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ARIZONA OFFICE OF ADMINISTRATIVE HEARINGS

10 IN THE MATTER OF

No. 14F-001-AAG

11 TOM HORNE, individually; Tom
12 Horne for Attorney General
13 Committee (SOS Filer 2010 00003);
14 KATHLEEN WINN, individually;
15 Business Leaders for Arizona (SOS
16 Filer 2010 00375).

**YAVAPAI COUNTY
ATTORNEY'S AMENDED
WITNESS AND EXHIBIT LIST**

(The Honorable Tammy Eigenheer)

17
18 The Yavapai County Attorney's Office hereby submits its Witness and
19 Exhibit List. The following paragraphs briefly summarize the expected testimony
20 of the witnesses, and provide a basic description of the exhibits. This Amended
21 List supersedes the original List which was filed on January 17, 2014.
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23 **I. Witnesses**

24 1. Tom Horne

25 Mr. Horne is expected to testify about his knowledge of Business Leaders for
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Arizona (“BLA”), its activities, the activities of Kathleen Winn, his communications and interactions with Kathleen Winn, and any actions he took to facilitate BLA raising money or delivering its message. He may also testify about the interactions and communications of his campaign officers and agents with Kathleen Winn and BLA.

2. Kathleen Winn

Ms. Winn is expected to testify about her knowledge of Business Leaders for Arizona (“BLA”), its activities, and her communications and interactions with Tom Horne. She may also testify about her interactions and communications with Tom Horne’s campaign officers and agents, and her interactions and communications with BLA’s contributors.

3. Brian Murray

Mr. Murray is expected to testify about his work producing the BLA commercial at issue, as well as his communications and interactions with Kathleen Winn that led to that production and his concern that Kathleen Winn coordinated BLA’s expenditures with Tom Horne and his campaign.

4. Brian Grehoski

Mr. Grehoski is expected to testify about the FBI’s investigation of Tom Horne, the Horne Campaign, Kathleen Winn, and BLA. He is expected to testify about the interviews the FBI conducted, as well as the documentation

1 the FBI gathered and produced.

2 5. George Wilkinson

3 Mr. Wilkinson is expected to testify about BLA's creation of the commercial
4 at issue, including his own contributions and meetings with Kathleen Winn.

5 6. Greg Tatham

6 Mr. Tatham is expected to testify about his knowledge of BLA's activities
7 and his knowledge of Mr. Horne's commercial real estate transactions.

8 7. Carmen Chenal

9 Ms. Chenal worked for the Horne Campaign during the 2010 election. She is
10 expected to testify about her interactions with Kathleen Winn and Tom
11 Horne at that time.

12 8. Eric "Rick" Bistrow

13 Mr. Bistrow worked for the Horne Campaign during the 2010 election. He is
14 expected to testify about his interactions with Kathleen Winn and Tom Horne
15 at that time.

16 9. All witnesses listed by other parties in this case.

17 **II. Exhibits**

18 1. Table of contribution limits compiled by the Arizona Secretary of State for
19 the 2010 election.

20 2. BLA's Statement of Organization as an Arizona political committee.

Office of the Yavapai County Attorney

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- 1 3. Affidavit of Kathleen Winn, dated March 30, 2012.
- 2 4. Affidavit of Kathleen Winn, dated May 25, 2012.
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- 4 5. BLA's Post General Election Campaign Finance Report.
- 5 6. E-mail Chain A (October 20, 2010, between Kathleen Winn and Brian
- 6 Murray).
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- 8 7. Kathleen Winn's mobile phone records from October 19, 2010 at 12:53
- 9 p.m. to November 1, 2010 at 4:48 p.m.
- 10 8. E-mail Chain B (October 20, 2010, between Kathleen Winn and Brian
- 11 Murray).
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- 13 9. E-mail Chain C (October 20, 2010, between Kathleen Winn and Brian
- 14 Murray).
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- 16 10. Tom Horne's mobile phone records from October 19, 2010 at 4:21 p.m. to
- 17 November 1, 2010 at 1:42 p.m.
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- 19 11. Affidavit of Kathleen Winn dated May 30, 2012.
- 20 12. Transcript of Brian Murray's FBI interview on April 2, 2012.
- 21 13. E-mail Chain D (October 27, 2010, between Kathleen Winn and Brian
- 22 Murray).
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- 24 14. Federal Election Commission ("FEC") guidelines for Coordinated
- 25 Communications and Independent Expenditures.
- 26 15. E-mail Chain E (October 27, 2010, from Ryan Ducharme to Tom Horne to

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- Kathleen Winn to Brian Murray and Murray’s attorney).
16. E-mail Chain F (October 22, 2010, between Kathleen Winn and Brian Murray).
 17. Various checks and other materials documenting contributions to BLA.
 18. Tom Horne AG Exploratory Committee Amended 2010 January 31st Campaign Finance Report.
 19. Tom Horne for Attorney General Amended 2010 June 30th Campaign Finance Report.
 20. Tom Horne for Attorney General Amended 2010 Pre-Primary Election Campaign Finance Report.
 21. Tom Horne for Attorney General Amended 2010 Post-Primary Election Campaign Finance Report.
 22. Tom Horne for Attorney General Amended 2010 Post General Election Campaign Finance Report.
 23. BLA’s television commercial (Video).
 24. Kathleen Winn’s mobile phone records from October 13, 2010 at 6:54 p.m. to October 19, 2010 at 12:49 p.m.
 25. Transcript of Brian Murray’s FBI interview on April 24, 2012.
 26. Transcript of George Wilkinson’s FBI interview on April 18, 2012.
 27. Transcript of George Wilkinson’s FBI interview on June 13, 2012.

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- 1 28. Interview Summary of Charles Diaz's FBI interview on February 17, 2012.
- 2 29. Transcript of Sharon Collins's FBI interview on February 17, 2012, with
- 3 interview summary dated February 27, 2012.
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- 5 30. Transcript of Sharon Collins's FBI interview on May 16, 2012.
- 6 31. George Wilkinson's mobile phone records from October 19, 2012 at 5:09
- 7 p.m. to October 21, 2012 at 7:53 a.m.
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- 9 32. Kathleen Winn's telephone journal for February 18, 2010 to December 27,
- 10 2010.
- 11 33. E-Mails regarding Tom Horne's 2010 real estate transactions.
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- 13 34. Interview Summary of Greg Tatham's FBI interview on May 31, 2012.
- 14 35. FBI's record of phone numbers in this case dated January 10, 2014
- 15
- 16 36. Kathleen Winn's mobile phone records from October 5, 2010 at 5:34 p.m.
- 17 to October 13, 2010 at 6:53 p.m.
- 18 37. FBI's supplemental record of phone numbers in this case dated January 23,
- 19 2014.
- 20
- 21 38. Kathleen Winn's office phone line records for the month of October, 2010.
- 22 Note: A request for a subpoena for these records has been filed. The
- 23 Yavapai County Attorney's Office will immediately provide any records
- 24 received to all other parties to this case and provide additional copies to
- 25 this Office as soon as the records can be obtained from the phone company.
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39. All exhibits listed by other parties in this case, and any exhibits required for rebuttal.

RESPECTFULLY SUBMITTED this 23rd day of January, 2014.

Sheila Sullivan Polk
YAVAPAI COUNTY ATTORNEY

By: /s/ Benjamin Kreutzberg
Jack Fields
Benjamin Kreutzberg
Deputy County Attorneys

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1 ORIGINAL OF THE foregoing was
2 E-FILED to the Office of Administrative
3 Hearings this 23rd day of January, 2014
4 and electronically submitted to registered
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By: /s/ Benjamin Kreutzberg