were friends. Stillwell owned a custom holster business at The Arsenal, the local gun store. When Samia was arrested in July 2015 he was even carrying Carl David Stillwell's business card in his wallet.

But Joseph Hunter didn't need Samia and Stillwell yet because he already had a kill team. Chris Demeer and Daddy Mac. And the kill team murdered their first target in July 2011, Naomi Edillor. Hunter told LeRoux the Demeer and Daddy Mac murdered her. You also saw the e-mail. Alexi is Demeer and there is Daddy Mac, \$25,000 sales bonus. All of that evidence corroborates LeRoux.

You also heard about how the murder happened from LeRoux as well. Hunter told LeRoux that Edillor had been killed by Daddy Mac and Chris Demeer and as per the circumstances, Hunter told me the kill team, the kill team had followed my instructions. They had pretended to be real estate buyers. Edillor had been killed outside the front of the house. You heard the same thing from Hunter.

(Audio/Video played)

You also saw this e-mail, Government Exhibit 414-28, LeRoux explained that he had asked Hunter to provide proof that Edillor had been murdered. So Hunter sent him a newspaper article about Edillor's murder. A woman was dead, brutally murdered, shot in the head and what did Hunter say? There is your fucking proof. Have my guys' money tomorrow.

This e-mail alone is enough to convict Joseph Hunter on Count One. You know Hunter returned to the United States between February/March 2011 while he was recruiting mercenaries to rejoin the kill team and commit murders. You saw the flight records showing that Hunter was in the United States in March 2011 and Hunter supervised Demeer and Daddy Mac as they murdered Edillor in the summer of 2011. But after the murder Chris and Daddy Mac took off and Hunter was left with no kill team. On July 29 he wrote Vamvakias: Chris and the other

guy that was working for me took off. I don't know what will happen here without a crew. I might be out of a job. A few days later Hunter told LeRoux Chris is quitting.

Vamvakias also told you about how Hunter was worried about his job. He was worried that he would lose his job. LeRoux had a kill list and Hunter needed a two-man team to start killing people on that list to come to the Philippines and murder. LeRoux told you about it himself. He said, quote, I discussed with Joseph Hunter that a new kill team was needed as soon as possible and that the kill team should consist of again, of two men. It was understood that as soon as the team was recruited there would be additional murders.

You also know that LeRoux wanted to have a sit-down with the new kill team to make sure that things got done right. So Hunter needed a new kill team and fast. So who did Hunter reach out to? The guy who had begged him for murders since 2009, the guy who is on active standby, the guy who had a partner at the ready, Adam Samia.

How do you know that? I want to focus in particular on one date, September 30, 2011. It's an important date because that is when Samia and Stillwell began to actively conspire to commit murders abroad while they were in the United States. Now it's very clear that Samia and Hunter had already joined the murder conspiracy but this is where Stillwell joins without a doubt.

Let's look at this e-mail from September 30, 2011. Hunter writes to LeRoux to update him on two projects involving Samia. The first is the Tramadol smuggling operation. He writes: The first run will start next weekend. We need to Western Union some funds to add them to the guy. We need gas and lodging money. You'll remember that Vamvakias was in El Paso working on the Tramadol

smuggling and building up a stock pile that was going to be transported to the east coast. So you know that the first few sentences of this e-mail are about the Tramadol smuggling operation. The e-mail continued: Adam will work on his ticket today and let me know the cost and how he wants to be paid for it.

LeRoux explained to you that what that meant was that Adam Samia was supposed to come to Brazil to sit down with him to talk about the upcoming murders. What does your common sense tell you about this e-mail? On September 30, 2011 Samia was part of the new team. He was going to Brazil to meet with LeRoux to talk about the murders and then he was going to be to go to the Philippines with Stillwell to start killing—Vamvakias told you that Adam Samia's name came up in 2011. Samia wanted work and Hunter was deciding where to use him. So for a while before August 2011 Hunter was considering sending Samia to join Vamvakias in the operation. But Vamvakias wasn't keen on that idea. Here is an e-mail Vamvakias sent in August 2011, some days after Demeer took off in the Philippines.

Vamvakias asked Hunter not to send Samia. Is it possible for me to find a replacement instead of using Adam? The next month Hunter told Vamvakias that Samia and a friend were coming to El Paso to pick up the Tramadol stash and bring it back to the east coast but then Adam didn't come. Vamvakias asked what happened to Adam. And Hunter told Vamvakias that Adam had been tasked with a bonus job instead. Each of these e-mails corroborate Vamvakias. They corroborate what he says and when he says it happened. That's another reason you know whose telling the truth.

So let's turn back to September 30, 2011. Of all things on September 30, 2011, the same day that Hunter told

LeRoux that Samia was on the new kill team, Samia and Stillwell have the longest phone call that they've had the entire, five minutes long. Samia testified yesterday that this never happened. He never had a five-minute phone call with Stillwell on September 30, 2011. You know that that's just plain false because you see the phone records right here.

This call is no coincidence. We know that because of the phone records in evidence that Michael De Luca testified about and that's Government's Exhibit 903. We know that Samia and Stillwell called each other frequently in the fall of 2011 as they were getting ready to go to the Philippines and murder.

Keep in mind, these two men were together all the time. They work together. They each lunch together. They're good friends. So this phone call is important. This wasn't a call about lunch plans. It's two minutes longer than any call they had that entire year. You know what they discussed on that call. Hunter had finally assigned them a murder and they were putting things in gear to make it happen.

What else happened on September 30, 2011? Stillwell applied for a passport. The man was 44 years old. He had never been outside the country. He had never vacationed outside the country. He had never traveled outside the country for work. Yet on September 30, 2011, of all days to apply for a passport for the first time in your life, Carl David Stillwell applied for a passport. Stillwell applied for a passport on the same day that Hunter told LeRoux that Samia was in for a bonus job. He applied for a passport on the same day that he and Samia had a five-minute long phone call. He applied for a passport on September 30, 2011 because Hunter gave him and Samia the green light

to travel to the Philippines and murder people. But Stillwell knew before September 30, 2011 that he was going to join a kill team. Remember, Samia told Hunter in April/March 2011 that he had a good second guy. Stillwell.

Here is another reason a Stillwell knew before September 30 that he was going to Philippines to murder. On September 28, 2011, two days before, his wife Googles passports. That same day on September 28 Samia Googled round-trip tickets to the Philippines. This isn't some big coincidence. By this point Samia and Stillwell already knew they were going to the Philippines to murder. They knew it was officially on. Samia had been asking for it for years and his chance had finally come. You know that Stillwell knew too because David Baker told you that Stillwell and Samia talked about going to the Philippines for months. Months. That lines up perfectly with all of the e-mail that you just saw. Samia and Stillwell were just waiting for their chance to do bonus work, to kill people and they finally got that chance in late September 2011.

Who paid for Stillwell's passport Samia? Look at this e-mail from February 2012, after the murder. Samia tells Krisha, the whole passport thing, I had three friends do it right before I left the States and that he paid for one of the passports to be done. The guy had no money. That's how I knew that.

Right after September 30, 2011 Samia bought his ticket to Brazil and LeRoux reimbursed him. But Samia didn't make his flight to Brazil because he failed to get a visa and Hunter wasn't happy. Hunter wrote Samia: Your job and one of your guys appear in PI following the orders. No negotiations. No complaining. No bullshit. You will be paid to do a job with a result. The key word is "results". We do not pay you for thinking about it. We do not pay for you trying. We do not pay for your time. We pay

for the end result. Do you understand? He finished: You and one other guy prepare to do ninja stuff. Get your shit ready and stand by.

Think about that. You and one other guy prepare to do ninja stuff. This e-mail is important. Hunter was not going to take the chance that these two guys that he waited months for were not prepared to do ninja stuff. Hunter was not going to take the chance that Samia and Stillwell were not both onboard with killing people. LeRoux was already unhappy with the way the Edillor murder went down. Hunter was worried about his job security. Hunter wanted to do this murder right and he wanted to show LeRoux that Hunter was worth all of the money that he was paying him. There is no way that Hunter wouldn't make sure that Samia's partner was up for the task.

Hunter would not ask for LeRoux to send over a thousand dollars to fly a random guy from Roxboro, North Carolina, to the Philippines if Hunter wasn't sure that that guy, that Stillwell knew exactly what he was going over there to do.

Samia had been begging for this work for years. This was Samia's shot. There was no way that Samia would take the chance that Stillwell would bail on him when they got there. Samia would check with Stillwell to make sure that Stillwell was ready to murder people. There is simply no way that Samia would take the chance that Stillwell would frequent out and report him to the police once they got to the Philippines. Samia would never get any work from Hunter again if Samia's partner bailed on him the minute he got to the Philippines and learned what they were going to do.

It would embarrass Samia. It would embarrass Hunter. Samia would absolutely make sure that Stillwell

knew exactly what they were going to the Philippines to do and think about who they were dealing with. Samia and Stillwell were working for Joseph Hunter and Paul LeRoux, two deadly serious men. There was no room for error with Joseph Hunter. There was certainly no room for error with Paul LeRoux. Samia wouldn't take that chance. Hunter would not take that chance. Samia and Stillwell were both prepared to do ninja stuff. They were both prepared to murder. LeRoux put Samia and Stillwell on standby on October 14, 2011. He didn't want Samia sitting in the Philippines being paid to do nothing. They were a team.

So let's talk about everything that just happened in the first few weeks of October 2011. Hunter told LeRoux that Samia and his partner, Stillwell, would be the new members of the kill team. Samia committed to go to Brazil to meet with LeRoux and talk about the upcoming murder. Stillwell applied for a passport for the first time in his life. Samia and Stillwell researched travel and Samia researched tickets to the Philippines. LeRoux put Samia and Stillwell on standby until they were both available to come to the Philippines and murder.

So in that context what does Carl David Stillwell do? You heard about it from Thomas Song and you've seen all of the devastating physical evidence. In October 2011 Stillwell reviewed file after file in his "Interesting Stuff" folder. It was saved under "David Desktop Interesting Stuff". He accessed it in October 2011, brought it with him to the Philippines and accessed it again on February 27 and February 9, mere days before he and Samia murdered Catherine Lee.

This laptop, this laptop was seized from The Arsenal, the gun shop where Samia and Stillwell worked. The DEA

got a search warrant for this laptop which came from Samia and Stillwell's shared workspace. This laptop has a sticker on it that says, "If you come through this door you will be killed".

And you know what's on it too. That laptop contains file after file with instructions on how to murder people, how to snap their wrists until their veins pop out, how to smash their skull, how to shoot them at close range. This is basically a laptop of death and this is what Stillwell was looking at in October 2011. He knew that he had been enlisted as part of a two-man murder team and he was doing his sick research. He was getting ready to murder people. So what did Stillwell research in October 2011. Here is one file that opened. "Twenty-two ways to kill a man with your bare hands". Here's another file he opened in October 2011. "How to kill someone with your bare hands".

Now, of course Samia and Stillwell didn't know the exact details of how they were going to murder each person with a .22 caliber gun, poison with their bare hands. So they needed to be prepared. So they brought this laptop. This laptop of death with all of the instruction manual use and guides for killing people and being a hitman. Samia and Stillwell brought this with them to the Philippines.

This laptop contains a lot of different instruction manuals about how to surveil people about how to commit a crime and get away with this. And the laptop had two instruction manuals in particular, one about how to be a mercenary and one about how to be a hitman.

The title of this instruction manual is so you want to become a mercenary. It contains instructions on how to stalk people and look for patterns in their schedule. The manual says not to live in a house to live in an apartment, all of the things that Samia and Stillwell did once they got

to the Philippines. Samia and Stillwell literally brought a how-to guide on how to be a hitman with them to the Philippines.

This isn't some light beach reading. This isn't a how-to guide that anyone happens to have. This is an instruction manual on how to be a hitman and Samia and Stillwell were going to the Philippines to be a hitman.

MS. DONALESKI: Look at what their manual says about the weapon you should use. This is truly chilling. It says to use a .22. Just like Samia and Stillwell did in the Philippines. It says, "When use a small-caliber weapon like the .22, it is best to shoot from a distance of three to six feet. You will not want to be at pointblank range to avoid having the victim's blood splatter on you or your clothing."

Now, I expect you'll hear a lot from Mr. Ray about this December 2011 meeting with Joseph Hunter. You've already heard him argue in his opening statement and through cross-examination that he thinks the government can't prove that Joseph Hunter was in the United States in December 2011 and that means Stillwell isn't guilty.

But look at this, look at what Stillwell was doing months earlier in October 2011. He was diligently researching how to kill people. Why? Because he knew as of October that he was going to the Philippines to murder people. Again, this is just one of the many things that shows you that Stillwell was conspiring within the United States to commit murders abroad as of at least October 2011.

So it's clear by this time, by October 2011 that Samia and Stillwell were conspiring within the United States to commit murders and kidnappings abroad. But here's just

one more example, Samia and Stillwell booked their tickets to the Philippines on December 5 and 6, 2011, but they planned to travel on different days. Why would they do that? To make it look like they weren't going over there together.

Think about this. If they thought what they were doing was legitimate security work, why on earth would they stagger their travel? Is that how you travel with your friends or your work colleagues? No. You don't stagger your travel, unless you have something to hide, unless you want to make it look like you weren't going over there together, to make it look like you weren't going over there to commit murders.

So right after Samia and Stillwell booked their staggered travel to the Philippines, Hunter emailed LeRoux and asked him to reimburse Samia for Stillwell's ticket. You see the email right here.

Let's think about this for a minute. LeRoux paid for Stillwell's travel. Does it make any sense that Stillwell wouldn't know the reason some mystery man was flying him all the way over to the Philippines? He ate lunch with Samia every day, they hung out together all time, and they worked together in a small room at the Arsenal. Samia wouldn't keep this information from Stillwell. He would tell them what they were going over there to do, he would make sure that Stillwell was up for the task.

Does it make any sense that Stillwell wouldn't know why some mystery man was paying for him and Samia to travel to the Philippines on separate flights, on separate days? No. It makes no sense because it's not what happened. How they booked their travel was just one more way that you know Samia and Stillwell knew the purpose of their trip was to commit murders abroad.

Then, in December 2011, Hunter came back to the U.S. You heard about it from the Korean Airlines representative, Mr. Nam. Mr. Nam worked at Korean Airlines for 30 years. He doesn't have a dog in this fight, and he confirmed to you that Joseph Hunter was on a flight on December 10, 2011, into the U.S.

Now, you saw Mr. Ray badgered Mr. Nam for 45 minutes, but Mr. Nam consistently said that what you saw was the on board passenger list and that Mr. Hunter was on that flight. We may not know what seat he was in, but the evidence shows he was on that flight.

I expect Mr. Ray will talk about the CBP records. So let's talk about the CBP records. CBP produced a record that was produced to him by the airline saying that Hunter wasn't on board, but the airline, Korean Airlines got up on that witness stand and told you he was on board.

CBP doesn't have a record of an encounter, but they told you their records aren't perfect and there are a lot of ways to get into this country without interacting with CBP, especially if you're someone like Joseph Hunter. Look at Joseph Hunter's passport. He doesn't have a single U.S. entry stamp after 2010, even though representatives of Korean Airlines, Delta Airlines, American Airlines, got up on that witness stand and told you that Hunter entered the United States on their flights between 2010 and 2013.

Joseph Hunter is a sophisticated international hit man. He has multiple passports in fake names. You know that if Joseph Hunter doesn't want a stamp in his passport, he doesn't have one. How else do you know that Hunter came back to the U.S.? Hunter talked about it. He talked about bringing back over \$100,000 to the U.S. along with his fake passports hidden in his cargo shorts.

Vamvakias told you the exact same story, and you heard it from Hunter.

(Video played)

MS. DONALESKI: Think about the evidence you've seen and heard. Hunter had all of the proceeds from the Edillor murder and he had been out of the country since March 2011. So by December 2011, he had a lot of money to bring back.

And listen to what he described here, traveling with fake passports, traveling with \$150,000, in what the evidence shows to be murder proceeds, and flashing his military credentials to get special treatment from customs officials, using his military credentials to get customs officials to look the other way, and it worked.

You also heard that Hunter was in the U.S. from Tim Vamvakias. He told you that Hunter called him in late 2011 from a Kentucky number and said that Hunter had to go meet Adam Samia and his partner about a bonus job in Carolina.

Now, Vamvakias also told you that he doesn't know whether the meeting he discussed with Hunter actually happened, but you know what that conversation shows, first of all, Hunter was in the U.S., and he was working to commit murders and kidnappings abroad. It also shows you that by this time, Samia is on board to commit murders and so is his partner. What that conversation shows you is that Hunter is confirming to Vamvakias that Samia and Stillwell are in.

What's another reason you know that Hunter was in the U.S.? Look at this email from Samia in January 2012 once he's in the Philippines. Samia references a prior conversation with Hunter before they got to the Philippines. Samia writes, "We did not bring that much money with us

because I thought you said we had a place to live and a small op fund for living expenses like we discussed before I came here.”

This is Adam Samia admitting that he conspired within the U.S. to commit murders abroad. Your common sense tells you that you don't talk about an op fund without talking about what the op is. So that's what Hunter was up to in December 2011.

Here's what Stillwell did to prepare to travel to commit murder. Stillwell bought these hats from LA Police Gear on December 16 and December 26. Two hats, one for Samia and one for Stillwell. And look at these hats, they're military-style hats with earplugs, earplugs, to protect your ears when a gun goes off. These aren't Christmas presents, they are for murder. Stillwell wanted hats with earplugs because he knew that he and Samia were going to be shooting people. Stillwell also bought a shoulder holster just like his hit man manual said to do.

And when did this happen? After Hunter was in the United States, right before Stillwell and Samia were going to the Philippines to commit murder.

You know that Samia and Stillwell arrived in the Philippines in January 2012. You saw the Philippines border crossing records. You saw the emails, you heard about it from Paul LeRoux. LeRoux testified that in January he passed the first target package to Joseph Hunter and that Joseph Hunter provided it to Samia and Stillwell.

You also saw that Samia and Stillwell emailed the target package between them. This is another reason you know that Samia and Stillwell knew before they left the United States that they were going to commit murders. When Stillwell receives that target package, he doesn't say, Wait, why are you sending me this? He doesn't say,

Whoa, I had no idea this would involve killing someone, I'm out. He doesn't say, You want to murder people? I'm going to have to report you to the police. No, he is not surprised at all. To the contrary, he dove into it. He had already stocked his laptop of death. He knew exactly what he was going to the Philippines to do, to murder.

Stillwell and Samia dove into their assignment. Look at what the DEA found on Stillwell's thumb drive, which is this, years after the murder, that's Government Exhibit N185. Stillwell had no idea that something that tiny could be so devastating. That thumb drive is packed with proof of the four murders that he and Samia tried to commit. The target packages for Silverio, Lee, Fitch, and Jalos are on this thumb drive. Stillwell downloaded the Silverio hit package on February 5, 2012. He had a photograph of Dazl and he had surveillance photos of her home on Madrid Street.

Samia and Stillwell researched Dazl just like Stillwell's manuals said they should. Samia Googled her in early February on his laptop. Stillwell Googled her over and over again in February on the Arsenal laptop.

Now, you heard that the DEA executed a search warrant on Samia's home in 2015 and they found this laptop. This is N203. It is identical to the laptop that Stillwell brought. Look at these laptops. They're portable, they're small, they're tactical. These laptops are what Samia and Stillwell brought to the Philippines so that they could properly research and stalk their victims before they murdered them.

Let's get back to January 2012. Hunter, Samia, and Stillwell couldn't find Dazl Silverio. Hunter wrote LeRoux, "Need another person." Hunter asked for masks to hide Samia and Stillwell's identities during their killing

spree. These masks. And look, Samia even Googled them right after he got to the Philippines. That's not a coincidence. Samia Googled these masks because Hunter told them him about them.

So LeRoux passes on a new target package and the next target is Catherine Lee. LeRoux gave Hunter, Samia, and Stillwell instructions on how to murder Catherine Lee. LeRoux said that Catherine Lee should be killed in the same method, manner as Naomi Edillor, meaning the kill team consisting of Adam and his partners can pretend to be real estate buyers.

How else do you know that Catherine Lee's target package was passed to Samia and Stillwell? It was found on their computers. These computers. Stillwell thought he had deleted the target package. He thought that he had deleted the digital record of his murder, but Thomas Song found it on the Arsenal laptop.

Samia tried over and over again to wipe his computer but song found it on his laptop too, and the reason that Samia and Stillwell tried so hard to delete this is because they never wanted it shown in a courtroom like this one.

Let's go back to the emails that show Hunter, Samia, and Stillwell working to stalk their murder victims. Hunter asked LeRoux for murder weapons which he provided to him. He said "I need the following things: One MP53 SD, one rifle silenced with optics, one .22 or 380 pistol silenced."

Let's pause here and talk about Hunter's role in the murders. He's the manager of the kill team and he is very much involved in every step of their killing spree. These texts are from Hunter's cell phone that he used around the time of the murder. Michael DeLuca testified about these texts and he testified that each of them were deleted

from the phone. Hunter texted about picking up an a In-nova in January 2012. Hunter texted about something that JT noticed around the same time. The day after the murder of Catherine Lee, on February 13, 2012, he texted with Benny, who is LeRoux, about meeting up.

LeRoux gave a hit package to Hunter and Hunter gave it to Samia and Stillwell. LeRoux gave instructions on how Catherine Lee should be murdered and Hunter passed those instructions on to Samia and Stillwell. LeRoux provided weapon, a van, and money to Hunter. And he gave the weapons, the van, and the money to Samia and Stillwell.

I expect Judge Abrams will instruct that you aiding and abetting liability is its own theory of criminal liability. In effect, it is a theory of liability that permits a defendant to be convicted of a specified crime if that defendant, while not himself committing the crime, assisted another person or persons in committing the crime.

So for example, because Hunter provided Samia with the gun that he used to murder Catherine Lee, Hunter is guilty of aiding and abetting the crime of murder through the use of firearm because while he didn't pull the trigger himself, he assisted Samia by providing him with the murder weapon. Hunter was just as involved in Catherine Lee's murder as Samia and Stillwell.

So Hunter got another target package from LeRoux in early 2012. Fitch Penalosa and LeRoux believed that Fitch was involved in stealing from him. How do you know that Fitch's target package was passed on to Samia and Stillwell? Thomas Song found it on Samia's laptop and on Stillwell's thumb drive. This is the target package.

Dazl Silverio, Catherine Lee, Fitch Penalosa, these were all people going about their daily lives. They had no

idea that in January and February 2012, these three men were working to stalk and murder them. They had no idea that their names, addresses, photos, and families' information was being passed on to Joseph Hunter, Adam Samia, and Carl David Stillwell; three men who were lying in wait for one purpose, to murder them.

Hunter, Samia, and Stillwell worked methodically to stalk and murder their victims. Hunter emailed LeRoux on February 4, 2012, and asked for money to reimburse them for a laptop computer bag that they modified to hide their weapon. Think about this. Stillwell owned a custom holster-making business and specialized in concealed carry. This is the precise type of skill that Stillwell brought to the table. Modifying a laptop bag to hide weapons.

Hunter also complained in this email that Catherine Lee's home in Las Pinas, where they are stalking her, is a long drive for Samia and Stillwell. Hunter, Samia, and Stillwell, were very focused on Catherine Lee in February 2012. Samia and Stillwell didn't just stalk her at her home, they stalked her at her business. The photo on the left is from Catherine Lee's Facebook page, the photo on the right is from Samia's camera, and below are all of the Internet searches that Stillwell did in order to find Catherine Lee's photo and information about her business.

Stillwell made contact with Lee posing as Bill Maxwell, a real estate client. How do you know this? You saw the email between Stillwell and three on this laptop. And you see it in front of you here. You saw the Internet logins on that laptop showing that Stillwell logged into the Bill Maxwell email inbox. Stillwell downloaded the farm lot ad that Catherine Lee sent him on February 2, 2012, and what this box at the bottom shows you is that he deleted it. He deleted the ad that Catherine Lee sent him,

he deleted that on the day of her murder. This is damning evidence.

Samia and Stillwell lured Lee into their silver Toyota Innova van and got her to show them properties. Stillwell had photos on farm lots on his phone. The type of pictures that you would take if you were trying to keep your Bill Maxwell cover, if you were trying to keep Catherine Lee vulnerable. Stillwell had photos of him riding in that silver van saved to this memory card.

You know what happened next. Stillwell was driving, Samia was in the passenger seat, Lee was in the rear seat, Samia turned around and shot Catherine Lee twice in the face, once under each eye. Samia's shots killed her instantly. Her blood and brain matter covered the van. Samia and Stillwell wrapped her head in a towel. They took pictures of her dead body. Then they dumped her in a pile of trash, facedown, in the rain.

They threw this woman away like she was trash. She was a human being. And these three men callously murdered her as if it were nothing, and then they went on with their day.

Remember all of the reasons, you know exactly why this happened and what happened that day. Police Chief Ruben Apostol told you that they found Catherine's body the next morning on February 13, 2012, facedown in the rain in a pile of trash.

Dr. Dela Cruz, the medical examiner told you that Catherine Lee was shot twice in the face, once under each eye, and you could see the bullet wounds right there. Think about that. Samia shot her once under each eye in a moving vehicle. That's precision. After all, Samia was a weapons expert and that's the entire reason he was recruited to join the mercenary team.

Dr. Dela Cruz told you that Catherine Lee had been dead for less than a day. She died instantly and the wounds were caused by a gun that was at least 18-inches away. That is consistent with Samia being in the front seat and Lee being in the backseat.

How else do you know that this happened? Look at the bloody towel that was found at the scene. It's the same towel as in the trophy shot that Samia and Stillwell kept after the murder. You know that Samia used a .22 caliber firearm. Joel Valencia, the ballistics examiner, told you that these slugs, which were recovered from Catherine Lee's brain were .22 caliber.

Samia and Stillwell used a .22 caliber firearm just like the hit man's manual said to do. And where did they dump the body? 20 minutes away from their condo. You know that Samia and Stillwell stayed at the Mayfield Park Residences because Samia brought back the lease with him from the Philippines. One more trophy of his ninja work.

You know that they stayed there together because Casey Reaves told you that she Skyped with Adam and David from their apartment. You also know that Mayfield Park was 20 minutes away from where Catherine's body was found in Taytay. Special agent Chris Mueller told you that.

Samia and Stillwell took pictures of Catherine's body after she died, these pictures, of her head bleeding and wrapped in a towel. And just in case there was any doubt that they had killed her, just in case Hunter or LeRoux wanted in Hunter's words, "fucking proof," they pulled up the towel so that you could see her face.

These sickening pictures were found on Stillwell's memory card. Think about that. Think about what that

means. Stillwell was literally walking around carrying trophy shots of Catherine Lee's body on his person in his phone. He thought he had deleted them, but as Thomas Song explained to you, it's not possible to delete thumbnails, and that's why Thomas Song was able to recover these pictures, and show you the evidence that Stillwell thought he had destroyed.

And it's no wonder Stillwell wanted to destroy it, it is sickening, devastating proof of his guilt. Thomas Song also found these pictures on the Arsenal laptop, this laptop of death. Thomas Song explained to you that the photos were downloaded on to the laptop and then deleted right after Catherine Lee was murdered.

How else do you know that these three men murdered Catherine Lee? Paul LeRoux told you about it and what he said was corroborated by all of the other evidence. He testified that "Joseph Hunter told me that the kill team consisting of Adam Samia and his partner had killed Catherine Lee in the silver Innova. Hunter told me that Catherine Lee had been killed by the kill team with a .22 caliber pistol and that Catherine Lee's body had been dumped in a pile of garbage by the side of the road.

How else do you know that this is what happened? Vamvakias told with you it and what he said is corroborated by all the other evidence. That shows you that he's telling the truth. He testified that "what they ended up doing was, they met with Catherine Lee and she took them out to some properties. He continued, "Adam continued driving the van in the passenger seat while his friend was driving and at some point he just turned around while they were driving and shot Catherine Lee who was sitting in the backseat with a .22 automatic pistol with a silencer. He said, "He shot her in the face and then

the two of them, Adam Samia and his partner, ended up dumping the body off.”

How else do you know that this is what happened? Hunter told you about it too.

(Video played)

MS. DONALESKI: This video is admissible against all three defendants. It is devastating. Hunter had no idea he was being recorded. He had no idea that he was being recorded and that one day his admission to the murder of Catherine Lee would be played in a courtroom like this one.

Stillwell also told you what happened. Now, as judge Abrams has explained, Stillwell’s confession is admissible only against him and it is powerful proof of his guilt. Stillwell said he had been overseas once in the Philippines. Stillwell and the person he was with traveled outside of Manila to view a property and that he had observed a gun then and that the gun was a .22 with a silencer.

With respect to the murder of Catherine Lee, Stillwell said “I didn’t kill anyone, gentlemen, but I was there and things I may have done led to that.”

Stillwell described a time when the other person he was with pulled the trigger on that woman in a van that Stillwell was driving. Stillwell admitted to receiving 20- to \$30,000, which he transferred back to the U.S. via Western Union, and the fact that the money was broken up was no accident, in order to hide it from the government and from his wife.

Think about all the evidence you’ve seen. All the evidence lines up. What Hunter told you in the video, what the Philippines crime scene witnesses saw, what the

reams of electronic evidence found on the defendants' devices showed and what LeRoux and Vamvakias told you from the witness stand. Why does all the evidence line up? Why does every fact in this case point to Samia and Stillwell executing the murder that Hunter hired them to do? Because that is exactly what happened.

And this same evidence shows you that Samia's story yesterday doesn't add up. Samia told you that he was going over to the Philippines to train Filipinos in mixed martial arts.

Now, he had to admit that he went with Stillwell, he had to admit that he was working for Joseph Hunter and Paul LeRoux, but did you hear anything about LeRoux being a patron of mixed martial arts? Did you see any evidence that LeRoux paid 10,000 per month for someone to be Joseph Hunter's MMA sparring partner and pick up some random people from the airport? No. Because it simply didn't happen. LeRoux had a kill list and Samia was a killer. That's what the evidence showed.

You also heard about all of the devastating digital evidence that was found on Samia's laptop. And what was his explanation for that? He doesn't know how to Google something. So when you saw target packages on Adam Samia's computer, he tried to tell you that someone else put them there; when you saw Internet searches on Adam Samia's laptop, for how to kill people with poison and for which Western Unions were located in Massachusetts, he tried to tell you that someone else did those Internet searches; and when you saw incriminating emails that Samia sent, he tried to tell you that someone else wrote them.

What Samia told you doesn't make sense. It doesn't add up. Let's go back to what Samia and Stillwell did after

murdering Catherine Lee. One cold blooded murder wasn't enough for Samia and Stillwell. They came to the Philippines to make money and they wanted to commit another murder.

Look at this email that Hunter sent to LeRoux only hours after Catherine Lee had been killed. And before her body had even been found, Catherine Lee's body was lying in a pile of trash in the rain when Hunter sent this email. And this is what he wrote: "They plan on doing one more and then go and come back."

The next day Samia chatted on Facebook with his friend Jason Willard. Keep in mind, Samia murdered Catherine Lee less than 48 hours before this chat. Jason's dog died. And what Samia wrote in response is sickening. It shows you just how little Samia valued human life. It shows you just how little Samia valued Catherine Lee's life.

Adam Samia said, "It's easier to put down a person than a dog. "Easier to put down a person than a dog." Two days after murdering Catherine Lee, Samia and Stillwell sent Hunter their expense reports. You know that Thomas Song found this exact same expense report on Samia's laptop and Stillwell's laptop. This is that expense report.

Now, yesterday when Samia was asked about this expense report and this email, here's what he said. First, he tried to tell you that our expense report was just referring to him, not him and Stillwell. He doubled down and he testified that when he wrote "we," he was just referring to himself, not to himself and Stillwell.

Then Samia changed course and he said he didn't send the expense report to Hunter. Then he said he sent the email, but he had help with the expense report.

Then Samia slipped up. He told the truth for one brief moment. He was asked: “That’s the document that you sent to Joseph Hunter so you could get paid for the murder of Catherine Lee, correct?”

“Yes.

“And you said you had some help, right?”

“Yes.

“David Stillwell helped you send this document, right?”

“Yes.”

And you know that’s exactly right. Samia and Stillwell sent their expense report to Hunter so they could get reimbursed for their expenses and paid for the murder. And that is precisely what happened. LeRoux gave Hunter \$35,000 each for Samia and Stillwell, Hunter paid Samia and Stillwell and, they started transferring the money to trusted friends and family members, just a few thousand dollars at a time right after the murder.

If your salary is legitimate, you don’t transfer it in increments under \$10,000 to your ex-girlfriends, to your friends, and to your family members. If your salary is legitimate, you just deposit it in your own bank account in your own name. The reason that Samia and Stillwell didn’t just deposit the \$35,000 they were paid into their own bank accounts, and the reason they went to all of this trouble, was because the money wasn’t legitimate, it wasn’t their salary, it was money they were paid for murdering Catherine Lee.

After they murdered Catherine Lee, Samia and Stillwell got right back to work. They stalked their next victim, Fitch. LeRoux asked for an update at the end of February 2012 and Hunter told him that Samia and Stillwell

“have been to his house for a couple of days and are going to his office today.”

And you saw that Adam Samia accessed the Fitch hit package on February 20, 2012, on his laptop. Now despite all of their efforts to kill four people, Catherine Lee, Dazl Silverio, Fitch Penalosa, Manuel Jalos, Samia and Stillwell killed one person. They left the Philippines on February 29 and March 5, separately. You know this from the emails and you know this from the Philippines border crossing records.

Just like their trip to the Philippines, on their way back, they traveled separately on different flights on different days, because they were trying to avoid detection.

Samia wrote that “JT is rolling stateside on the 29th of February. I am heading out on the 6th of March.” Then Hunter wrote LeRoux on February 29, “One guy is leaving today and the other guy on the 6th. I don’t think they tried too hard to get another job done before they left. They said they did but I find it hard to believe.”

And at this point there can be no possible question as to who Sal and JTR are. Sal is Samia and JT is Stillwell. Samia is describing JT as Stillwell, that means that Samia is Sal, and you know that Stillwell is JT and Samia is Sal because that’s what’s listed on salary email, the same email that Hunter sent to LeRoux telling him to pay Samia and Stillwell upon mission success. That is when they murdered their first victim.

You know that Samia and Stillwell brought back more than a few mementos of their murdering back to the U.S. with them. Some of the mementos, like the trophy shot of Catherine Lee’s head and the hit packages, they went to great pains to get rid of. I’ll talk about that in a moment, but Samia brought other types of mementos back with

him and the DEA found them in that treasure trove of evidence in his bedroom in 2015.

So what did Samia bring back with him to remember the time he murdered Catherine Lee and dumped her body in a pile of trash? Samia saved the lease agreement for the Mayfield Park Residences where he and Stillwell stayed while they tried to kill four people. Mayfield Park Residences, which was just 20 minutes away from where Samia and Stillwell dumped Catherine Lee's body. Samia saved a map to Manila. Samia saved his flight records, the flights that LeRoux paid for. Samia saved every single boarding pass he used to get to the Philippines. Samia brought back the keys to the van that he murdered Catherine Lee in. These keys. Adam Samia kept all of these things because he wanted to remember what he had done. He was proud of it.

Samia and Stillwell told Hunter before they left that they would be back to commit additional murders. So in April 2012, Samia wrote Hunter to let him know that he was still in the game, but that Stillwell wasn't coming back to the Philippines "JT is out. I will come do the work with you."

The next day, the very next day, Hunter asked Vamvakias if he had another ninja, but Vamvakias didn't. Hunter wrote, "I need one ninja for the game. One of mine is not coming back. I am still playing with Adam, but need another one."

These emails are just another way the evidence corroborates Vamvakias and shows you that he's telling the truth. So in April 2012, and in May 2012, Samia went back to being on standby, he writes Hunter, "Hey, bro, still on standby."

Meanwhile, while Samia was on standby, he collected his money and sent pictures of it to himself. Samia's friend wrote him that murder, sex, and drugs were the ways he knew of to get rich quick. Samia replied, "Done those already, well, no drugs, lol." No drugs, just murder.

Samia and Stillwell tried to cover their tracks when they got home. They did their best to delete things on their computers and their phones and their hard drives and their devices. Thomas Song told you about this, that Stillwell just deleted the files, but Samia was more sophisticated. He did extensive cleaning and even reinstalled his operating system right when he got back. He thought he had done a good job. He thought he was safe. He was wrong. And you have now seen all of the evidence that he was so desperate to hide.

Here's the evidence that Thomas Song found of the extensive data deletion that Samia did beginning just days after he got back from the Philippines. You know what it means to reinstall an operating system. It means to do an extensive data wipe and to reinstall the operating system over that data so that it will be written over and deleted forever.

Samia didn't just wipe data when he got back. He wiped data when it seemed like law enforcement might be closing in on him. In 2013, Hunter and Vamvakias were arrested in connection with the DEA sting operation. Vamvakias told you about it and you also saw that Samia and Stillwell were very interested in this as well.

On December 20, 2013, Samia sent the DEA press release to Stillwell. You saw that at trial. Samia talked about the arrest with John O'Donoghue who also used to work

with Samia, Hunter, and Vamvakias for LeRoux. O'Donoghue told Samia that LeRoux got popped by the feds and sung like a canary.

Adam asked, "Wonder if we're going to get brought into this shit." When OD responded that they were all involved in drugs and taken down by the DEA, Samia wrote, "Dumb. I would never fuck around with that shit." Just like he said before, no drugs, just murder.

But what did Samia do when he learned that LeRoux was cooperating? He downloaded special software to delete the evidence of murder that he knew was on his computer. He was so concerned that he ran a second software program and he ran them repeatedly between September and December 2014. He ran the cleaning program four times.

You remember Mr. Song's testimony. He testified for almost a full day. Hours of devastating evidence of Samia and Stillwell's guilt. Proof that they tried to murder four people and proof that they murdered Catherine Lee.

Now, of course the defense has no burden, but when the defense makes arguments and cross-examines witnesses, you can and should consider those arguments. So after all of that devastating testimony from Mr. Song, what was Mr. Stern's cross?

A couple of minutes of suggesting that maybe Samia downloaded those computer programs, those cleaning programs and reinstalled his operating system because his computer was slow.

MR. STERN: Objection to what I was suggesting.

THE COURT: Sustained.

MS. DONALESKI: His computer was slow because of all the evidence of murder that he brought back with him from the Philippines.

Stillwell waited a bit until he was sure that the DEA was not coming after him and he used the remainder of his murder proceeds to buy and refurbish a motorcycle. And what does he name his motorcycle? Blood money. Because that's how he paid for it. He was proud of it. He painted it with skulls. It would be laughable if it weren't so deadly serious.

You saw a lot of the trophies that Samia kept in his bedroom, trophies from his work for LeRoux in 2008, trophies for his work for LeRoux in 2012, and a pretty important trophy from the murder of Catherine Lee. These keys. Why does he keep these keys? Because standing alone, a key isn't incriminating. If you think you've deleted the trophy shot of Catherine Lee's head, then, sure, you can comfortably keep the key to the murder van.

But in 2017, the DEA recovered the van, and lo and behold, the key that the DEA found in Samia's bedroom, thousands of miles away, started the van. That doesn't just happen.

And look at the van. Look at what it's missing. A middle seat. It was totally stripped away. The backseat is even reupholstered. The middle seat was totally ripped out, the carpeting the floor, the seat where Catherine Lee spent her last moments alive. The seat that had to be covered in her blood.

It doesn't matter how many people had access to the van. It doesn't matter who had the keys. The reason that this key started that van, that van that Catherine Lee was murdered in is because the key was found in the bedroom of the man who murdered her. Adam Samia.

The evidence is overwhelming. It is clear, it is devastating, and it shows that each of the defendants are guilty beyond a reasonable doubt.

Before I sit down, I want to briefly talk about the law and explain why this devastating evidence shows you that each and every defendant is guilty of each and every charge.

I want to first talk about venue. You'll be asked to find that venue is proper within the Southern District of New York. I expect Judge Abrams to instruct that you the government does not need to prove that the crime was committed in this district or that any of the defendants were present here. Instead, it's enough if you find that the point of entry where any of the defendants or any other joint offender was first brought into the United States was in the Southern District of New York. Here, both Hunter and LeRoux were arrested abroad and brought into the United States and flown into White Plains airport, which is in the Southern District of New York.

The stipulation about Hunter's arrest is Government Exhibit 1006.

Let's talk about Count One. I expect Judge Abrams will instruct that you Count One has four elements. First, there existed a conspiracy to commit murder or kidnapping in a foreign country; second, the defendant you are considering knowingly and willfully became a member of the conspiracy; third, the defendant you are considering conspired while physically present in the United States; and fourth, at least one member of the conspiracy committed an overt act in the United States.

MS. DONALESKI: Joseph Hunter is guilty of Count One. He joined a conspiracy to murder and kidnap abroad starting in 2008. You heard him talk about that, about the

murders he committed, about the kidnappings he committed. You heard that he went back to the United States in 2009, 2010 and 2011 while he continued to recruit mercenaries to kidnap and kill abroad. You heard that he brought murder proceeds home to the U.S. on those trips. In 2009 and 2010 Joseph Hunter e-mailed and spoke with Adam Samia by phone about a—job a murder. In 2011 when Hunter was the head of the mercenary team he came home in March and December 2011 to recruit killers. Joseph Hunter is guilty of Count One.

Adam Samia is guilty of Count One. He also joined a conspiracy to murder and kidnap abroad in 2008. He asked for wet work. He begged Joseph Hunter and Dave Smith to assign him murders. He did that while he was in the United States. He e-mailed and spoke with Joseph Hunter about a murder while Samia and Hunter were both in the U.S. in 2009 and 2010. Samia met with Dave Smith in Massachusetts about a bonus job.

Finally, Samia recruited Stillwell to join the murder conspiracy in 2011 while they were both in the United States.

Samia e-mailed and spoke with Hunter about bonus jobs and ninja work all throughout late 2011. Adam Samia is guilty of Count One.

Carl David Stillwell is guilty of Count One. Adam Samia recruited him to join the murder conspiracy beginning in the spring of 2011. When Samia was formally tasked with the murders in September 2011 Stillwell applied for a passport for the first time in his life. He painstakingly researched ways to kill people while he was still in the U.S. and he made sure that he had a folder full of interesting stuff to bring with him to the Philippines. He studied up on how to kill people and he brought a hitman

instruction manual with him to the Philippines. He bought gear, the hats, the shoulder holster to use to commit murders. He flew separately from Samia and he doesn't balk or back out when he gets his first, second, third or even fourth hit package when he's in the Philippines. That's because he knew exactly why he was going to the Philippines. Carl David Stillwell is guilty of Count One.

Count Two. I expect Judge Abrams to instruct you that Count Two has five elements. The defendant used or carried or possessed a firearm or any combination of those acts or aided and abetted the use, carrying or possession of a firearm by another.

Second, the defendant used or carried a firearm or aided and abetted the use and carrying of the firearm during and in relation to the specified crime of violence or that the defendant possessed a firearm in furtherance of the specified crime of violence.

Third, the defendant or someone aided and abetted by the defendant caused the death of a person through the use of a firearm.

Fourth, the death of that person qualifies as murder.

And fifth, the defendant acted knowingly and willfully.

Joseph Hunter is guilty of Count Two because he provided multiple guns to Samia and Stillwell to use in their murders and they did use a firearm to murder Catherine Lee.

Adam Samia is guilty of Count Two because he used a gun to cause the death of Catherine Lee.

Carl David Stillwell is guilty of Count Two because he helped Samia commit a murder and Samia used a gun to cause the death of Catherine Lee.

Count Three, I expect judge Abrams to instruct you has three elements.

First, the defendant traveled in interstate or foreign commerce or used a facility of interstate or foreign commerce or caused another to travel in interstate or foreign commerce or to use a facility of interstate or foreign commerce.

Second, this interstate or foreign conduct was done with the intent that a murder be committed in violation of the laws of any state or the United States.

Third, the defendant agreed to pay money or anything else of value to have this murder committed or committed the murder as consideration for the receipt of anything of value.

Joseph Hunter is guilty of Count Three because he recruited Samia and Stillwell to travel from the United States to the Philippines to kill victims in exchange for money. And he communicated with Samia and Stillwell and LeRoux about murders-for-hire using e-mail and phone while Hunter was in the U.S.

Adam Samia is guilty of Count Three because he traveled from the United States to the Philippines to kill victims in exchange for money. And he communicated with Stillwell and Hunter about murders-for-hire using e-mail and phone while he was in the U.S.

Carl David Stillwell is guilty of Count Three because he traveled from the United States to the Philippines to kill victims in exchange for money. And he communicated with Samia about the murders-for-hire using e-mail and phone while he was in the U.S.

Count Four, I expect Judge Abrams will instruct you has two elements.

First, the existence of a conspiracy to violate the murder-for-hire law.

And second, the defendant knowingly and willfully became a member of the conspiracy. That is, he knowingly and willfully associated himself with the conspiracy and participated in the conspiracy to violate the murder-for-hire law.

Joseph Hunter is guilty of Count Four because he agreed with other people like LeRoux, Samia, Stillwell to commit murders-for-hire and ultimately recruited Samia and Stillwell to travel from the United States to the Philippines to kill people in exchange for money. And he communicated with Samia about the murders-for-hire using e-mail and phone while he was in the U.S.

Adam Samia is guilty of Count Four because he agreed with other people like Hunter and Stillwell to commit murders-for-hire and he traveled from the United States to the Philippines to kill victims in exchange for money. And he communicated with Hunter and Stillwell while he was in the United States by e-mail and by phone about the murders.

Carl David Stillwell is guilty of Count Four because he agreed with other people like Samia and Hunter to commit murders-for-hire and he traveled from the United States to the Philippines in order to kill victims in exchange for money. And he communicated with Samia about the murders using e-mail and phone while he was in the U.S.

Now, for Counts Three and Counts Four the murder-for-hire counts, you'll be asked to make a special finding on the verdict form as to whether or not the death of Catherine Lee resulted from defendants' crimes. The evidence

clearly shows that it did. Catherine Lee was murdered by Samia and Stillwell at Hunter's direction.

Finally, Count Five, I expect that Judge Abrams will instruct you that Count Five has two instructions.

First, the existence of the conspiracy charged in indictment. That is, an agreement with respect to one or more of the money laundering objects alleged in Count Five.

Second, the defendant knowingly and willfully joined the conspiracy.

Adam Samia is guilty of Count Five because he wired money. He was paid for murdering Catherine Lee via Western Union. He did so in small increments under \$10,000 to conceal the fact that the money was from criminal proceeds. He also used the money he received from the murder-for-hire and wired that money to the United States via Western Union.

Carl David Stillwell is also guilty of Count Five because he wired money that he was paid for murdering Catherine Lee via Western Union to the United States. He did so in small increments to avoid detection and he also used the money that he received from the murder-for-hire and wired that money to the United States via Western Union.

Finally, you'll be asked to make a special finding with respect to the object of the money laundering conspiracy. And I expect Judge Abrams will instruct you and explain to you that "the object" just means type of money laundering that Adam Samia and Carl David Stillwell agreed to do. The evidence is in. The defendants are murderers. They are contract killers. They are hitmen. They are international mercenaries who kidnapped, killed and tortured on command all over the world for money. These

three men plotted and killed while they were in the United States and then they murdered Catherine Lee on February 12, 2012 in the Philippines. The defendants are guilty.

Thank you.

* * *

MR. DECASTRO: Good afternoon.

May it please the Court, counsel, ladies and gentlemen of the jury, the government's evidence did not prove that Mr. Hunter was in the United States when he joined or participated in the conspiracy to murder in another country. It is as simple as that.

When you look closely at the evidence the government presented to you about Mr. Hunter's presence in the United States your only conclusion can be that they failed to prove that Mr. Hunter joined or participated in the conspiracy to murder or kidnap while he was physically present in the United States. And because the government failed to prove that one important element, you must find him not guilty.

As you may remember, my name is Cesar De Castro and along with Valerie Gotlib, we represent Joseph Hunter. I that I would reintroduce ourselves because we didn't ask many questions in this trial.

As I told you in my opening statement because Mr. Hunter is presumed innocent and the burden always remains on the government to prove each and every element of each and every count to you beyond a reasonable doubt, we don't have to prove our innocence. We didn't have to cross-examine any witnesses. We didn't have to produce any evidence and we didn't even have to call any witnesses. And I told that Ms. Gotlib and I would not be asking a lot of questions of the witnesses during this trial.

And I remind you that you cannot hold that against Mr. Hunter because remember, that is the government's burden to prove Mr. Hunter's guilt, not our burden to prove his innocence.

This was a pretty short but amazing trial. You heard testimony that was as if it was pulled directly from a movie or a crime novel. You heard about mercenaries, murders, weapons, violence, missiles, grenades, drug dealing, illegal gold dealing, Iran and even North Korea and you heard about the death of Catherine Lee and others.

Ms. Lee's death was tragic. Her family deserves your sympathy and deserves yours compassion. Ms. Lee's family deserves justice for her death you may be sitting there and believe that her family an answer for their role in her death and for his role in LeRoux's mercenary. And that's OK to believe but your oath requires you to apply the law as the judge instructs you. We are a country of laws and you promised to render a verdict that is based solely on the evidence presented and the law as the Court instructs you. You have to decide this case based on the evidence the government produced to you or lack of evidence.

With respect to Mr. Hunter you need only focus on government's evidence related to the third element of Count One, Mr. Hunter's physical presence in the United States.

The judge will instruct you regarding reasonable doubt. The judge told you at the outset of this trial and I anticipate will tell you again about reasonable doubt. And it is such a belief as you would be willing to act upon without hesitation in important matters in the personal affairs of your own life.

When you apply that principle to the government's evidence without sympathy or prejudice to either side, you

will decide this case objectively. And I am confident that you will conclude that if Mr. Hunter is going to answer for his role in Ms. Lee's death, it cannot be in this case or this court because the government failed to prove each and every element of the crimes charged.

* * *

MR. RAY: Good afternoon, ladies and gentlemen of the jury. I know it is in the afternoon, so if you would please just hang in there with me.

Let me begin with this. Mr. Stillwell is actually not guilty. I'll say it again. Mr. Stillwell actually is not guilty. I'm wondering as I stand here am I up to this solemn task of defending him now after all of this? I honestly don't know the answer to that question. I do know that I need your help. So let me begin.

While Paul LeRoux was basking in the lap of luxury with his millions in Thailand, Philippines and elsewhere and with Adam Samia residing in his family's mansion on a hill farm, David Stillwell is in his doublewide mobile home in rural North Carolina. It's the spring of 2011, a year before the murder and LeRoux has a plan. Does David Stillwell know anything about this man at that time? No, of course not. This you know from the evidence in this case. There's no proof of that. Instead, enticed with the prospect and the promise of lucrative security work in the Far East, David Stillwell did what exactly? He applied for a passport. That's Government Exhibit 602-7, on September 30, 2011, and he thereafter bought an airline ticket with his own money, Government Exhibit 503-2A.

If we could have that for the jury please, page two. If we could highlight the second entry at the top to 1207.

If any of you know your way around a credit card statement, take a look at this. This is a United Airline purchase on December 5th for \$1121.50. It's actually posted two days later on the 7th. This is on David Stillwell's BB&T account. And then if you go down to the deposits, credits and interests part of the page—and if we could highlight the December 6 entry—there's a deposit on December 6. This looks like it's in cash for \$1100.

So the sequence of events is, he buys a ticket on December 5. It looks like he has a cash deposit on the 6th. The transaction's actually posted on the 7th of December 2011.

Knowing nothing about what Paul LeRoux and his couldn't co-conspirators really had in mind, he prepares for this trip. They don't tell him why? Because as a new guy untrusted and untested, once they have him there in the Philippines he won't be able to backout or at least not easily or rather I should say, at least not alive. You remember LeRoux's now chilling testimony. If you were someone who steps out of line, what happens? He has you killed. And so what really happened here, David Stillwell doesn't know until he gets there and has the meeting with Hunter and Samia in the Philippines.

Now you might ask and I'm sure you'll hear from Mr. Bove in rebuttal summation, where is the evidence of all of that? Well, I have news for you and I have news for the government. It is no more and no less than the inferences that the government is asking you to draw here. It's no different. The difference is the government's burden of proof as I told you in opening statement, as the Court instructed you and as you will be instructed when we're all done talking by Judge Abrams and you must follow Judge Abrams's instructions on the law. The burden remains with the government until the end of the case and through

your deliberations. We don't have to prove that it's so. The government has to prove that what I just said is not so beyond a reasonable doubt unanimously to all 12 of you.

We don't convict people in this country of crimes they didn't commit. Even if we might think they deserve it. You might not like David Stillwell or what he did in the Philippines but bear in mind also that he's the only one in the courtroom, witness or defendant, who acknowledged fully and completely from the outset his involvement in this terrible deed.

So why are we here? The government charged it in an indictment and as I will suggest to you now and later, the most important charge as to Mr. Stillwell is Count One because if he is not found guilty in Count One, you don't even proceed to Counts Two, Three and Four. And with regard to the money laundering charges which I'll talk about in a moment, there is know predicate to find him guilty, we submit but your Honor's instructions will control without a basis to determine that there was a violation of federal law and that Mr. Stillwell knew about it. So in sum and substance, this whole case as to Mr. Stillwell rises and falls on Count One.

What's count one about? Conspiracy within the jurisdiction of the United States to kill or kidnap in a foreign country. The government has to prove all four of those things, all four elements beyond a reasonable doubt.

Now, tomorrow I imagine you will hear Judge Abrams instructions on the law. It'll probably take about two hours. I think it's 70 pages of text. About halfway through around page 75, I implore you to pay particular attention to element—that is central to Mr. Stillwell's defense. It's the basis on which I opened in this case and I'm not telling you anything different now than what it is I promised I

would do in opening statements. So please pay particular attention to those elements, those central elements in connection with your deliberations on Count One.

Let's review the evidence in this case but also as I asked you to do and consider during the course of the trial, the lack of evidence in this case with regard to Mr. Stillwell's post-arrest statement. Yes, it is true he made a post-arrest statement. You heard it from Agent Stouch during the course of his testimony here at trial. And I told you in opening statement the following:

Mr. Stillwell gave a post-arrest statement—this is on page 56 of the transcript—to agents who will testify in this case. You will hear about his admissions. What you won't hear here is that he knew the reason of his trip was, the purpose was to kill or kidnap in a foreign country and you won't hear that because it just didn't happen.

* * *

One thing that you know for sure that's completely undisputed is that Mr. Stillwell was new. Nobody even knew who he was. LeRoux didn't know who he was. Mr. Hunter didn't know who he was. The only person who knew who he was was Mr. Samia.

Being predisposed to becoming a mercenary is not the same thing as being a mercenary, and in this case even becoming a mercenary, to the extent that that took place in the Philippines is not good enough to satisfy the government's burden of proof. I'll say that again. In this case even becoming a mercenary to the extent that that took place in the Philippines is not good enough to satisfy the government's burden of proof.

And why is that so? What's the answer to that? The answer to that is that that's because there's not jurisdiction within the United States. That's the answer. Again, I

implore you for the second time, please listen to Judge Abrams' instructions on that issue closely tomorrow when you hear it. You may not recognize it, but it will be about halfway through, it's page 35 or thereabouts of a 70-page group of instructions. All of which, as the judge will instruct you, are important and that you're bound to follow them.

So what does all that mean? It means that if I'm right, as I told you I would ask because there is no federal jurisdiction for you to return a verdict of not guilty on all charges against my client, David Stillwell, no federal jurisdiction. We're not asking for any more justice from the government of the United States than Mr. LeRoux and Mr. Vamvakias received. You certainly heard about the fact that they didn't plead guilty in connection with involvement in the crime of murder in the Philippines.

Again, we're not asking for any more justice than they received, but certainly no less. Only you can make or ensure that that happens here. Please, remember, the presumption of innocence applies. Particularly as it pertains to David Stillwell. Please put yourself in David Stillwell's position and ask yourselves what inferences could have reasonably been drawn as a result of what happened and the evidence that was presented in this case.

Listen to and follow the Judge's instructions on the law. I submit to you that the evidence, but more importantly the lack of evidence, in this case means that David Stillwell is not guilty on all counts.

Thank you very much.

* * *

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

No. 13-cr-521 (RA)

UNITED STATES OF AMERICA

v.

ADAM SAMIA AND CARL DAVID STILLWELL,
DEFENDANTS

Date: April 18, 2018, 9:30 a.m.

REPORTER'S TRANSCRIPT OF JURY TRIAL

Before: HON. RONNIE ABRAMS, District Judge.

APPEARANCES

GEOFFREY S. BERMAN

Interim United States Attorney for the
Southern District of New York

REBEKAH DONALESKI

EMIL BOVE

PATRICK EGAN

Assistant United States Attorney

CESAR DE CASTRO

VALERIE A. GOTLIB

Attorneys for Defendant Hunter

DAVID M. STERN

JEREMY SCHNEIDER

Attorneys for Defendant Samia

ROBERT W. RAY
BRITTNEY M. EDWARDS
Attorneys for Defendant Stillwell

* * *

[THE COURT]: The government has offered evidence of statements made by Mr. Stillwell to law enforcement after his arrest. You were cautioned that the evidence of Mr. Stillwell's statement to the authorities after his arrest about his own conduct may not be considered or discussed by you in any way with respect to any defendant on trial other than Mr. Stillwell, who made the statement.

* * *

THE COURT: Everyone can be seated. Thank you. I received a note indicating that the jury has reached a verdict. Will the foreperson please stand. Is that correct?

THE FOREPERSON: Yes.

THE COURT: What I'm going to do now is I'm going to go through the verdict sheets with you. So I'm going to ask you the questions on the verdict form and just ask you to read your answers aloud. I'm going to start with the verdict form for Mr. Hunter. Question No. 1: How do you find Defendant Joseph Manuel Hunter; guilty or not guilty?

THE FOREPERSON: Guilty.

THE COURT: Question 2, how do you find Defendant Joseph Manuel Hunter; guilty or not guilty?

THE FOREPERSON: Guilty.

THE COURT: Question 3, murder-for-hire, how do you find Defendant Joseph Manuel Hunter; guilty or not guilty?

THE FOREPERSON: Guilty.

THE COURT: Question 4, if, and only if, you find Defendant Joseph Manuel Hunter guilty of Count Three, did the murder-for-hire result in the death of Catherine Lee; yes or no?

THE FOREPERSON: Yes.

THE COURT: Count Four, murder-for-hire conspiracy, Question 4, how do you find defendant Joseph Manuel Hunter; guilty or not guilty?

THE FOREPERSON: Guilty.

THE COURT: Question 6, if, and only if, you find Defendant Joseph Manuel Hunter guilty of Count Four, did the murder-for-hire conspiracy result in the death of Catherine Lee?

THE FOREPERSON: Yes.

THE COURT: Thank you.

Let's go to Defendant Adam Samia.

Count One, conspiracy to murder or kidnap in a foreign country. Question No. 1, how do you find the Defendant Adam Samia; guilty or not guilty?

THE FOREPERSON: Guilty.

THE COURT: Count Two, murder through the use of a firearm. Question No. 2, how do you find the Defendant Adam Samia; guilty or not guilty?

THE FOREPERSON: Guilty.

THE COURT: Question No. 3, murder-for-hire, how do you find the Defendant Adam Samia; guilty or not guilty?

THE FOREPERSON: Guilty.

THE COURT: Question No. 4, if, and only if, you find the Defendant Adam Samia guilty of Count Three, did the murder-for-hire result in the death of Catherine Lee; yes or no?

THE FOREPERSON: Yes.

THE COURT: Count Four, murder-for-hire conspiracy. Question No. 5, how do you find the Defendant Adam Samia; guilty or not guilty?

THE FOREPERSON: Guilty.

THE COURT: Question No. 6, if, and only if, you find the defendant Adam Samia guilty of Count Four, did the murder-for-hire conspiracy result in the death of Catherine Lee; yes or no?

THE FOREPERSON: Yes.

THE COURT: Count Five, conspiracy to commit money laundering. Question No. 7, how do you find the Defendant Adam Samia; guilty or not guilty?

THE FOREPERSON: Guilty.

THE COURT: Question No. 8, if, and only if, you find the Defendant Adam Samia guilty of Count Five, which of the following objects of the conspiracy has the government proven beyond a reasonable doubt: Concealment money laundering, is that checked or not checked?

THE FOREPERSON: Not checked.

THE COURT: Transactions in criminally derived property, is that checked or not checked?

THE FOREPERSON: Not checked.

THE COURT: Both objects, checked or not checked?

THE FOREPERSON: Checked.

THE COURT: Then we're going to turn to Defendant Carl David Stillwell.

Count One, conspiracy to murder or kidnap in a foreign country. Question No. 1, how do you find the Defendant Carl David Stillwell; guilty or not guilty?

THE FOREPERSON: Guilty.

THE COURT: Count Two, murder through the use of a firearm. Question 2, how do you find the Defendant Carl David Stillwell; guilty or not guilty?

THE FOREPERSON: Guilty.

THE COURT: Question No. 3, murder-for-hire, how do you find the Defendant Carl David Stillwell; guilty or not guilty?

THE FOREPERSON: Guilty.

THE COURT: Question No. 4, if, and only if, you find the Defendant Carl David Stillwell guilty of Count Three, did the murder-for-hire result in the death of Catherine Lee; yes or no?

THE FOREPERSON: Yes.

THE COURT: Count Four, Question No. 5, how do you find the defendant Carl David Stillwell; guilty or not guilty?

THE FOREPERSON: Guilty.

THE COURT: Six, if, and only if, you find the Defendant Carl David Stillwell guilty of Count Four, did the murder-for-hire conspiracy result in the death of Catherine Lee; yes or no?

THE FOREPERSON: Yes.

THE COURT: Count Five, conspiracy to commit money laundering, Question No. 7, how do you find the Defendant Carl David Stillwell; guilty or not guilty?

THE FOREPERSON: Guilty.

THE COURT: If, and only if, you find the defendant Carl David Stillwell guilty of Count Five, which of the following objects of the conspiracy has the government proven beyond a reasonable doubt: Concealment money laundering, is that checked or not checked?

THE FOREPERSON: Not checked.

THE COURT: Transactions from criminally derived properties, checked or not checked?

THE FOREPERSON: Not checked.

THE COURT: Both objects, is that checked or not checked?

THE FOREPERSON: Checked.

GOVERNMENT EXHIBIT 104-T-R

APPROXIMATE DATE: March 8, 2013

LOCATION: Phuket, Thailand

PARTICIPANTS: Josph Manuel Hunter
 (“HUNTER”)
 Dennis Gogel (“GOGEL”)
 Michael Filter (“FILTER”)
 Slawomir Soborski
 (“SOBORSKI”)

ABBREVIATIONS: [U/I] – Unintelligible in
 English
 [PH] – Phonetic Spelling
 // – Voices overlap

* * *

HUNTER: Yeah. Another job we did was uh . . .

GOGEL: Nico . . .

HUNTER: . . . there was a lady . . . She was a Customs agent. I guess that they had some kind of business with um, with her, when they needed stuff through Customs, right? But she didn’t . . . They paid her and she didn’t do it.

GOGEL: [U/I].

HUNTER: You don’t know him but uh, our friend, him and, uh, another guy had that job and, uh, they was doing the surveillance on her and everything and they saw that she was also a part-time real estate agent.

GOGEL: Real estate agent [U/I] . . .

FILTER: Yeah.

HUNTER: So they called her and said, “Hey, we’re looking for a house. Do you know any houses?” She said, “Yes, yes.” Then they told her what they was looking for so they made an appointment to go look at houses so that, uh, she, she met them. They went to like three houses and they’re thinking, “Oh, we’re gonna . . .” They’re gonna shoot her inside one of the houses, right? And then they, uh, figured out which one was the best location, and they said, after they looked at the house, they said, “Uh, we wanna go back to that house. That house, we like, we wanna see it again. I think that’s the house we wanna rent.” So they went back to the house, they, they shot her. They didn’t even go inside. They shot her at the door. Left her there, but it was raining that day so no, there was no people out. And, um, they did it perfect. No problems.

Now, I, I told them I had two guys, two other guys. They wanted bonus work. They did the job, but they did it sloppy. And I fired them. I sent them back home ‘cause these guys . . . The same thing. Another real estate agent and, uh, when they was planning the mission, they did the same thing. They called her, said, “I wanna see houses” and they told . . . They came back. They said, “Yeah, she’s gonna meet, meet us and, uh, take us to show us some houses.” I said, “O.K. guys, this is how you do it.” I said, “Have her meet you at McDonald’s.” They call it Jolly, like a Jo . . . Jollibee there but it’s like McDonald’s, right? I said, “Have her meet you in the parking lot at Jollibee. Get her in your car and take off. So nobody saw you guys together. Maybe a couple of people in the restaurant that they won’t remember.” Right? said, “As soon as she gets in the car, drive down the road.” said, “Drive down the road maybe a quarter mile, about a half a kilometer. Turn around and shoot her. It’s done, Nobody saw anything.” ‘Cause they had a silencer, so [U/I], right? “Just kill her

in the car,” I said, “Take a blanket with you and wrap her up . . . “

SOBORSKI: Yeah.

HUNTER: “. . . and then, just keep driving and find a place to dump her.” What these guys did, they didn’t listen to me. They picked her up at, at Jollibee and then they went to all these different houses with her. And there was people living in the houses. So, every house they went to, people saw them together. They saw their faces. They saw the real estate agent. So, they went . . . They did this for like three different days. So, like 100 people saw them. That’s . . . And then I asked them, “Why you just didn’t fucking do what I told you and shoot her the first day before you even went to a house and nobody ever saw your face?” And they said, “Oh, we wanted to do it inside the house.” I was like “Now a hundred people saw your faces.” [redacted] So I got them on the plane. They were Americans, and got them back to America and then, uh, I, I never . . . I didn’t give them any more work because they put everyone in danger. I told them . . . You know how they would get caught? If the police in the Philippines was smart and not lazy, all they had to do was take the witnesses to the airport and look at each picture . . .

GOGEL: [U/I].

HUNTER: . . . of the foreigners and, and then it’s, “Oh, that’s the guy!” Then they have his . . . they have his passport, his photo, right? But the police in the Philippines aren’t smart and they don’t . . . they’re lazy. They don’t do nothing. So those guys were lucky. I would have got them out of the Philippines by boat. That’s no problem. They would’ve got out but that’s how they could have been caught, right?

* * *

GOVERNMENT TRIAL EXHIBIT 400-21

From: agsamia@aol.com [agsamia@aol.com]
Sent: 12/28/2009 5:28:38 PM
To: joseph.m.hunter@us.army.mil
Subject: Fwd: dude dave here

Hey bro give me a call again AASP...Have some ideas

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

From: john stevens <unrest_thewolves@gmx.com>
To: agsamia@aol.com
Sent: Sun, Dec 27, 2009 8:18 pm
Subject: dude dave here

The job is simply it 9K a month plus 25k bonus on each job done as u know what joe does for us clean up with our problem people. You will work with joe. Need answer

GOVERNMENT TRIAL EXHIBIT 400-46

From: agsamia@aol.com [agsamia@aol.com]
Sent: 10/23/2011 6:03:24 PM
To: Rambo@fast-free-email.com
Subject: Re: Hey

Good copy, Let me know.

Adam Samia
Executive Protection Specialist/Security Contractor
Mobile: (508) 579-9202
Skype: *AdamSamia2130*
Email: *AGSamia@aol.com*

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

From: Rambo <Rambo@fast-free-email.com>
To: agsamia@aol.com <agsamia@aol.com>
Sent: Wed, Oct 19, 2011 12:45 pm
Subject: Re: Hey

Boss says you are on standby until the other guy is ready and you guys will come here together for Ninja stuff. Your driving guy is on standby until we get a modified vehicle for him to use in his thing. Should now more about that next week. We want you guys, but are just waiting until you and your partner can get on the same time table. The drive is definitely going to be used and soon as we make it as safe as possible for him.

>
>I understand. I can transfer the ticket to PI, I
>can leave whenever you want me to, the other

>guy is one month out. He will meet me there he
>said.

>

>Adam Samia

>*Executive Protection Specialist/*

>*Security Contractor*

>Mobile: (508) 579-9202

>Skype: *AdamSamia2130*

>Email: *AGSamia@aol.com*

>

>-----Original Message-----

>From: Rambo <Rambo@fast-free-email.com>

>To: agsamia <agsamia@aol.com>

>Sent: Fri, Oct 14, 2011 9:13 am

>Subject: Re: Hey

>

>Adam,

>

>You fucked this up. You didn't get your VISA.

>Now, you read every word I say carefully!!! You

>get a refund on the ticket, if there is no refund

>available then you ARE expected to pay for the

>cost of the ticket. We are not paying for a ticket

>because you did not get a VISA!!! The second

>thing is, you and your guys work for me here in

>the PI or the states!!! You do not work for the

>boss directly unless he puts you on an independ-

>ent job that does not involve me. Your job and

>one of your other guys is here in PI following my

>orders. No negotiations, no complaining, no bull-

>shit!!! You will be paid to do a job with a result.

>The key word is result. We do no pay for thinking

>about it, we do not pay for trying, we do not pay

>for your time, we pay for the end result!!! Do you

>understand? The trans guy or guys in the states

>will follow my directions. We are setting things
>up to make it as safe as possible so no one has
>any headaches. When it is ready, then the trans
>guy will be given the go ahead. Now, if you or
>your guys want a job, you will do exactly as I
>say!!! You and one other guy prepared to do
>Ninja stuff get your shit ready and standby. I
>will tell you when to get on the plane. No fucking
>delaying, no availability issues if you want to
>work, do what I say!!! I am tired of fucking
>around with you, if you are serious about work-
>ing, the you just reply that you understand. Now,
>I see why Dave didn't want to use you, you are
>paid to do what you are told with the end result.
>Period, that is it. No excuses!!! And for taking 2k
>out of the trans guys pocket, Im taking 2k out of
>your pocket for pissing me off. Everyone earns
>there pay!!!

>>

>>Hey, Bro, visa issues not going to make my
>>original flight trying to sort it out ASAP ,, let
>>me know how long the boss will be there, an if
>>he still want to meet there ,, or i can change
>>tickets to meet him some were else ,, I will need
>>to have a sit down with him before my guys
>>come there.. Stay safe an watch you six..

>>

>>Adam Samia

>>*Executive Protection Specialist/*

>>*Security Contractor*

>>Mobile: (508) 579-9202

>>Skype: *AdamSamia2130*

>>Email: *AGSamia@aol.com*

GOVERNMENT TRIAL EXHIBIT 411-7

Facebook Business Record

Page 25568

Recipients Jason Willard (100000552613727)
Adam Samia (100000521640268)
Author Adam Samia (100000521640268)
Sent 2012-02-14 09:07:58 UTC
Deleted false
Body hey bro

Recipients Adam Samia (100000521640268)
Jason Willard (100000552613727)
Author Jason Willard (100000552613727)
Sent 2012-02-14 09:08:38 UTC
Deleted false
Body Hey

Recipients Jason Willard (100000552613727)
Adam Samia (100000521640268)
Author Adam Samia (100000521640268)
Sent 2012-02-14 09:09:38 UTC
Deleted false
Body Hey sorry to here about Oddy

Recipients Adam Samia (100000521640268)
Jason Willard (100000552613727)
Author Jason Willard (100000552613727)
Sent 2012-02-14 09:13:20 UTC
Deleted false
Body Thanks man..sucked

Recipients Jason Willard (100000552613727)
Adam Samia (100000521640268)

235

Author Adam Samia (100000521640268)

Sent 2012-02-14 09:15:00 UTC

Deleted false

Body Ya ,, it is never easy,, MY bitch is going on 11 so its coming for me to ,,dreading that day,, much easier to put down a person than a dog!!

GOVERNMENT TRIAL EXHIBIT 414-18

From: Rambo@fast-free-email.com
Sent: Tuesday, January 24, 2012 6:57 AM
To: john@fast-free-email.com
Subject: Salaries

Salaries due for 1 Feb

Fernando	15,000	
Tay	10,000	
Bird	7,338	(started at 5K on the 18th)
Sal	35,000	Paid upon Mission Success
JT	35,000	Paid upon Mission Success

GOVERNMENT EXHIBIT 904

Row	Date	Event	GX
1	Oct. 11, 2011	"Marcus Fandino" (Phillipines) sends \$1,610.10 to Samia (North Carolina) via Western Union	501-01
2	Oct. 11, 2011	Samia (North Carolina) deposits \$1,610 inot BB&T Bank account	503-01A
3	Oct. 13, 2011	Samia (North Carolina) scheduled to fly to Rio de Janeiro, Brazil	400-43
4	Dec. 5, 2011	Stillwell (North Carolina) books flights to Philippines	402-04
5	Dec. 6, 2011	Stillwell (North Carolina) deposits \$1,100 into BB&T Bank account	503-02A
6	Dec. 6, 2011	Samia (North Carolina) books flights to Philippines	502-02
7	Dec. 8, 2011	"Hector Rotche" (Philippines) sends \$1,625 to Samia (North Carolina) via Western Union	501-01
8	Dec. 17, 2011	Stillwell (North Carolina) makes LA Police Gear purchase	503-02A
9	Dec. 27, 2011	Stillwell (North Carolina) makes LA Police Gear purchase	503-02A
10	Jan. 9, 2012	Samia arrives in Philippines	600-02
11	Jan. 11, 2012	Stillwell arrives in Philippines	600-01
12	Feb. 11, 2012	Andrea Stillwell (North Carolina) withdraws \$220 at ATM	503-03

Row	Date	Event	GX
13	Feb. 11, 2012	Andrea Stillwell (North Carolina) sends \$200 to Stillwell (Philippines) via Western Union	501-01
14	Feb. 16, 2012	Stillwell (Philippines) sends \$4,500 to Andrea Stillwell (North Carolina) via Western Union	501-01
15	Feb. 17, 2012	Samia (Philippines) sends \$9,000 to Krisha Podkowska (Massachusetts) via Western Union	501-01
16	Feb. 20, 2012	Stillwell (Philippines) sends \$7,000 to David Baker (North Carolina) via Western Union	501-01
17	Feb. 21, 2012	Samia books flights from Philippines	502-04/ 05
18	Feb. 21, 2012	Stillwell (Philippines) sends \$5,000 to Andrea Stillwell (North Carolina) via Western Union	501-01
19	Feb. 21, 2012	Samia (Philippines) sends \$9,000 to Casey Reaves (North Carolina) via Western Union	501-01
20	Feb. 25, 2012	Samia changes flights from Philippines; Stillwell books flights to Philippines	502-05/ 402-11
21	Feb. 27, 2012	Stillwell (Philippines) sends \$7,000 to Baker (Virginia) via Western Union	501-01
22	Feb. 28, 2012	Samia (Philippines) sends \$6,000 to Stillwell (Virginia) via Western Union	501-01
23	Feb. 29, 2012	Stillwell departs Philippines	600-01

Row	Date	Event	GX
24	Mar. 2, 2012	Stillwell (Virginia) receives \$6,000 from Samia via Western Union	501-01
25	Mar. 3, 2012	Samia (Philippines) sends \$8,000 to Reaves (North Carolina) via Western Union	501-01
26	Mar. 5, 2012	Podkowka (Massachusetts) receives \$9,000 from Samia via Western Union	501-01
27	Mar. 6, 2012	Samia departs Philippines	600-02
28	Apr. 5, 2012	Podkowka (Massachusetts) deposits \$9,250 into Spencer Bank account	504-01
29	Apr. 23, 2012	Podkowka (Massachusetts) withdraws \$9,000 from Spencer Bank account	504-03

GOVERNMENT EXHIBIT 1005

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

No. 13-cr-521 (RA)

UNITED STATES OF AMERICA

v.

JOSPEH MANUEL HUNTER, ADAM SAMIA, AND
CARL DAVID STILLWELL, DEFENDANTS

IT IS HEREBY STIPULATED AND AGREED, by an among the UNITED STATES OF AMERICA, by Geoffrey S. Berman, United States Attorney for the Southern District of New York, Emil J. Bove III, Rebekah Donaleski, and Patrick Egan, Assistant United States Attorneys, of counsel; defendant JOSEPH MANUEL HUNTER, by and through his attorneys, Cesar De Castro, Esq., and Valerie Gotlieb, Esq.; defendant ADAM SAMIA, by and through his attorneys, David Stern, Esq., Jeremy Schneider, Esq., and Rachel Perillo, Esq.; and defendant CARL DAVID STILLWELL, by and through his attorneys, Robert W. Ray, Esq., and Brittney M. Edwards, Esq., that:

1. Government Exhibit 104 is a disc that contains government exhibits 104-1 through 104-7. Government Exhibits 104-1 through 104-7 are true and accurate copies of excerpts from a video recording of a meeting involving defendant Joseph Manuel Hunter and others, which occurred on March 8, 2013, inside a house in the vicinity of Phuket, Thailand (the “Phuket House”).

2. Government Exhibit 104-T is a true and accurate transcription of Government Exhibits 104-1 through 104-7, including as to the speaker attributions.

3. Government Exhibits 103-1 and 103-2 are photographs that fairly and accurately depict the Phuket House.

Dated: New York, New York
March 29, 2018

GEOFFREY S. BERMAN
United States Attorney for the
Southern District of New York

By: /s/ Emil J. Bove III
Emil J. Bove III
Rebekah Donaleski
Patrick Egan
Assistant United States Attorneys

/s/ Cesar De Castro
Cesar De Castro, Esq.
Valerie Gotlib, Esq.
Counsel for
Defendant Joseph Manuel Hunter

/s/ David Stern
David Stern, Esq.
Jeremy Schneider, Esq.
Rachel Perillo, Esq.
Counsel for
Defendant Adam Samia

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

No. S10 13-cr-521-06 (RA)

UNITED STATES OF AMERICA

v.

ADAM SAMIA

Date: November 14, 2018

JUDGMENT IN A CRIMINAL CASE

THE DEFENDANT:

- pleaded guilty to count(s) _____
- pleaded nolo contendere to counts(s) _____
which was accepted by the court.
- was found guilty on count(s) (1), (2), (3), (4), (5) after
a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 U.S.C. 1958(a) & 3238	Conspiracy to Com- mit Murder-For- Hire	7/22/2015	(1)
18 U.S.C. 1958(a), 3238 & 2	Murder-For-Hire	7/22/2015	(2)
18 U.S.C. 956(a)(1) /(a)(2)(A)	Conspiracy to Kid- nap and Murder in a Foreign Country	7/22/2015	(3)

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

The defendant has been found not guilty on count(s) _____

Count(s) **Underlying Indictments** is are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

11/14/2018

Date of Imposition of Judgment

/s/ Ronnie Abrams

Signature of Judge

Ronnie Abrams, U.S.D.J.

Name and Title of Judge

11/14/2018

Date

ADDITIONAL COUNTS OF CONVICTION

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 U.S.C. 924(j)/ (c)(1)(A)(iii)	Murder Through Use of a Firearm During and in Rela- tion	7/22/2015	(4)
18 U.S.C. 1956(h)/(a) & 3238	Conspiracy to Com- mit Money Laun- dering	7/22/2015	(5)

IMPRISONMENT

The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of:

Mandatory Life without release on Counts 1, 2, and 3, 20 years on Count 5 to run concurrent and the 10 years on Count 4 to run consecutively.

- The Court makes the following recommendations to the Bureau of Prisons:

The defendant has requested that he be housed at MDC while his appeal is pending, although the Court will not weigh in on that decision. The Court does recommend that the defendant be designated to a facility in or near North Carolina.

- The defendant is remanded to the custody of the United States Marshal.
- The defendant shall surrender to the United States Marshal for this district:

at _____ a.m. p.m. on _____.

- as notified by the United States Marshal.
- The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
 - before 2 p.m. on _____.
 - as notified by the United States Marshal.
 - as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____ at _____, with a certified copy of this judgment.

United States Marshal

By _____
Deputy United States Marshal

SUPERVISED RELEASE

Upon release from imprisonment, you will be on supervised release for a term of:

5 years on Counts 1-4 and 3 years on Count 5, all to run concurrently.

MANDATORY CONDITIONS

1. You must not commit another federal, state or local crime.
2. You must not unlawfully possess a controlled substance.
3. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
 - The above drug testing condition is suspended, based on the court's determination that you pose a low risk of future substance abuse. *(check if applicable)*
4. You must make restitution in accordance with 18 U.S.C. §§ 3663 and 3663A or any other statute authorizing a sentence of restitution. *(check if applicable)*
5. You must cooperate in the collection of DNA as directed by the probation officer. *(check if applicable)*
6. You must make comply with the requirements of the Sex Offender Registration and Notification Act (34 U.S.C. § 20901, *et seq.*) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in the location where you reside, work, are a student, or were convicted of a qualifying offense. *(check if applicable)*
7. You must participate in an approved program for domestic violence. *(check if applicable)*

You must comply with the standard conditions that have been adopted by this court as well as with any other conditions on the attached page.

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>JTVA</u> <u>Assessment*</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS	\$500.00	\$	\$	\$

- The determination of restitution is deferred until _____. An *Amended Judgment in a Criminal Case (AO 245C)* will be entered after such determination.
- The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

* Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22.

<u>Name of Payee</u>	<u>Total Loss</u> **	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
TOTALS	\$ 0.00		\$0.00

- Restitution amount ordered pursuant to plea agreement \$ _____
- The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties of delinquency and default, pursuant to 18 U.S.C. § 3612(g).
- The court determined that the defendant does not have the ability to pay interest and it is ordered that:
 - the interest requirement is waived for the fine restitution.
 - the interest requirement for the fine restitution is modified as follows:

** Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties is due as follows:

- A Lump sum payment of \$500.00 due immediately, balance due
- not later than _____, or
- in accordance with C, D, E, or F below; or
- B Payment to begin immediately (may be combined with C, D, or F below); or
- C Payment in equal _____ (*e.g., weekly, monthly, quarterly*) installments of \$ _____ over a period of _____ (*e.g., months or years*), to commence _____ (*e.g., 30 or 60 days*) after the date of this judgment; or
- D Payment in equal _____ (*e.g., weekly, monthly, quarterly*) installments of \$ _____ over a period of _____ (*e.g., months or years*), to commence _____ (*e.g., 30 or 60 days*) after release from imprisonment to a term of supervision; or
- E Payment during the term of supervised release will commence within _____ (*e.g., 30 or 60 days*) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F Special instructions regarding the payment of criminal monetary penalties:

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

Joint and several

Defendant and Co-Defendant Names and Case Numbers (*including defendant number*), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

The defendant shall pay the cost of prosecution.

The defendant shall pay the following court cost(s):

The defendant shall forfeit the defendant's interest in the following property to the United States:

A separate Order of Forfeiture in the amount of \$35,000 shall be issued.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) JVTA assessment, (8) penalties, and (9) costs, including cost of prosecution and court costs.