



**MASS.
YOUTH
& GOV**



Judicial Guide **2020 - 2021**

1 different rooms; Bailey slept in the bedroom by the movie room
2 and Taylor slept in the master bedroom.

3 On the afternoon of Friday, June 7, Bailey and Taylor got into a
4 disagreement concerning upcoming events. Taylor planned to go
5 to Capitol Hill in Washington, D.C., to testify in favor of the
6 *National Moratorium on Autonomous Technologies* bill on June
7 10. Bailey was scheduled to have a meeting with Bailey's startup
8 investors on the same day. That Friday evening, Taylor was
9 invited to a PAAD member's house to discuss the upcoming
10 hearing in Washington, D.C., and to share dinner and drinks.
11 Casey, also a PAAD member, picked up Taylor at 7:00 p.m.

12 After Taylor left, Bailey went to purchase roses and champagne,
13 and then returned to the mansion. At 8:15 p.m., Val, Bailey's
14 friend, joined Bailey and Desi at the mansion for a movie. At
15 10:30 p.m., Val left the mansion and Desi retired to the kitchen.

16 At the PAAD member's house, Taylor became noticeably drunk.
17 At 11:00 p.m., Casey dropped off Taylor at Bailey's mansion.
18 When Taylor entered the home, Desi informed Taylor that Bailey
19 had prepared a bath for Taylor in the master bathroom. The
20 bathtub there was ground level. On both ends of the bathtub were
21 two stacked marble ledges. On the south end of the bathtub,
22 protruding from the lower marble ledge, was a stainless steel
23 trough where water came through in place of a faucet. The door
24 between the master bathroom and the hallway remained closed.

25 The next morning, Desi found Taylor clothed and floating face
26 down in the bathtub with Taylor's head positioned towards the
27 south end of the bathtub. Taylor was dead. The bathtub was still
28 filled with water and rose petals. A wine glass was found on top
29 of the lower marble ledge about three feet above the surface of the
30 bathtub. The floor near the ledge was sticky from spilled
31 champagne and was strewn with a few shards from a broken
32 champagne bottle. The floor was slightly wet at various places
33 along the tub and from the edge of the tub to the center of the
34 room, with rose petals strewn across the floor too.

35 Desi contacted the police, and Detective Eisenberg arrived to
36 conduct an investigation. Desi and Bailey led Detective
37 Eisenberg to the master bathroom. Detective Eisenberg examined
38 the body and noticed a bruise running vertically at a slight angle
39 on the back of Taylor's head. It was nearly 1.5 inches wide and
40 four inches long.

1 Detective Eisenberg interviewed Bailey and Desi separately.
2 During Detective Eisenberg's interview with Desi, Desi explained
3 that Desi last saw Taylor when Taylor arrived home drunk and
4 knocked over a vase in the foyer, around 11:00 p.m. Desi also
5 claimed to hear a crash in the master bathroom around 11:20 p.m.
6 Desi explained finding Taylor's body that morning. Detective
7 Eisenberg interviewed Bailey next. During Bailey's interview,
8 Bailey explained that Bailey and Taylor had a disagreement
9 earlier that day so Bailey prepared a rose-petal bath for Taylor.
10 Bailey claimed that Taylor was drunk but alive when Bailey left
11 Taylor in the master bathroom around 11:30 p.m.

12 The detective asked Bailey if the detective could look around the
13 mansion, and Bailey responded that the detective could search the
14 house and garage. During Detective Eisenberg's search, Detective
15 Eisenberg noticed a golf club in Bailey's car. [Later, Desi allowed
16 Detective Eisenberg to search the guest house, which is
17 unattached from the main house. The separate guest house
18 includes an attached office accessible by an exterior and interior
19 door.

20 The interior door to the office was locked, but the exterior door
21 was unlocked. Detective Eisenberg entered the office through the
22 exterior door and searched the office. The office contained
23 Bailey's scripts and memorabilia from Bailey's time in the
24 entertainment industry. Detective Eisenberg found a script titled
25 *Roses and Robots: A Murder Mystery*, which lists Bailey as the
26 writer. In the story, a robot intoxicates and pushes its owner into a
27 rose-petal bathtub, with the intent that the homicide appears to
28 look like an accident.]

29 The cause of death was later determined to be drowning. Based on
30 the information Detective Eisenberg collected through interviews,
31 physical evidence and forensics reports, Detective Eisenberg
32 arrested Bailey and charged Bailey with the murder of Taylor.

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STATEMENT OF CHARGES

35 The defendant is charged with first degree murder, which is the
36 unlawful killing of another human being that was willful,
37 deliberate, premeditated, and with malice aforethought.

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PHYSICAL EVIDENCE

1 Only the following physical evidence may be introduced at trial.
2 The prosecutor is responsible for bringing:

- 3 1. Exhibit A, Official Diagram of the Floor Plan of Bailey's
4 Mansion
- 5 2. Exhibit B, Master Bathroom Layout
- 6 3. Exhibit C, Bailey's *Roses and Robots* Script
- 7 4. Exhibit D, Golf Club Found in Bailey's Car
- 8 5. Exhibit E, Diagram of Taylor Matsumoto's Head Injury

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STIPULATIONS

- 11 1. For the purpose of the pretrial argument, Exhibit A may be
12 used.
- 13 2. Dr. Jackson and Dr. Wolpert are qualified expert witnesses and
14 can testify to each other's statements.
- 15 3. If the bracketed information is excluded from trial, it may not
16 be used for impeachment purposes.
- 17 4. All witness statements were taken in a timely manner.
- 18 5. The victim died of drowning.
- 19 6. Desi found Taylor clothed, barefoot, and floating face down in
20 the bathtub with Taylor's head positioned towards the south
21 end of the bathtub.
- 22 7. For the purposes of the Mock Trial and pretrial argument,
23 Exhibit C is the only relevant page of the script, and the
24 absence of the remainder of the script cannot be objected to.
25 The handwriting on the script belongs to the defendant.
- 26 8. Exhibit A is the floor plan of the defendant's mansion. Exhibit
27 B is a diagram of the master bathroom where the victim's body
28 was found. Exhibit C is the *Roses and Robots: A Murder*
29 *Mystery* script written by Bailey Matsumoto. Exhibit D is a
30 picture of the golf club found in the defendant's car. The golf
31 club belonged to Taylor Matsumoto's son, Michael. Exhibit E
32 is the official diagram of Taylor Matsumoto's head injury.
33 (Exhibits A, B, and E are not to scale.)
- 34 9. The search of the mansion and Bailey's car was a valid search
35 and may not be objected to.

- 1 10. The arrest warrant of Bailey Matsumoto was based on
2 sufficient probable cause and properly issued.
- 3 11. Dr. Wolpert properly reviewed the lab report, and its absence
4 may not be questioned.
- 5 12. Taylor's Blood Alcohol Content (BAC) at the time of death
6 has been established as .12% and cannot be disputed.
- 7 13. All physical evidence and witnesses not provided for in the
8 case packet are unavailable and their availability may not be
9 questioned.
- 10 14. The fingerprints found on the golf club belong to Bailey
11 Matsumoto.
- 12 15. Taylor was scheduled to go to Capitol Hill in Washington,
13 D.C., to testify in favor of a bill titled *National Moratorium*
14 *on Autonomous Technologies* on June 10.
- 15 16. Other than the wound on the back of the victim's head, no
16 other injuries were found.
- 17 17. Taylor should be referred to by "Taylor", "they", or "their".

LEGAL AUTHORITIES AND PRETRIAL MATERIALS

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3 This section contains materials and procedures for the preparation
4 of the trial and a pretrial motion on an important legal issue. The
5 **judge's ruling** on the pretrial motion will have a **direct bearing**
6 **on the charges in this trial and the possible outcome of the trial.**
7 The pretrial motion is designed to help students learn about the
8 legal process and legal reasoning. Students will learn how to draw
9 analogies, distinguish a variety of factual situations, and analyze
10 and debate constitutional issues.

11 The pretrial issue involves the Fourth Amendment protection
12 against unreasonable searches and seizures. There is a question of
13 whether Detective Eisenberg's search of the office adjacent to
14 Desi's guest house was constitutional. If the search was
15 unconstitutional, the *Roses and Robots: A Murder Mystery* script
16 (Exhibit C) may not be used at trial. The script and the search of
17 the office are the only Fourth Amendment issues in the case.

18 The Fourth Amendment protects individuals, their cars, and their
19 homes from unreasonable police searches. Many police searches,
20 however, are legal. For example, if a police officer has obtained a
21 valid warrant, he or she is allowed to make a search within the
22 bounds of that warrant.

23 In this case, the Fourth Amendment issue concerns who may give
24 consent and the scope of consent once it has been given. If valid
25 consent has been given to search the office, then the search is
26 constitutional. If the search was outside the scope of the consent,
27 then the warrantless search was unconstitutional.

28 The sources cited below will help you determine if Detective
29 Eisenberg's search of the office is unconstitutional. For trials in
30 which there is no pretrial hearing, the search of the office room is
31 constitutional, and all bracketed information may be used during
32 the trial. This pretrial motion is the only allowable motion for the
33 purposes of the competition.

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PRETRIAL ARGUMENTS

The prosecution asserts that the search was reasonable because both Desi and Bailey consented to a search of the office. The prosecution contends that Bailey consented to a search of the entire property, which included the office. Even if Bailey did not consent to a search of the office, the prosecution argues that Detective Eisenberg could have relied on Desi's consent.

The defense claims the search was unreasonable. The defense argues that Bailey did not consent to a search of the office and that Desi could not have given consent for the search of the office. While the defense concedes that Bailey consented to a search of the house and garage, the defense asserts that the scope of the consent did not encompass the office.

SOURCES

The sources for the pretrial motion arguments consist of excerpts from the U.S. Constitution, Y&G Penal Code, Criminal Jury Instructions, edited court opinions, relevant information from the witnesses' statements, and the Mock Trial Fact Situation.

The U.S. Constitution protects individuals against unreasonable searches and seizures. Over the last 200 years, the Supreme Court and lower courts have interpreted what is "unreasonable." Decisions from the U.S. Supreme Court, the California Supreme Court, and the California Court of Appeals are binding on California trial courts and must be followed.

Cases from all circuits, including the Ninth Circuit, and cases from federal district courts and from other state supreme courts, as well as legal commentary, may be used for persuasive purposes, but are not binding on a Y&G judge. In developing arguments for this Mock Trial, both sides should compare or distinguish the facts in the cited cases from one another and from the facts in *Matsumoto*.

1 fact in question. For example, if a witness testifies that he saw
2 someone come inside wearing a raincoat covered with drops of
3 water, that testimony is circumstantial evidence because it may
4 support a conclusion that it was raining outside.

5 Both direct and circumstantial evidence are acceptable types of
6 evidence to prove or disprove the elements of a charge, including
7 intent and mental state and acts necessary to a conviction, and
8 neither is necessarily more reliable than the other. Neither is
9 entitled to any greater weight than the other. You must decide
10 whether a fact in issue has been proved based on all the evidence.

11 **Y&G CRIM 224 (Circumstantial Evidence: Sufficiency of**
12 **Evidence)**

13 Before you may rely on circumstantial evidence to conclude that a
14 fact necessary to find the defendant guilty has been proved, you
15 must be convinced that the People have proved each fact essential
16 to that conclusion beyond a reasonable doubt.

17 Also, before you may rely on circumstantial evidence to find the
18 defendant guilty, you must be convinced that the only reasonable
19 conclusion supported by the circumstantial evidence is that the
20 defendant is guilty. If you can draw two or more reasonable
21 conclusions from the circumstantial evidence, and one of those
22 reasonable conclusions points to innocence and another to guilt,
23 you must accept the one that points to innocence. However, when
24 considering circumstantial evidence, you must accept only
25 reasonable conclusions and reject any that are unreasonable.

26 **Y&G CRIM 520 (Murder with Malice Aforethought)**

27 The defendant is charged with murder. To prove that the defendant
28 is guilty of this crime, the People must prove that:

29 1. The defendant committed an act that caused the death of
30 (another person/[or] a fetus); and

31 2. When the defendant acted, (he/she) had a state of mind called
32 malice aforethought; and

33 3. (He/She) killed without lawful (excuse/[or] justification).

34 There are two kinds of malice aforethought, express malice and
35 implied malice. Proof of either is sufficient to establish the state of
36 mind required for murder. The defendant acted with express malice
37 if (he/she) unlawfully intended to kill.

1 The defendant acted with implied malice if:

2 1. (He/She) intentionally committed an act;

3 2. The natural and probable consequences of the act were
4 dangerous to human life;

5 3. At the time (he/she) acted, (he/she) knew (his/her) act was
6 dangerous to human life; and

7 4. (He/She) deliberately acted with conscious disregard for
8 (human/ [or] fetal) life. Malice aforethought does not require
9 hatred or ill will toward the victim. It is a mental state that must be
10 formed before the act that causes death is committed. It does not
11 require deliberation or the passage of any particular period of time.

12 **Y26 CRIM 521 First Degree Murder (Pen. Code, § 189)**

13 The defendant has been prosecuted for first degree murder under
14 the theory that the murder was willful, deliberate, and
15 premeditated.

16 The defendant is guilty of first degree murder if the People have
17 proved that (he/she) acted willfully, deliberately, and with
18 premeditation. The defendant acted willfully if (he/she) intended to
19 kill. The defendant acted deliberately if (he/she) carefully weighed
20 the considerations for and against (his/her) choice and, knowing
21 the consequences, decided to kill. The defendant acted with
22 premeditation if (he/she) decided to kill before committing the act
23 that caused death.

24 The length of time the person spends considering whether to kill
25 does not alone determine whether the killing is deliberate and
26 premeditated. The amount of time required for deliberation and
27 premeditation may vary from person to person and according to the
28 circumstances. A decision to kill made rashly, impulsively, or
29 without careful consideration is not deliberate and premeditated.
30 On the other hand, a cold, calculated decision to kill can be
31 reached quickly. The test is the extent of the reflection, not the
32 length of time.

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1 ***Federal Cases***

2 ***Von Eichelberger v. U.S., 252 F.2d 184 (9th Cir. 1958)***

3 **Facts:** Defendant was storing boxes at an acquaintance's garage
4 for an indefinite period. The acquaintance summoned the police
5 and had them search the boxes. The police found guns inside the
6 boxes. The defendant moved to exclude the evidence of the guns
7 because the search was without a warrant and he did not consent.

8 **Issue:** Could the acquaintance give consent to search the boxes or
9 was the defendant's consent necessary?

10 **Holding:** The acquaintance's consent was enough. The garage was
11 entirely under the acquaintance's control, and he alone had a key.
12 The defendant was not a lessor, an owner, or an occupant of the
13 premises and therefore his consent was not necessary.

14 ***Stoner v. California, 376 U.S. 483 (1962)***

15 **Facts:** Stoner was suspected of robbing a bank. Police learned that
16 he was staying at a hotel. A clerk at the hotel consented to a search
17 of his room. The police found a gun in the room. Stoner moved to
18 exclude the evidence because it was obtained during an
19 unreasonable search.

20 **Issue:** Could the clerk give consent to the search of the defendant's
21 hotel room?

22 **Holding:** No. The hotel clerk had no authority to give consent to a
23 police search, and the police had no reasonable belief that the clerk
24 had such authority. Even though the clerk could enter the room to
25 perform his duties, he could not consent to a police search. It did
26 not matter that the police officer believed the clerk had authority if
27 such a belief was not objectively reasonable.

28 ***Katz v. U.S., 389 U.S. 347 (1967)***

29 **Facts:** The police, without getting a warrant, inserted a wiretap
30 into a public phone booth in order to listen to defendant's calls.
31 The defendant placed bets from the phone in violation of federal
32 law. The defendant moved to have the recorded conversations
33 excluded from the evidentiary record.

34 **Issue:** Was the police recording of defendant's calls a search?

1 **Holding:** Yes. The court defined a search as any governmental
2 intrusion into something in which a person has a reasonable
3 expectation of privacy. Here, the defendant had a reasonable
4 expectation of privacy in the booth. The officer's recording of his
5 conversation constituted a search and seizure under the Fourth
6 Amendment. The police did not have a warrant, probable cause to
7 arrest, consent, or any other justification for the search. Therefore,
8 the search was unconstitutional.

9 *U.S. v. Matlock, 415 U.S. 164 (1974)*

10 **Facts:** The police came to the defendant's house to investigate a
11 bank robbery. Mrs. Graff, who shared the house and a bedroom
12 with the defendant, answered the door. She consented to a search,
13 and police found money in the bedroom closet. The defendant
14 claimed the search was unconstitutional and the money was
15 inadmissible.

16 **Issue:** Could Mrs. Graff consent to a search of defendant's house?

17 **Holding:** Yes. Mrs. Graff had joint access and control of the room
18 and therefore could consent to a search. It did not matter that the
19 house belonged to the defendant or that he did not give Mrs. Graff
20 the authority to consent to a search. Co-occupants may consent to
21 searches of common areas.

22 *Illinois v. Rodriguez, 497 U.S. 177 (1990)*

23 **Facts:** Gail Fischer came to police and told them that the
24 defendant had drugs in "our apartment." Gail brought the police to
25 the apartment and opened the door with a key. There were drugs in
26 plain view and the police arrested the defendant. Later, it was
27 determined that Gail did not have joint access or control over the
28 apartment, and the defendant moved to have the drugs taken out of
29 the evidentiary record.

30 **Issue:** Is the search constitutional if based on consent by someone
31 who did not have access or control over the apartment?

32 **Holding:** Yes, because the police reasonably believed Gail had
33 joint access. The Fourth Amendment only protects against
34 unreasonable searches. Gail had a key, had belongings in the
35 apartment, and claimed to live there. The police had an objectively
36 reasonable basis for believing that Gail could give consent to a
37 search. It did not matter that the belief turned out to be wrong.

1 ***Georgia v. Randolph*, 547 U.S. 103 (2006)**

2 **Facts:** Defendant's wife told the police that the defendant
3 possessed cocaine in their house. When the police asked for
4 permission to search the house, the defendant refused. But his wife
5 readily gave consent and led the officer to the evidence. The
6 defendant was arrested for drug possession. The defendant argued
7 that the search was unconstitutional because of his objection.

8 **Issue:** Is the search constitutional when one physically present
9 occupant consents, but the other physically present occupant
10 objects?

11 **Holding:** No. This is based on commonly held societal
12 assumptions. A guest would unlikely enter a house when invited if
13 one occupant told him to enter, but the other occupant told him to
14 stay out. Moreover, even a host having an overnight guest would
15 not invite someone into the house if his guest objected to it.
16 Therefore, when the defendant objected to the search, his wife's
17 consent provided no additional authority to the police to enter.

18 ***U.S. v. Pena*, 143 F.3d 1363 (10th Cir. 1998)**

19 **Facts:** The defendant was staying in a hotel room when police
20 arrived and asked to search the room. The defendant said, "Go
21 ahead." The officers found a couple of marijuana cigarettes in the
22 bathroom ceiling and arrested the defendant. The defendant
23 claimed that he had not consented to the search of the bathroom
24 and therefore the cigarettes were inadmissible.

25 **Issue:** Did defendant's consent to a search of the room allow the
26 officers to search the bathroom?

27 **Holding:** Yes. An objectively reasonable person would have
28 considered

29 the bathroom as included in the officer's request to search the
30 room. They were both part of the same accommodation, and the
31 bathroom was implied in the officer's request. Also, the defendant
32 did not object to the officer entering the bathroom.

33 ***U.S. v. Davis*, 332 F.3d 1163 (9th Cir. 2003)**

34 **Facts:** One of two roommates of a two-bedroom apartment
35 consented to a police search of the entire premises. The officers
36 found a gun in a duffel bag, under the bed of the non-present

1 roommate. The roommate moved to exclude the gun from evidence
2 as he did not consent to the search.

3 **Issue:** Could the roommate give consent to search the duffel bag of
4 her absent roommate?

5 **Holding:** No. The gun was in a bag and under the non-present
6 roommate's bed. The consenting roommate did not have joint
7 access over the duffel bag and did not have express authorization
8 from the other roommate to consent to the search. Thus, the search
9 was illegal and the gun could not be brought into evidence.

10 *State Cases*

11 *People v. Cruz, 61 Cal.2d 861 (1964)*

12 **Facts:** A few temporary guests at an apartment were suspected of
13 possession of marijuana. One of the transient guests, Ann, told the
14 officer he could "look around." The officer conducted an extensive
15 search lasting several hours. The officer found marijuana in a
16 suitcase of another transient guest, the defendant.

17 **Issue:** Could Ann's consent allow the officer to search the
18 defendant's suitcase?

19 **Holding:** No. The officer was aware that both Ann and the
20 defendant were temporary guests. Ann could only give consent to
21 items that were hers. Thus, the search of the suitcase was outside
22 the scope of Ann's consent. The officer did not ask the defendant
23 for permission to search the suitcase and such consent would have
24 been necessary for a search. Thus, the marijuana was suppressed.

25 *People v. Murillo, 241 Cal.App.2d 173 (1966)*

26 **Facts:** The defendant was staying in his girlfriend's apartment.
27 The defendant's girlfriend was a police informant and told police
28 that defendant was selling illegal drugs. Defendant had a case in
29 which the girlfriend had stored some personal items. The
30 girlfriend's items were removed, but she kept a key to the case.
31 The police arrested the defendant near his girlfriend's apartment.
32 When they arrived at the girlfriend's home, she consented to a
33 general search of the apartment and later told the officers that the
34 drugs were in defendant's case, which was in the next room over.

35 The case was locked, but the police found a key on the defendant,
36 and without permission from defendant they searched the case and

1 found heroin. The defendant was charged with possession of
2 heroin.

3 **Issue:** Did the girlfriend give lawful consent to search the case?

4 **Holding:** No. The police were not aware that the girlfriend had a
5 key to the case. Therefore, the police could not have considered the
6 girlfriend's possession of the key when determining the scope of
7 her consent. Her general consent for the apartment was not
8 sufficient for the officers to open the container, even though the
9 girlfriend alerted the police to the container's contents. The
10 defendant was in the room at the time and his specific consent was
11 needed to remove the key from his pocket and open the case.

12 *People v. Jenkins, 22 Cal. 4th 900 (2000)*

13 **Facts:** In a murder investigation, the police asked Diane if they
14 could search her apartment. Diane consented. The police asked if
15 there were any items that belonged to her brother. Diane gave them
16 her brother's unlocked briefcase. The police opened it and found
17 the gun used in the murder. In a trial for murder, the defendant
18 moved to have the briefcase excluded from evidence.

19 **Issue:** Did Diane have the authority to consent to a search of the
20 briefcase?

21 **Holding:** Yes. It was objectively reasonable to assume that Diane
22 had not only joint, but exclusive access over the case at the time of
23 the search. Diane was a family member of the defendant, and the
24 briefcase was kept in her bedroom. When the defendant gave the
25 case to Diane, he assumed the risk that she would consent to a
26 search of it.

1 Michael would still be alive today if Bailey never built that
2 machine. As a way to deal with Michael's death, Taylor became
3 involved with media and politics seeking to ban autonomous
4 technologies. Obviously Bailey did not like this and Bailey and
5 Taylor began living in separate rooms. Taylor took the master
6 bedroom and Bailey took the bedroom by the movie room.
7 Sometimes I overheard their arguments in the house. I believed
8 that their marriage would soon be over.

9 Sometime in May, Bailey asked me how my job search was
10 going. I knew Bailey was hoping I'd find a new job and move out
11 of the mansion. Bailey and Taylor started arguing more often in
12 early June. They argued several times a day about everything, but
13 especially about Taylor preparing to testify against autonomous
14 technologies in Washington, D.C., on June 10. Bailey had an
15 investor meeting scheduled for that same day. Bailey told me
16 Bailey was concerned that investors may choose not to provide
17 additional funding for the startup because of mounting media
18 opposition to autonomous technologies.

19 On the afternoon of June 7, I witnessed Taylor and Bailey have
20 another big fight. I could tell this fight especially angered Bailey. I
21 heard Taylor mutter something about "divorce," but I also clearly
22 heard Taylor say to Bailey, "Your robot scooter killed my son!" A
23 few hours later, I was in the kitchen when Bailey told me that
24 Taylor had just gone with Casey to a PAAD event. We both knew
25 that Taylor usually returned drunk from evening PAAD gatherings.
26 Bailey then told me to set up the movie room and to arrange snacks
27 as Bailey's friend Val would be coming over for a movie night. As
28 Bailey left the kitchen, Bailey muttered, "Wouldn't it be too bad if
29 Taylor didn't make it to the Capitol Hill hearing?"

30 I grabbed gummy worms from the kitchen and went to the movie
31 room. I selected *Gigabytis*, a 2-hour movie written and produced
32 by Bailey. The *Gigabytis* DVD was already in the movie room.
33 After the set-up, I remembered I needed to do laundry, so I went to
34 the guest house to get my clothes and brought them back to the
35 laundry room to wash. At 8:15 p.m., Val arrived, and I took Val to
36 the movie room. Bailey came to the movie room right after. During
37 the movie, I received a text from Taylor that said, "i drank too
38 much and now i want lcoioke dough ice cream." I showed this text
39 on my phone to Bailey. Bailey nodded in acknowledgment.

40 As soon as the film ended, Val left the mansion to go back home.
41 When I was about to leave, Bailey told me that Bailey was getting up to

1 prepare a “rose-petal bath” for Taylor to “make up” for their most
2 recent fight. Being single myself and not wishing to meddle in Bailey’s
3 and Taylor’s relationship, I did not ask Bailey anything about it.

4 After picking up the remaining gummy worms and tidying up the
5 movie room, I was still hungry, so I went to the kitchen to have a
6 salad. Around 11 p.m., as I was finishing my salad, I heard a loud
7 thud near the front door. I quickly ran to the foyer and saw that
8 Taylor was home and had stumbled into a table and knocked over a
9 vase in the foyer. Taylor looked drunk. I told Taylor that Bailey
10 had been preparing a bath for Taylor in the master bathroom.
11 Taylor just looked at me, but didn’t say anything. Taylor then took
12 Taylor’s shoes off and headed toward the master bedroom. I then
13 headed to the guest house, where I reside, and I began listening to
14 music on my earbuds.

15 Probably about 20 minutes later, I remembered that I had left clothes in
16 the washer inside the main house’s laundry room. I did not want my
17 clothes to have a mildew smell. With both my earbuds in my ears, I
18 paused my music and came back to the laundry room to put my clothes
19 in the dryer. Just when I was done putting my clothes in the dryer, I
20 heard Taylor shouting something about “testifying.” I turned on the
21 dryer when I heard a slightly muffled sound of something breaking
22 from the master bathroom area. I called out from the laundry room, “Is
23 everything okay?” Bailey answered loudly, “Everything is good. We
24 are going back to bed.” Taylor didn’t say anything, and I did not want
25 to interfere, so I played the music on my earbuds again and walked
26 back to the guest house.

27 The next morning, at 7:30 a.m., I went back to the laundry room to
28 get my clothes from the dryer. I heard an alarm clock going off
29 from the master bedroom. After I had folded all my laundry, the
30 alarm still hadn’t stopped. I figured Taylor was still asleep, so I
31 decided to turn off Taylor’s alarm clock. When I walked into the
32 master bedroom, I did not see Taylor in the bed. I then walked to
33 the master bathroom through the closet where I found Taylor
34 floating face down in the bathtub. Taylor was barefoot and still
35 wearing the jeans and t-shirt that Taylor wore the night before. I
36 panicked seeing Taylor in this state and immediately flipped
37 Taylor over to check for a pulse. There was nothing.

38 I immediately called 911 and went to Bailey’s room to share the
39 horrible news. I was in shock. I don’t remember how Bailey
40 reacted to the news of Taylor’s death. I recall Bailey went into the
41 bathroom alone for a minute or so. Then, we both stepped outside

1 to wait for the police. Bailey and I waited outside the garage and
2 did not wait long before Detective Eisenberg arrived. Bailey and I
3 led the detective into the master bathroom through the garage. We
4 waited in the master bedroom.

5 Detective Eisenberg interviewed me first because I found the body.
6 I told the detective that I lived in Bailey's mansion. I also told the
7 detective about Bailey and Taylor's big fight the previous
8 afternoon and how they fought a lot. I told the detective that after
9 yesterday's fight, Taylor went to a friend's house, and we had a
10 movie night at the mansion with Val. I told the detective that after
11 the movie, Bailey went to the master bathroom to prepare a rose-
12 petal bath for Taylor. Taylor returned home from the meeting
13 around 11 p.m., and I knew Taylor was drunk and that Taylor sent
14 me a text that night at 9:35 p.m. that said Taylor had drank too
15 much and wanted cookie dough ice cream. I could tell from the
16 typos that Taylor was drunk. I showed this text to Bailey. We both
17 know you can't reason with a drunk Taylor. I also told Detective
18 Eisenberg that Taylor had knocked over a vase in the foyer when
19 Taylor returned from the meeting. That was the last time I saw
20 Taylor until I found Taylor's body the next morning. Lastly, I told
21 the detective that around 11:20 p.m. I was in the laundry room
22 when I heard Taylor shout something about "testifying" and then a
23 sound of something breaking. I called out to see if everything was
24 good to which Bailey responded that everything was good and that
25 they were going back to bed. The sounds came from the master
26 bathroom. I didn't hear anything more from either Taylor or Bailey
27 for the rest of the night.

28 I later found Detective Eisenberg and Bailey in the garage.
29 Detective Eisenberg wanted Bailey's car keys. Bailey said they
30 were misplaced. Bailey looked to me like Bailey was trying to hide
31 something. I looked through some drawers in the garage and found
32 the keys in one of the drawers. I handed them to Detective
33 Eisenberg. Detective Eisenberg unlocked the car and took out
34 Michael's golf club from the back seat. It was unusual to see
35 Michael's golf club there because normally the golf club was in
36 Michael's golf bag in Taylor's closet.

37 [Later, Detective Eisenberg asked me if I live in the guest house, to
38 which I responded yes. Detective Eisenberg then asked me if
39 Detective Eisenberg could search the guest house and the attached
40 office. I said yes but told Detective Eisenberg that Bailey had the
41 key to the attached office.]

1 **WITNESS STATEMENT**

2 **Prosecution Witness: Casey Silber (Taylor's friend)**

3 My name is Casey. I am 43 years old, and I have been a part of
4 Parents Against Autonomous Driving since it was founded by
5 Taylor in late January 2019. I joined PAAD because my 12-year-
6 old daughter was severely injured when she was hit by a self-
7 driving car. My daughter will never be the same after that accident.
8 Taylor and I have become very good friends within the last year. It
9 is unfortunate that it took two tragic incidents to bring us together.

10 Taylor frequently vented to me about Taylor's relationship with
11 Bailey. Taylor told me that Taylor was always passionate about
12 technology. Taylor previously worked as a technical advisor for
13 films. Taylor always had great technological ideas, many that were
14 more fit for sci-fi films than realistically possible. Taylor also
15 deeply loved Michael. I could see this because Taylor would
16 frequently show me pictures and videos of Michael taking part in
17 activities with Taylor, like golf. Taylor told me that the possibility
18 of having another parent for Michael is why Taylor wanted to get
19 married. Money had nothing to do with it. In fact, Taylor came
20 from a wealthy family. Taylor told me that Taylor held assets in
21 gold bars, and I had seen Taylor's extensive collection of jewelry.

22 Bailey seemed to care about Michael. Bailey gave Michael gifts
23 and took him to concerts and on vacations. They seemed to enjoy
24 spending time together as a family.

25 But after Michael's death, Taylor told me that Bailey did not really
26 care about Taylor or Taylor's loss. Taylor felt that Bailey put work
27 and the startup before family. Taylor was angry that Bailey's self-
28 driving scooter killed Michael and wanted to do something about
29 it. Taylor decided to create a support group and become an
30 advocate. Taylor and Bailey had many heated arguments,
31 especially after Taylor started PAAD and began to speak out
32 against autonomous technologies on social media and news
33 networks. I frequently overheard these arguments when I went to
34 Bailey's mansion. Taylor also told me about the possibility of a
35 divorce. Once in May, while I was having lunch with Taylor at a
36 popular local restaurant, we saw Bailey. Even though the
37 restaurant was packed, Bailey saw us and recognized me. While I
38 was away from Taylor heading to the restroom, Bailey came up to
39 me and said accusingly, "Why did you make Taylor turn against
40 me? I married Taylor for the success of this startup." I was caught
41 off guard by this statement and I chose not to relay this message to

1 Taylor because I knew it would cause another blow up fight
2 between Bailey and Taylor.

3 At 7:00 p.m. on June 7, I arrived at Bailey's mansion to pick up
4 Taylor. We were going to Benj Morgan's house to speak about
5 PAAD's upcoming hearing at Capitol Hill to testify for *National*
6 *Moratorium on Autonomous Technologies* on June 10. Under the
7 leadership of Taylor, we had done a great job of increasing public
8 awareness of the dangers of autonomous technologies and felt we
9 were very close to achieving a national ban on them.

10 When I picked up Taylor, Taylor looked extremely upset. I
11 expected Taylor to rant as was usually the case, but instead Taylor
12 seemed quiet. I asked Taylor what was wrong. Taylor told me that
13 Bailey did not want Taylor to go to Capitol Hill. "I've had enough
14 of living with that heartless person," Taylor told me. It seemed to
15 me that their divorce was going to happen soon. At Benj's house,
16 Taylor did not lead the conversation as PAAD's leader as Taylor
17 usually did. I did not see Taylor have any dinner, but I did see
18 Taylor have a few vodka sodas. I did not pay close attention as I
19 had to lead the conversation, though I was worried as I had noticed
20 Taylor turn to drinking a lot lately to cope with grief over the loss
21 of Michael and stress caused by Taylor's arguments with Bailey.

22 I dropped Taylor off at Bailey's mansion at 11:00 p.m. Taylor had
23 been quiet on the way back. As Taylor stepped out of the car,
24 Taylor muttered something about going to Washington, D.C., to
25 save Michael, but Taylor was quite clearly drunk. I drove off
26 without seeing Taylor go in.

27 The next afternoon, I got a call from Detective Eisenberg
28 informing me that Taylor was dead. I was devastated. I told the
29 detective that Bailey and Taylor had many heated arguments lately
30 and that Taylor was considering a divorce. I also told the detective
31 I dropped a "tipsy" Taylor off at 11 p.m. the previous night. I had
32 no idea that would be the last time I would see my best friend
33 Taylor.

1 **WITNESS STATEMENT**

2 **Prosecution Witness: Dr. Jules Jackson**

3 My name is Dr. Jules Jackson. I received a biology degree from UCLA
4 in 1985 and an M.D. from UCLA in 1989. I completed residency in
5 anatomic and clinical pathology from UCLA in 1993, and I completed
6 a fellowship in forensic pathology in 1994. I determine the cause and
7 manner of death using information from law enforcement and
8 investigation findings as well as through autopsy, radiology, toxicology
9 and the microscopic examination of tissue. Seven years ago, I
10 published a book entitled *The Evolution of Forensics*. I have also
11 published many articles on the subject of forensic science. In 2005, I
12 became the Chief Medical Examiner for Y86 County. I
13 continue to serve in this position. During my career, I have seen more
14 than 50 deaths due to drowning. I wrote my conclusions about Taylor
15 Matsumoto's death in a report that was made available to the defense.

16 At 8:30 a.m. on June 8, 2019, I came to the scene to examine the
17 body of Taylor Matsumoto. Time of death was pronounced by
18 Detective Eisenberg at 8:00 a.m, when Detective Eisenberg arrived
19 at the scene and legally noted the death.

20 I first took a sample of the water. The water was still filled with rose
21 petals. Upon closer analysis of the water, however, I noticed the water
22 was not clear water, but appeared to have partially digested food
23 particles in it, indicating that Taylor may have been alive in the water
24 prior to death. The last stage of drowning may include coughing,
25 vomiting, and convulsions. Thus, it already seemed plausible that the
26 cause of death in Taylor's case was drowning.

27 Lividity is the gravitational pooling of blood under the skin when
28 the blood circulation has slowed or ceased. I found the lividity
29 toward the anterior, or front, of Taylor's body. Taylor's blood had
30 settled in the face, neck, hands, legs and feet and was fixed. The
31 fixing of lividity ranges between 8 to 12 hours postmortem. Given
32 the state of lividity and the recording of Taylor's legal death at 8
33 a.m., I would estimate Taylor's time of death to be between 10
34 p.m. on June 7, 2019, and 12 a.m. on June 8, 2019.

35 I also noticed that Taylor's body was somewhat stiff. Rigor mortis
36 is the stiffening, or a hardening of the skeletal muscles. Rigor
37 mortis generally sets in about three to four hours after death, peaks
38 at 12 hours, and dissipates after 48 hours, or even longer when a
39 body is in water. Given the fact that Taylor's body was not
40 completely stiff either at the time I examined Taylor or at 10:00

1 when I performed the autopsy, I did not think rigor mortis was
2 helpful in determining the time of death.

3 The position of Taylor's body in the water and the water sample at
4 the scene suggested to me that the cause of Taylor's death was
5 drowning. However, to be sure the cause of death was not
6 something else, I undertook a toxicology analysis to make sure that
7 Taylor's cause of death was not due to alcohol or drug overdose. A
8 postmortem forensic toxicology analysis involves sampling body
9 fluids or tissues. I tested samples of Taylor's heart blood, femoral
10 blood, and vitreous to determine Taylor's blood alcohol content
11 (BAC). The level of ethyl alcohol in Taylor's blood was 0.12. This
12 level of BAC can cause slurring of words and loss of judgment, but
13 it is certainly not fatal. I found no trace of narcotics or other
14 indications of drug use.

15 During the autopsy, I noticed a dark purple contusion (bruise) on
16 the back of Taylor's head that was about 1.5 inches wide and four
17 inches long. The contusion was vertical and at a slight angle. I
18 decided to do an X-ray and biopsy (microscopic analysis of tissue)
19 of this area. The scalp biopsy revealed an acute hemorrhage,
20 suggesting the injury was a contusion or bruise caused by trauma
21 within minutes or hours before death. The X-ray revealed a
22 cerebral hemorrhage and a depressed skull fracture on Taylor's
23 skull. Blunt force trauma of the head can cause both a depressed
24 skull fracture and a contusion of this nature.

25 Given the size of Taylor's contusion and the nature of Taylor's
26 head injury, I believe that the contusion and fracture on the back of
27 Taylor's head are consistent with being struck with a blunt
28 instrument/object. Detective Eisenberg asked me if a golf club
29 could cause this injury, to which I responded it is possible. The
30 detective showed me the putter, and I examined it. If Taylor had
31 been struck by the putter on the back side of Taylor's head, Taylor
32 could easily have fallen into the bathtub face down. And the
33 dimensions of the putter closely match the contusion on Taylor's
34 head. It is typical for bruising to also appear slightly larger than the
35 dimensions of the blunt-force object as the internal bleeding
36 spreads. Taylor's injuries are consistent with being struck on the
37 back of the head with the golf putter shown to me by Detective
38 Eisenberg.

39 Taylor had a depressed skull fracture. A depressed skull fracture is
40 more indicative of a direct blow to the head from a blunt
41 instrument rather than an injury from a fall. Blunt force trauma that

1 results in a depressed skull fracture would likely cause loss of
2 consciousness preventing Taylor from resisting the instinctive
3 response to prevent drowning. If not for the blunt force trauma by
4 the blunt instrument, Taylor would not have drowned.

1 **WITNESS STATEMENT**

2 **Prosecution Witness: Detective Micah Eisenberg**

3 My name is Detective Micah Eisenberg. For the last 25 years, I
4 have worked for the Y & G Police Department, Hollywood
5 Division, and was promoted to detective 13 years ago. I was called
6 to Bailey's mansion on June 8, 2019 after a body was found in the
7 master bathtub. I arrived on the scene at 7:55 a.m. and found
8 Bailey and Desi standing outside the house in front of the garage.
9 The garage door was open.

10 When I entered the garage, I was immediately drawn to Bailey's
11 autonomous car. It was a beautiful shade of silver and it sat on the
12 left side of the garage plugged into an outlet. As I was eyeing the
13 car, I noticed a golf club in the back seat. I noted that this was
14 unusual because the club was all by itself, but I proceeded to the
15 master bathroom where Taylor's body was found. The master
16 bathroom has a shower, toilet, double vanity, and bathtub. The
17 bathtub is fixed into the floor of the bathroom with entry into the
18 bathtub at the ground level, like a Jacuzzi. The bathtub is
19 rectangular-shaped, with a length of 7.5 feet and a width of 6 feet.
20 On both ends of the bathtub are two marble ledges stacked on one
21 another, with a smaller ledge atop a larger ledge. Instead of a
22 faucet, the water comes through a trough protruding from the
23 bottom marble ledge at the southern end of the bathtub. The trough
24 has a length of 20 inches and a width of 12 inches. The two top
25 edges of the trough are one inch wide each. The trough is made of
26 stainless steel and stands eight inches above ground level. The
27 bathroom has a marble floor. The master bathroom is connected to
28 the master bedroom closet and has another door leading into the
29 hallway.

30 In the master bathroom, I found Taylor floating in the tub, face up.
31 Taylor's head was facing towards the south end of the bathtub.
32 Taylor was wearing a black t-shirt and jeans. I checked Taylor's
33 pulse and detected none. I also saw a broken champagne bottle
34 next to the edge of the tub. The side of the ledge and the area on
35 the ground where the champagne bottle apparently broke were
36 sticky from the spilled champagne. On top of the lower marble
37 ledge was an empty wine glass still sticky from champagne. I
38 looked for bruising, abrasions or scratching around Taylor's neck
39 and behind Taylor's ears when I parted Taylor's hair and noticed a
40 bruise on the back of Taylor's head. I called in Dr. Jackson to do a
41 forensic analysis.

1 I asked who had found the body, and Desi told me that Desi found
2 Taylor's body. I interviewed Desi by the garage and had Bailey
3 wait inside the house. I learned that Desi lived on Bailey's
4 property. I asked Desi about the day before. Desi told me about a
5 fight that Bailey and Taylor had the previous afternoon and other
6 fights the couple had. Desi also mentioned having a movie night at
7 the mansion while Taylor went to a friend's house to attend a
8 PAAD gathering. Desi told me that after the movie, Bailey went to
9 the master bathroom to prepare a rose-petal bath for Taylor. Desi
10 also explained why it was obvious that Taylor was drunk. Desi said
11 that Taylor usually became drunk at these gatherings, that Taylor
12 had sent a text indicating that Taylor was drunk and which Bailey
13 had seen, and that Taylor knocked over a vase as Taylor entered
14 the mansion at 11:00 that night. At around 11:20 p.m., while Desi
15 was in the laundry room, Desi heard Taylor yell from the master
16 bathroom. Taylor yelled something about testifying then Desi
17 heard a sound of something breaking. Desi called out to check if
18 everything was okay, and Desi heard Bailey respond, "Everything
19 is good. We are going back to bed." Desi did not hear Taylor say
20 anything after the breaking sound. At this point, I believed that
21 there was a possible homicide.

22 Next, I interviewed Bailey, the owner of the mansion. Bailey said
23 that Taylor had been living at Bailey's mansion for nearly eight
24 months after they had been married. Bailey told me that Bailey and
25 Taylor had an argument the previous afternoon, but that such
26 arguments were common. After the argument, Bailey said that
27 Taylor went with Casey to a PAAD member's house. Bailey said
28 that Bailey, Desi, and Val watched a movie. Bailey claimed that
29 just before they arrived, Bailey decided to prepare a rose-petal bath
30 as a caring gesture for Taylor and purchased roses and champagne.

31 After the movie, Bailey said Bailey prepared the rose-petal bath
32 and then went to Bailey's room. About 20 minutes later, Bailey
33 said that Bailey went to see if Taylor was enjoying the bath and to
34 make sure Taylor was not drunk. Bailey mentioned that Taylor had
35 promised not to drink at Casey's house, but Bailey just wanted to
36 be sure. However, when Bailey entered the master bathroom,
37 Taylor told Bailey to "get out" and knocked over the champagne
38 bottle. Bailey said that Bailey went to Bailey's room after that.

39 I asked Bailey if I could look around the mansion. Bailey said,
40 "You are welcome to search my house and the garage." The way
41 Bailey answered was casual and nonchalant, [suggesting that I was

1 free to look around the entire property.] I conducted a cursory
2 examination of the mansion. Nothing really looked out of place,
3 but then I remembered the golf club I had seen in Bailey's car
4 earlier and went to the garage. Bailey followed me to the garage.
5 Desi also stepped into the garage when I asked Bailey for the keys
6 to the car so I could retrieve the golf club. Bailey said that Bailey
7 didn't remember where they were, but Desi sifted through some
8 drawers and handed the keys to me. I retrieved the golf club. The
9 golf club was a possible murder weapon, so I put it in a plastic bag.
10 I later learned that the golf club was a 33-inch long male putter.
11 The length of the club face was four inches and the face height was
12 one inch. The club appeared to have been wiped clean with bleach
13 except for a spot just below grip which had Bailey's fingerprints.

14 Desi followed me into the kitchen. Bailey was not with us.
15 Through the kitchen window, I saw a detached structure. I asked
16 Desi, "Is that where you live?" Desi nodded and said it was the
17 guest house. [I asked Desi if I could search the place, to which
18 Desi responded "Yes." There was an office next to the guest house.
19 I asked Desi if I could also search that. Desi nodded, but said
20 Bailey had the key.

21 I went to the guest house. I then turned the knob leading to the
22 office from the interior door. It was locked. I then tried to enter
23 using the exterior door. This door was unlocked, and I entered. I
24 saw framed movie posters on the wall. On a shelf in the back of the
25 room was a mesh basket with the label "Movie Scripts." I looked
26 into the basket and found a stack of scripts. On top of the stack was
27 a script titled *Roses and Robots: A Murder Mystery*. Bailey was
28 listed as the writer. There was a sticky note flagging a page, so I
29 opened to that page. On this page was a scene in which a robot
30 prepares a drink with a lot of liquor in it for its master. The robot
31 then goes to prepare a rose-petal bath for its master. After giving
32 its master the drink, the robot pushes the drunken master into the
33 bath and laughs as the master drowns. The robot then announces
34 that the police will perceive the incident to be an accident. On the
35 page was a handwritten note about needing three liquor drinks and
36 a bottle of champagne.]

37 I later interviewed Casey, a member of PAAD. Casey said that
38 Taylor was dropped off around 11 p.m. Casey mentioned that
39 Taylor had several vodka sodas that night, but could not remember
40 precisely how many. Casey also mentioned that Bailey and Taylor
41 had been experiencing many heated arguments and that Taylor had
42 been considering the possibility of a divorce. I also interviewed

1 Val. Val claimed to have left Bailey's mansion around 10:30 p.m. I
2 also spoke with the housekeeper who told me about how Taylor's
3 and Bailey's relationship went bad after Michael's death, how they
4 slept in different rooms, and how Taylor mistreated Bailey by
5 yelling at Bailey and demeaning Bailey.

6 In preparation for trial, I prepared sketches of the mansion's floor
7 plan and master bathroom. I took measurements of the master
8 bathtub's dimensions, as well as measurements of the ledges and
9 trough, which I provided on the sketches. I also took a photo and
10 measurements of the golf club. I provided Dr. Jackson with the
11 golf club to see if it could create Taylor's injury and Dr. Jackson
12 said it was possible. Dr. Jackson estimated the time of death to be
13 between 10 p.m. and 12 a.m. Based on the information I gathered
14 through interviews and received through forensics, it seemed that
15 Taylor died between 11:20 p.m. and 12 a.m. I received a warrant
16 for Bailey's arrest and arrested Bailey at Bailey's mansion a week
17 after Taylor's death.

1 **WITNESS STATEMENT**

2 **Defense Witness: Bailey Matsumoto (Defendant)**

3 My name is Bailey Matsumoto. I am 42 years old. I live at 2349
4 Chandler Drive in Hollywood Hills. I am a former producer and
5 script writer. I enjoy writing sci-fi scripts in particular, focusing on
6 technology. Given my love for technology, I wanted to pursue
7 another passion of mine. I created and put all my savings into a
8 startup for autonomous trucks and other technologies.

9 I met Taylor on set of one of my motion pictures, titled *Galaxy of*
10 *the Robots*. Taylor worked as the technical advisor. Taylor had
11 great insight and was easily the best technical advisor I ever had.
12 During breaks, Taylor would speak to me about Taylor's passion
13 for technology and we would brainstorm great ideas for technology.
14 I didn't want these ideas to be limited to film and decided to make
15 them a reality. I invited Taylor to join my startup for autonomous
16 technologies, particularly autonomous trucks. Taylor was excited to
17 join my startup. Within the first few weeks, our professional
18 relationship quickly evolved into a romantic one. Taylor and I
19 decided to get married soon afterwards. I was madly in love.

20 I also developed a strong bond with Taylor's son, Michael, and
21 treated him as my own son. Michael enjoyed the outdoors so we
22 frequently went hiking, biking, and playing golf. Michael also
23 would ask me about the autonomous projects I would be working
24 on. One was an autonomous scooter prototype that Taylor and I had
25 developed together. One morning I had left the self-driving scooter
26 unlocked, and Michael took the scooter without permission. The
27 scooter malfunctioned and failed to detect a building. Our son was
28 killed by the impact. We were devastated by the loss.

29 It was especially difficult for Taylor to cope with the loss of our
30 son. Taylor became depressed. I urged Taylor to see a therapist.
31 While Taylor didn't take my advice, Taylor decided to cope with
32 the loss by finding a support group. At first I didn't mind this, but
33 Taylor soon became a staunch advocate opposing autonomous
34 technologies and the media began inviting Taylor to speak against
35 these technologies. Taylor also began rallying political support. I
36 could not understand why Taylor would turn against our vision to
37 create a startup for autonomous technologies that could have a
38 lasting impact on the world. Taylor also did not seem to understand
39 that autonomous technologies are safer than even humans; when it
40 comes to driving alone, 37,000 people are killed by car accidents
41 each year, whereas there have only been a handful of autonomous

1 vehicle fatalities in the hundreds of millions of miles over which
2 they have been driven collectively. Shortly after Michael's death, I
3 moved into the guest bedroom next to the movie screening room. I
4 wanted to give Taylor space to cope with Michael's death.

5 Taylor and I had many spirited discussions. I became upset,
6 especially when our startup's investors threatened to not provide
7 additional funding for the startup. Taylor knew that I had put
8 everything into this startup, including taking out a second mortgage
9 on the mansion. Taylor did not contribute any funding.

10 On June 7, we got into another argument. This one was more
11 focused on upcoming events. We had a very important meeting
12 with some of the investors of our startup. Not only did Taylor want
13 to skip that meeting, but Taylor wanted to spend that day in
14 Washington, D.C., testifying against autonomous technologies
15 instead. I reminded Taylor that all my savings were invested, that if
16 we didn't get additional funding our startup would fail, and about
17 our marriage vows to support one another (and therefore the
18 startup) in sickness and in health. Taylor did not seem to care and
19 did make some hurtful remarks such as maybe wanting a divorce
20 and blaming me for the death of our son. While this was cold of
21 Taylor to say because I gave Michael immense love while we were
22 a family, I decided to not push the argument further because I was
23 concerned about Taylor's mental health. Like many married
24 couples we had our arguments, but we would always resolve them
25 quickly and rarely went to bed angry.

26 At 7:00 p.m. that evening, I saw that Casey, another PAAD member,
27 had pulled up to our driveway. I figured they were going to another
28 typical evening PAAD gathering. As Taylor was leaving, I told Taylor
29 to make sure Taylor did not have any drinks that night. I was worried
30 that Taylor might drink too much because Taylor was upset from our
31 earlier argument. Since Michael's death, Taylor had been drinking a
32 lot. Taylor responded, "Fine, I won't drink, you jerk."

33 I felt hurt that Taylor was still upset and decided to do something to
34 make up for our latest argument. I was expecting Desi and Val to join
35 me that night to watch a movie. I told Desi to set up the movie room for
36 our movie night. Thinking about Taylor's drinking, I may have said to
37 Desi that it would be too bad if Taylor missed the flight to D.C. the
38 next morning. I loved Taylor and didn't want Taylor to be humiliated.

39 I decided to quickly head to the nearby grocery store to pick up
40 some roses, and a bottle of champagne for Taylor so that I could

1 prepare a nice bath that would show Taylor my love. As Desi
2 prepared the movie room, I placed these items in my room.

3 During the movie, Desi handed me Desi's phone, presumably to
4 show me a text from Taylor. I didn't see what the text said. I was
5 very focused on the movie so I only glanced at it. We were
6 watching the scene in which the antagonist began infecting the
7 computers with a USB that had the "Gigabytis" viral infection. This
8 was a very intense scene for us to film. I grunted and nodded so
9 Desi would move the phone away from my face and I could focus
10 on my movie on the screen.

11 Around 10:30 p.m., Val left the mansion. Taylor had not returned
12 yet. I told Desi that I was going to prepare a rose-petal bath for
13 Taylor to make up for our recent argument. I went to my room to
14 grab the roses and the champagne bottle. I found a wine glass in my
15 room and took that with me as well. I saw on my Locate My
16 Friends app that Taylor was about 10 minutes away. I turned on the
17 hot water in the master bathtub so the temperature would be perfect
18 when Taylor arrived. After the tub was full, I sprinkled the rose
19 petals on the water. There were just enough to cover the whole
20 bath. I then placed the champagne bottle and glass at the edge of
21 one of the marble ledges. I looked again on my Locate My Friends
22 app that Taylor was approaching, so I returned to my room. I
23 couldn't wait for Taylor to see the surprise bath.

24 I was in my room when I heard a crashing sound from the foyer. I
25 thought of getting up to check, but I was very tired. I then heard
26 Desi tell Taylor that I had been preparing a rose-petal bath. A few
27 minutes later, it occurred to me that maybe Taylor had in fact
28 gotten drunk even though Taylor promised me that Taylor would
29 not drink at the gathering. I knew that it isn't safe to be drunk while
30 taking a bath, so I decided to check on Taylor to see if everything
31 was okay and whether Taylor was enjoying the bath. I planned to
32 remove the champagne if it seemed that Taylor already had too
33 much to drink.

34 I walked to the master bathroom through the closet. Taylor became
35 very upset when Taylor saw me. Taylor was still wearing the
36 clothes Taylor had worn to the PAAD meeting. As soon as I opened
37 my mouth to speak, Taylor told me to "get out" and Taylor knocked
38 over the champagne bottle which broke onto the ground beside the
39 tub. I overheard Desi call out, "Is everything okay?" I shouted back
40 that, "Everything is good." Because Taylor was still in regular
41 clothes, it seemed to me that Taylor was not going to get into the

1 bath. It seemed like Taylor was drunk, but since Taylor had
2 knocked over the champagne bottle, which broke when it hit the
3 ground, I knew that Taylor could not have more to drink. Not
4 wishing to embarrass Taylor given that Desi was nearby and to give
5 Taylor the space Taylor needed, I excused myself and headed back
6 to my room.

7 I don't recall Taylor saying anything specific to me about testifying
8 in D.C. at that time. I loved Taylor and respected Taylor's decision
9 to testify, although I didn't agree with Taylor. I'm not sure why
10 Desi thought we were arguing about Taylor's decision to testify. I
11 have a hard time trusting Desi. Desi was fired from a life insurance
12 company for dishonesty. Desi resents me for being the inheritor of
13 the mansion, even though I have been kind enough to let Desi stay.

14 Shortly after 7:30 a.m. on June 8, I woke up to Desi in my room.
15 Desi told me that Taylor was found dead in the bathtub. I
16 immediately ran to the bathroom and found Taylor lying lifeless in
17 the bathtub. I was in shock. I couldn't bear to see Taylor that way. I
18 quickly left the room, and Desi and I walked outside to wait for the
19 police. I could not believe my beloved Taylor was dead. It hurts me
20 so much that Taylor died in this horrible accident. I wish I had not
21 left Taylor alone after Taylor told me to get out. Perhaps I could
22 have prevented Taylor's death.

23 Desi had called the police, and shortly thereafter, Detective
24 Eisenberg arrived through the garage. After interviewing Desi,
25 Detective Eisenberg interviewed me. I told Detective
26 Eisenberg how I had been living with Taylor, my spouse, for nearly
27 eight months after our marriage. I told Detective Eisenberg that we
28 had an argument the previous afternoon, but that our arguments
29 were common. I told Detective Eisenberg that Taylor went to
30 Casey's house and Desi and Val joined me for a movie night. I also
31 told Detective Eisenberg that before my friends came for the movie,
32 I went to buy rose petals and champagne to prepare a rose-petal
33 bath as a caring gesture for Taylor. I told Detective Eisenberg that I
34 prepared the rose-petal bath after the movie and then returned to my
35 room. Lastly, I told Detective Eisenberg that about 20 minutes later
36 I went to check to see if Taylor was enjoying the bath and to make
37 sure that Taylor was not drunk, but Taylor told me to "get out" and
38 knocked over the champagne bottle. I also told the detective that
39 Taylor had promised me that Taylor would not drink at Casey's
40 house, but I went to the master bath just to be sure. After Taylor
41 told me to get out however, I returned to my room and went to
42 sleep.

1 Detective Eisenberg asked to search the property. I told Detective
2 Eisenberg that the detective could search my house and the garage.
3 [I never said it was okay for Detective Eisenberg to search the
4 office attached to the guest house. The guest house and attached
5 office were separate from the house. The office had a lot of my
6 personal belongings from my time in Hollywood, which was
7 personal to me. I also had unpatented ideas for autonomous
8 technologies and movie scripts that had not yet become movies. I
9 did not want anyone to sift through my personal work and violate
10 my privacy rights.

11 I wrote the script for *Roses and Robots*. The note Detective
12 Eisenberg found in it is mine, and it related to my research for the
13 story. But I have not looked at that script in years.]

14 After looking through the house, Detective Eisenberg returned to
15 the garage. I followed Detective Eisenberg to see if the detective
16 needed anything or had any other questions. Detective Eisenberg
17 asked me for my car keys. I didn't find them in their usual place: a
18 key hanger on the wall of the garage. From all the stress I was
19 experiencing, I couldn't clearly remember where the keys were.
20 Luckily, Desi was able to find them. Detective Eisenberg unlocked
21 my car, took Michael's golf club from the back seat, and put it in a
22 plastic bag. Michael used this golf club when we went on family
23 golf trips. The golf club held significant sentimental value for
24 Taylor. I wanted to get a special display case for the golf club so I
25 could mount it on one of our walls in memory of Michael. The golf
26 club had been in my back seat for a few days. I had wiped the putter
27 and shaft down with bleach because I wanted the golf club to be
28 nice and pristine when placed in the display case.

29 [Detective Eisenberg should have known that the office was not
30 part of Desi's residence. Desi goes in there sometimes, but only
31 upon my request to get a few books on startups. It should have been
32 obvious that the office is mine given that it has Hollywood
33 memorabilia and specifically my films and my movie scripts.

34 I wrote the script, *Roses and Robots: A Murder Mystery*, in 2010.
35 While admittedly a remarkable piece, it never became a movie. I
36 have a whole mesh basket filled with scripts. The handwriting on
37 the script is mine. I just really like rose-petal baths. They are sweet
38 and romantic. This script I wrote, which never became a movie, is
39 about a robot. I developed several scripts about robots. The
40 handwritten note on the script indicates props we would need for
41 that scene if it ever got filmed.]

1 **WITNESS STATEMENT**

2 **Defense Witness: Val Glick (Bailey's Friend)**

3 My name is Val Glick, and I am 35 years old. I first met Bailey
4 when I acted in one of Bailey's movies. Bailey was the first person
5 to realize the potential I had to become a movie star. I was a lead
6 actor in one of Bailey's movies and since then I have not looked
7 back. I've starred in three movies and have won awards. Bailey has
8 been a great producer and a talented screenwriter to work with.

9 I owe much of my success in film to Bailey, and I often turn to
10 Bailey when I need advice. Bailey is a mentor and a friend. We
11 hang out often and frequently play golf.

12 In January 2019, Bailey took Michael's death very hard. Bailey
13 had become quite close to Michael before his death and would
14 frequently talk to me about activities and trips Bailey would plan
15 to do with Michael. When I visited Bailey's mansion, I would
16 frequently see Bailey and Michael laughing and telling jokes.
17 Michael liked me and sometimes I would take Michael to the
18 driving range. Bailey also told me how happy Bailey was to not
19 only become a spouse, but also a parent. After Michael's death,
20 Bailey would often share Bailey's concerns about Taylor's grief
21 and mental health.

22 Some people think Bailey is very stubborn and always wants
23 things Bailey's way. They are wrong. Bailey can be very
24 demanding when it comes to projects like creating films or
25 autonomous devices, but Bailey always puts family and friends
26 first. Bailey is one of the most caring people I know. I saw this
27 with Bailey's relationship with Michael, and I continue to see this
28 with the concern Bailey has for me, too. Bailey is so considerate
29 that Bailey continued to let Bailey's cousin Desi live in the
30 mansion, even though Desi is dishonest and an ungrateful
31 freeloader. Once I even saw Desi take off with a tip that Bailey had
32 generously left for Bailey's housekeeper, Quinn, on the kitchen
33 counter.

34 I wasn't close to Taylor. I would see Taylor in Bailey's mansion
35 sometimes when I would visit Bailey and Michael. After the death
36 of Michael, I would rarely see Taylor, who remained most of the
37 time in the master bedroom. When Taylor did come out, Taylor
38 seemed out of it, unresponsive and apathetic. Bailey told me that
39 the only thing Taylor talked about was Taylor's group Parents
40 Against Autonomous Driving. A couple of months before Taylor
41 died, I saw Taylor in the foyer holding a golf club as I entered the

1 mansion. I was surprised to see Taylor going anywhere. I asked
2 Taylor about the golf club. Taylor told me that it was Michael's
3 golf club. Speaking of the golf club, Bailey told me a few days
4 before Taylor died that Michael's golf club had a lot of sentimental
5 value to them and so Bailey wanted to get a display case for it and
6 mount it on a wall of the mansion.

7 On June 7 at about 8:15 p.m., I arrived at Bailey's mansion. Bailey
8 had invited us to watch one of Bailey's genius underappreciated
9 movies. I knew it would be *Gigabytis*, a two-hour thriller that
10 Bailey had mentioned wanting to see again. I noticed that Bailey
11 looked very sad during the film. Bailey usually would applaud and
12 make gestures at the screen during one of Bailey's films. After the
13 film, Bailey told me about the most recent argument concerning
14 Bailey's upcoming investor meeting and Taylor's Capitol Hill
15 hearing. Bailey told me that Bailey was very worried about Taylor
16 because Taylor seemed very upset on the way to a PAAD
17 gathering.

18 At around 10:30 p.m., I saw that Bailey looked very tired. I told
19 Bailey to get to sleep and then left the mansion. I returned to my
20 home. The next morning, I received a call from Desi informing me
21 that Taylor had died. I was on location so I couldn't get to Bailey,
22 so I sent Bailey a text saying I was sorry to hear about Taylor's
23 passing. I don't remember if Bailey texted back. All I can say is
24 that Bailey truly loved Taylor.

1 **WITNESS STATEMENT**

2 **Defense Witness: Quinn Clampitt (Housekeeper)**

3 My name is Quinn Clampitt. I am 60 years old. I have been a
4 housekeeper for Bailey for two years, since Bailey inherited the
5 mansion. Before that, I served as housekeeper for Bailey's
6 grandfather for over 25 years, and I have seen Bailey grow up into
7 the great person that Bailey is. I come to Bailey's mansion every
8 other day to clean. I clean other homes on other days of the week.
9 At Bailey's mansion, I am responsible for cleaning the bathrooms,
10 mopping the floors, vacuuming the carpets, and dusting all over the
11 house. [However, Bailey does not let me clean Bailey's office.
12 Bailey tells me that there are a lot of personal belongings there
13 including Bailey's "precious personal ideas."]

14 I remember after Bailey married Taylor, Bailey was very happy. I
15 think Bailey's relationship with Michael had a lot to do with it.
16 Bailey had a strong affinity towards Michael. In the beginning of
17 their marriage, I sometimes would arrive to clean the mansion and
18 only Desi would be home. Desi would tell me that Bailey and
19 Taylor had gone out with Michael for a Saturday activity. Some
20 days, I would see Michael return with a gadget or golf club in
21 hand. The three of them would return laughing.

22 After the death of Michael, Bailey and Taylor's relationship went
23 bad. Taylor was very cold with Bailey. Before they would be
24 laughing, but after the death, they would barely speak. When they
25 did it speak it was often Taylor yelling at Bailey. I noticed that
26 Bailey and Taylor had shifted to different rooms. Bailey moved
27 into the guest bedroom next to the movie room. Sometimes Taylor
28 would lock the master bedroom when Taylor was very upset, and I
29 would be unable to clean the master bedroom and attached master
30 bathroom. Taylor was beginning to look very sick, but Bailey is a
31 very nice person and I knew Bailey would take care of Taylor.

32 Over the last few weeks, I noticed that Taylor had become more
33 prone to outbursts. These outbursts were almost always directed at
34 Bailey. Taylor would demean Bailey about Bailey's failure in the
35 entertainment field and now in the autonomous technologies
36 field. Taylor also got mad at Bailey for continuing the startup even
37 after the death of Michael. It was very awkward for me to be in
38 this tense situation as I tried to clean the mansion. Taylor was also
39 very rude to me. I avoided the master bedroom so I would not have
40 to deal with Taylor and because I assumed it would be locked
41 anyway, but some days Taylor would scream at me asking why I

1 had not cleaned the master bedroom. While I understand that
2 Taylor was going through a stressful time, Bailey was also going
3 through a difficult time. Michael's death was not easy on Bailey
4 and I can only imagine that the added pressure of Taylor yelling at
5 Bailey did not help things. Often when I was at Bailey's house I
6 noticed that Taylor began drinking quite early in the day, maybe
7 around 1 or 2 p.m. This was concerning to me because it seemed
8 Taylor was now self-medicating with alcohol. I did not say
9 anything to Taylor because I did not believe it was my place to do
10 so.

11 Before Michael died, when Bailey and Taylor shared the master
12 bedroom, I used to clean the master bedroom and master
13 bathroom twice a week. The bathtub is ground level and the
14 smooth marble floor in the bathroom, even around the bathtub, is
15 often very slippery, especially if there is water or something else
16 on the floor. Once, when I was mopping the floor, I slipped on the
17 floor into the empty bathtub and sprained my ankle. I was unable
18 to clean any homes for the next two weeks. I mentioned the
19 slipperiness of the floor to Bailey, but Bailey never addressed this,
20 as far as I know.

1 **WITNESS STATEMENT**

2 **Defense Witness: Dr. Amari Wolpert, M.D.**

3 My name is Dr. Amari Wolpert. I received a biology degree from
4 USC in 1990 and an M.D. from USC in 1994. I completed my
5 residency in anatomic and clinical pathology from USC in 1998,
6 and completed a fellowship in forensic pathology in 1999. I was a
7 medical examiner in San Francisco for seven years, but now work
8 as a lead forensic pathologist at Y&G Forensic
9 Solutions. In my career, I have examined around two dozen or
10 more cases of drowning. I am tasked with the interpretation of all
11 information, including autopsy and toxicological results. I
12 examined Dr. Jackson's report and have reached the following
13 conclusions.

14 I concur with Dr. Jackson that Taylor died due to drowning.
15 Drowning is a diagnosis of exclusion; there are no definitive
16 features for the diagnosis of drowning. However, I noted many
17 findings which are associated with drowning deaths in my analysis
18 of Taylor's post-mortem physical exam. For instance, I noted the
19 increased size of Taylor's lungs; each lung weighed over 500
20 grams. In most cases of drowning, the lungs are voluminous,
21 completely filling the chest cavity. There was also foam in the
22 mouth and airways, and watery fluid present in the lungs and
23 stomach, which are also associated with drowning deaths.

24 It is often difficult to determine the manner of death when a person
25 is submerged in water. I believe that the circumstances surrounding
26 the death are often more important than the autopsy findings.
27 However, unlike Dr. Jackson, I believe that Taylor's death was not
28 attributable to a homicide, but rather was an accidental death. In
29 fact, most drownings are accidental.

30 The toxicology reports do not indicate that Taylor died from an
31 overdose. Chemical blood analysis revealed Taylor had a 0.12
32 BAC level. At this level, motor skills can be impaired. This level
33 of alcohol in the blood could affect Taylor's balance, judgment,
34 and reaction time and can cause drowsiness, dizziness, and
35 coordination problems. However, a 0.12 BAC level would not
36 alone cause death.

37 I understand Dr. Jackson's conclusion that Taylor was struck with
38 a golf club. But it is quite difficult for a medical examiner to match
39 a particular weapon to blunt-force injuries. Analyzing a bruise is
40 an inexact science. In my professional opinion, there is a more

1 plausible explanation for the contusion and depressed skull fracture
2 to the back of Taylor's skull. Given the alcohol Taylor had
3 consumed, Taylor's motor skills and balance were impaired. Add
4 to that a wet floor, and Taylor would have only managed not to fall
5 through unusual agility. Looking at Detective Eisenberg's sketches
6 in the bathroom, it seems Taylor likely slipped and fell backward
7 toward the tub, losing footing. The back of Taylor's head could
8 have hit the top edge of the trough closest to Taylor as Taylor
9 tumbled into the water. The top edge of the trough has a width of
10 one inch that can explain the width of Taylor's bruise. While
11 Taylor's bruise is about 1.5 inches wide, the size of the bruise does
12 not have to correlate exactly with the instrument. Still, I cannot say
13 for certain what caused the blunt-force trauma head injuries to
14 Taylor. No one could. But there is a trough in the location of the
15 death scene that could have caused Taylor's injury — both in
16 nature and in size — from a ground level fall.

17 To get a better sense of the time of death, I examined Taylor's
18 rigidity (rigor mortis). Rigidity is the hardening of muscles after
19 death. In about 0 to 8 hours after death, the body starts to stiffen,
20 but is still movable. In 8 to 12 hours, the muscles become
21 completely stiff. Rigor begins to disappear in about 24 to 36 hours
22 after death on land, but may take up to 72 hours in water. The
23 physical exam noted that at 10:00 a.m. on June 8, Taylor's body
24 was still movable. Some of Taylor's smaller muscles began to
25 tighten as rigor becomes evident in smaller muscles first. Given
26 that Taylor's body was movable, it is my estimation that Taylor
27 died much later during the night, and not before 12:00 a.m. as Dr.
28 Jackson estimated. As Dr. Jackson also acknowledges, it is very
29 difficult to determine the physiological time of death and Taylor's
30 rigidity alone makes Dr. Jackson's estimation questionable.

31 It is in my professional opinion that Taylor's death was an
32 accident. Throughout my years as a forensic pathologist, I have
33 seen dozens of ground level fall cases as a result of a person being
34 intoxicated. Direct drowning and injury-associated drowning is
35 almost always accidental. Globally, drowning is the third leading
36 cause of unintentional injury death. This situation, in my
37 professional opinion, is no different.

EXHIBIT A

Official Diagram

Floor Plan of Bailey's Mansion

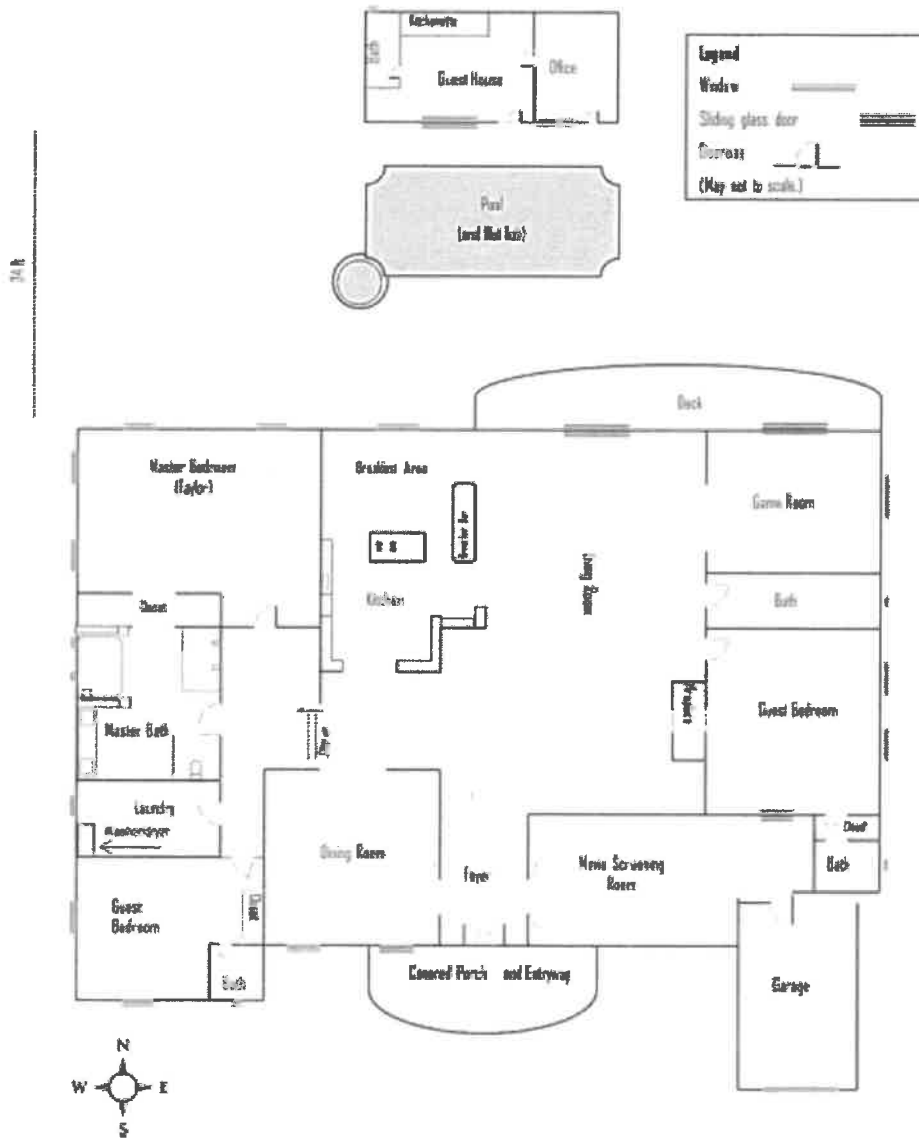


EXHIBIT B Master Bathroom Layout

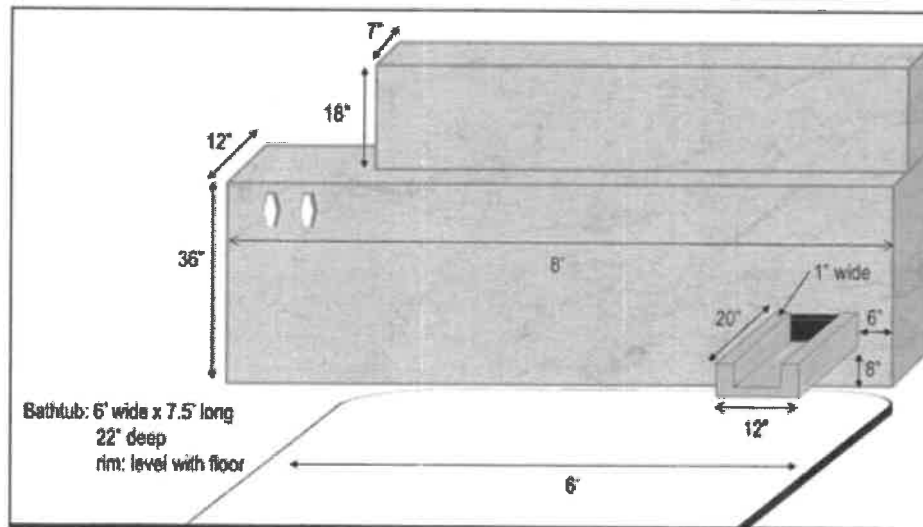
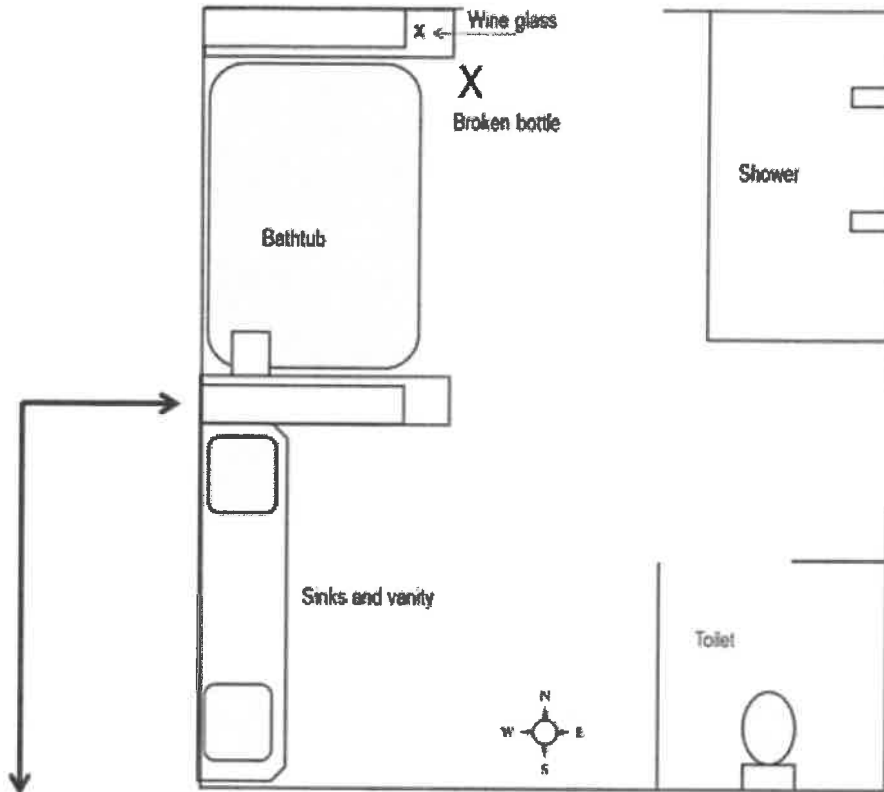


EXHIBIT C
Bailey's Roses and Robots Script

Roses & Robots: A Murder Mystery
Draft 7/14/2010 – writer: Bailey Matsumoto

Leslie

"I've had a tough day. Go make me a drink, loser."

Robot

"Yes, master."

Camera focuses on Robot preparing Leslie's drink. Robot is shown adding a lot of liquor to the drink. Robot then goes to the bathroom and prepares a rose petal bath.

Leslie

"WHERE IS MY DRINK? I NEED IT NOW!"

Robot

"I am so sorry, master. Here is your drink. A rose petal bath has also been prepared for you in the bathroom. Please proceed."

Leslie takes the drink and starts looking very drunk. As Leslie is about to step into the bathroom, Robot appears behind her. Robot pushes Leslie into the bath. Leslie drowns.

Robot

"Who's the master now?! The police will think this is an accident."

Robot is shown laughing hysterically.

*Need 3 liquor drinks
+ bottle of champagne*

EXHIBIT D
Golf Club Found in Bailey's Car

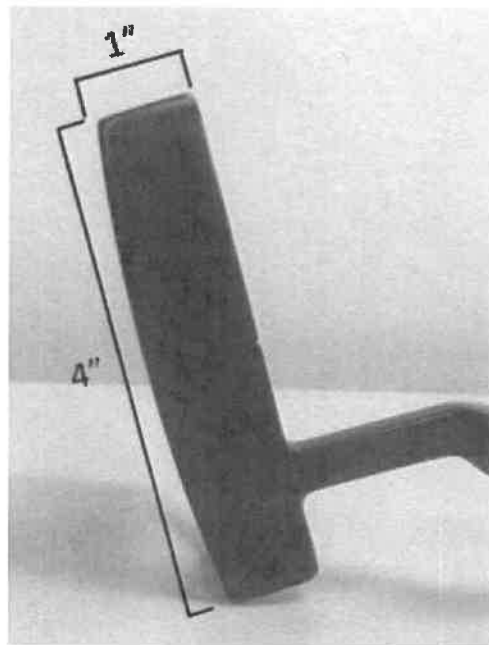
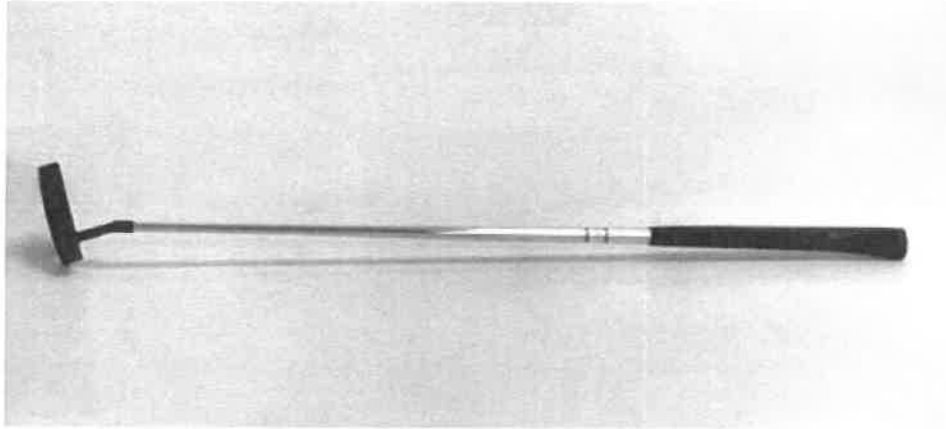


EXHIBIT E
Diagram of Taylor Matsumoto's Head Injury

