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Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

9	UNITED STATES OF AMERICA,)	
)	Case No. 10-CR-00757-ROS-PHX
10	Plaintiff,)	
)	MOTION TO PERMIT LATE
11	v.)	NOTICE AND UTILIZATION
)	OF EXPERT WITNESSES
12	JAMES PARKER, et. al,)	
)	
13	Defendant.)	
14)	

The Defendant, James Parker, by and through undersigned counsel, Michael D. Kimerer, requests the Court to permit late notice and utilization of Gary Stuart, an expert witness on legal ethics.

On May 8, 2012 the witness list prepared and submitted to the government by Michael Minns' offices added Gary Stuart, an Arizona Attorney, as an expert witness. The government has voiced objection to the utilization of Mr. Stuart based on the lateness of the notice.

Even though the notice is admittedly late the defense only recently retained Mr. Stuart because of a final determination that it is absolutely necessary to utilize as a defense the defendant's reliance on counsel. Because this defense often pivots on the defendant testifying on his behalf, the defense was resistant to prematurely commit to that defense, and it was an issue to be addressed at the upcoming pre-trial conference. This issue no longer needs to be

1 resolved because notice is hereby given that the reliance upon counsel defense will be utilized
2 by the defendant.

3 Critical to presenting this defense will be the necessity to present expert testimony
4 regarding the ethical duties an attorney has in representing his Client. Gary Stuart, Esq., whose
5 CV is attached, has long been recognized as one of the leading experts in Arizona on the ethical
6 duties of lawyers. He will be testifying about ethical obligations of attorneys regarding
7 confidentiality and the importance of legal ethics, and the fiduciary duty an attorney has
8 towards his Client. More specifically, he will be testifying about the attorney-client
9 relationship between the defendant and his attorney, Greg Robinson, Esq., and Mr. Robinson's
10 ethical obligations to Mr. Parker under Arizona's ethical rules and the standards of practice.
11 Also addressed, will be the ethical propriety of an attorney entering into any business
12 transactions with a client
13
14

15 The defense's ability to give timely notice of an ethic expert, was thwarted by the
16 dilemma of the timing on utilizing the defense, and whether the defendant may have to testify.
17 When it became apparent that the reliance on counsel defense would have to be utilized and
18 disclosed, it was determined given the facts in this case, that an ethics expert was essential for
19 that defense. Because the defendant's resources are extremely limited at this point, an expert
20 was not retained until the defense knew it was absolutely necessary. The process was also
21 delayed because of extensive settlement negotiations which were unsuccessful. Notice was
22 given to the government shortly after Mr. Stuart had been retained.
23
24

25 Given the length of the trial the government will have ample time to prepare for Gary
26 Stuart's testimony. Also, because the defense must disclose the reliance on counsel defense at
27 this juncture, the government will benefit by having early notice of the defendant's position.
28

1 It is therefore respectfully requested that the defendant be allowed to list and utilize
2 Gary Stuart, Esq. as an expert witness.

3 RESPECTFULLY SUBMITTED this 11 day of May, 2012.

4 KIMERER & DERRIC, P.C.

5
6
7 /s/ Michael D. Kimerer
8 MICHAEL D. KIMERER

9
10 CERTIFICATE OF SERVICE

11 I hereby certify that on this 11th day of May, 2012, I electronically transmitted the
12 attached Motion to Permit Late Notice and Utilization of Expert Witnesses to the Clerk of the
13 Court using the ECF System for filing and transmittal of the Motion to the following ECF
14 registrants:
15

16 Peter Sexton: Peter.Sexton@usdoj.gov

17 Walter Perkel: walter.perkel@usdoj.gov

18 John William McBee: mcbee@cox.net

19 Michael Louis Minns: mike@minnslaw.com

20 Rain Levy Minns: rain@minnslaw.com

21 Ashley Blair Arnett: Ashley@minnslaw.com

22
23
24
25 By: /s/ Jin-Hee Pak

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27
28

**GARY L. STUART,
Lawyer**

Curriculum Vita—January 2012

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Phoenix, AZ 85020

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ASU Sandra Day O'Connor College of Law
—Office of the Dean—480-727-8573

Email + Web Sites

Email gstuart@keyed.com or gary.stuart@asu.edu

WebSite www.EthicsLaw.com

WebSite www.GarylStuart.com

Website www.InnocentUntilInterrogated.com

Website www.AimForTheMayor.com

WebSite www.TheGallup14.com

WebSite www.KeyCommOnline.com

Website www.Digital-Lockdown.com

WebSite www.TakeTheNexStep.com

WebSite www.AzFinestLawyers.org

Education

St. Michaels College, Santa Fe, NM, 1961-62

University of Arizona, Karl Eller College of Business, BS, 1965.

University of Arizona, James E. Rogers College of Law, JD, 1967.

Academic Honors

Tucson Title Company Scholar—1963

Abner S. Liscomb Scholar—1964

Martin Gentry Scholar—1966

Moot Court Board—1966

Editor, Arizona Law Review—1967

Employment

Jennings, Strouss, Salmon & Trask—Associate-1967-1971.

Jennings, Strouss & Salmon—Partner-1971-1998.

Jennings, Strouss—PLLC—Of Counsel-1998-2001.
Gary L. Stuart, P.C.—Managing Partner—1998 to date.
Keyed Communications, LLC—President—1997 to date.
Arizona Board of Regents, Member—2000 to 2008—President 2004-2005.
Arizona State University—Sandra Day O'Connor College of Law—Adjunct Faculty &
Senior Policy Advisor to the Office of the Dean; 2009—to date.
Arizona's Finest Lawyers, LLC—President & CEO; April 1, 2010—to date.

Trial and Appellate Experience

Lead counsel in approximately 100 jury trials in five states
Lead counsel in approximately 30 state and federal appeals
Lead counsel in approximately 500 bench trials, administrative hearings, arbitrations, and mediations

Court Admissions

Arizona Supreme Court, 1967
United States District Court for Arizona, 1967
United States Court of Appeals for the Ninth Circuit, 1969
United States Court of Appeals for the Tenth Circuit, 1971
United States Supreme Court, 1973
United States Tax Court, 1976
United States Court of Appeals for the Federal Circuit, 1990

Current Practice Focus

Representation of lawyers and law firms in ethics and professional responsibility matters, discipline, conflicts, and fee disputes; (2) Representation of business entities, public agencies, and officials regarding ethics, judicial conduct, legislative matters, licensure, discipline, and professional responsibility issues. (3) Consultation with lawyers, physicians, and academic officers regarding conflicts of interest, privilege issues, and scope of practice limitations; (4) Expert witness consulting and testimony in lawyer discipline cases, legal malpractice actions, and professional responsibility cases.

Higher Education Focus

Governor Jane Hull appointed me to an eight-year term on the *Arizona Board of Regents* in 2000. I chaired all of ABOR's major committees, with particular emphasis on auditing, academic affairs, capital resources, and the development of the UA College of Medicine's Phoenix campus. As part of my presidential agenda (*Focused Governance, 2004-2005*), I led a major restructuring of board and staff committees, governance focus, and IT capacity. I modified the underlying relationship between the board and many of its university stakeholders, and served on two related boards, *Arizona Technology Enterprises, LLC*, (2002-2008) and the *Translational Genomics Research Institute*, (T-Gen-2004-2008). I am still active in a limited

number of ABOR related activities, including *Solutions For Higher Education*, and ongoing committee membership regarding the *Phoenix Biomedical Campus*.

I spent most of my working time between 2004 and 2008 helping to advance the medical education and research missions of the *University of Arizona's College of Medicine*—Phoenix campus, in partnership with *Arizona State University*. Governor Janet Napolitano appointed me to the *Arizona Commission For Medical Education and Research* in 2004, which led to the infrastructure and legislative support enabling the UA's second medical school campus in Phoenix in 2006. Because one of the major areas of my law practice centered on medicine and health care issues, ABOR has asked me to play an active role in advancing medical research, bioscience initiatives, and development funding for the universities. In that capacity, I continue to maintain close relationships and affiliations with many of Arizona's research stakeholders, including board and leadership roles with the *Arizona Cancer Center*.

As part of my current job as the Senior Policy Advisor to the Office of the Dean at the *Sandra Day O'Connor College of Law* at ASU, I give policy advice, strategic direction, and management assistance regarding facilities and public relations. In particular, I am working on solutions for funding, design/building, management, and stakeholder participation in moving the law school from ASU Main Campus (in Tempe) to ASU Downtown Campus (in Phoenix). I teach appellate advocacy, legal writing, and ethics at the law school.

Relevant Community and Management Experience

I have been a member of many professional, business, community, and political organizations, including the ABA, AADC, APRL, DRI, MCBA, Arizona Town Hall, Arizona Cancer Center Health Care Disparities Institute, and the Verde Vaqueros. I served on leadership teams for the following specific organizations:

American Board of Trial Advocates (1973-98—Arizona President, 1986)
Arizona Board of Legal Specialization (Board Member and Co-chair litigation advisory commission, 1987-92)
Arizona Board of Regents (2000-2008—President, 2004)
Arizona Commission on Medical Education and Research (Commissioner 2004-2008)
Arizona Community Colleges--Statewide Board of Directors (2002-03)
Arizona Community Legal Services, Inc. (Director 1992-98—President, 1996-97)
Arizona Defense Council (Director 1979-1982)
Arizona's Finest Lawyers (Board of Directors—2002 to date; President & CEO—April 2010 to date)
Arizona Science and Technology Enterprises, LLC (Director 2003-2008)
Arizona State Bar Committee on Rules of Professional Responsibility (Member 1971 to 1993; Chair, 1976-1986)
Arizona State Bar Committee on Lawyer Advertising (Chair, 1978—1980)
Arizona Supreme Court Case Conflicts Committee (Probable Cause Panelist, 2001-2010)
Arizona Town Hall (Panel Chair for Healthcare—2006 to date)

Arizona Trial College (Executive Committee—1989-1999)
Barry Goldwater Center for the Southwest, Inc. (Director, Secretary, & Board Counsel 2008—).
Keyed Communications, LLC, (President and CEO, 1997 to date)
La Puerta Homeowners Association (Director and Vice President (2004 to date)
Moon Valley Homeowners Association, Inc. (Director, Vice President, Chair Architectural Control Committee 1980-1985)
National Institute of Trial Advocacy (Distinguished Faculty Appointment 1994)
Phi Alpha Delta Legal Fraternity (President, 1966-67)
Phoenix Silent Witness Program, Inc. (Board of Directors 1982-1988—President, 1986).
Sandra Day O'Connor Inn of Court (Charter Member, Pupilage Group Leader, and Master of the Bench—1990 to date).
Stuart—Halpert Enterprises, LLC, Director & President (2004 to date)
Translational Genomics Research Institute, Inc. (T-Gen), (Board of Directors, 2003-2007)
Walking Free Foundation, Inc. (President and General Counsel, 1988-91)

Relevant Teaching Experience

Arizona Trial College: State Bar of Arizona--Litigation Section—lead faculty on seven-day trial advocacy programs (1986 through 1997).

ASU Sandra Day O'Connor College of Law: 1995 to date—*Adjunct Faculty*—Appellate Advocacy; Civil Procedure; Pre-trial Practice; Trial Advocacy; Legal Ethics; Legal Writing.

Continuing Legal Education: I have been an active CLE teacher since 1973, leading, creating and delivering programs in five western states, presenting more than one-hundred full programs (from short three-hour programs to three-day intensive training regimens). I wrote all original teaching materials and appointed a majority of the faculty (from six law schools and dozens of law firms). My most frequent programs, which I called *An Ethical Afternoon at the Movies*, kept students, lawyers, judges, and paralegals awake while learning ethics for fourteen years. I chaired the plenary program at the State Bar's *CLE by The Sea* for seven years. More recently, I have been teaching creative legal writing for lawyers and lecturing on Miranda Rights and false confessions.

In-Service Lectures and Seminars: Arizona Air-Evac (Paramedics and Nursing); Arizona Paralegal Association; Arizona Risk Management Association; Arizona State University—College of Nursing; CLE International—National Faculty; CLE West—Arizona Faculty; Lorman Business Institute—National Faculty; Phoenix College—Department of Nursing; St. Joseph's Hospital and Medical Center (Physicians and Residents)

National Institute of Trial Advocacy: 1979 through 1998—Southwest Regional programs—*University of Arizona* (1982—1986); California Regional—*California Western School of Law* (1987—1998); Hanley Masters Competition, an advanced NITA program—*University of Colorado College of Law*; Advanced Advocacy—*University of Houston School of*

Law; Central California Regional programs at *Loyola-Marymount School of Law* (1993-98); *University of New Mexico School of Law* (1990-91).

University of Arizona James E. Rogers College of Law: 1999 through 2003—*Adjunct Faculty*—Legal Ethics; Legal Writing.

Appointments and Nominations

Appointed as Independent Counsel to *Arizona House of Representatives* (AzScam Investigation and Prosecution—1991)
Appointed as Independent Counsel to *City of Mesa*—1998
Appointed to *Arizona Board of Regents* (eight-year term 2000-2008)
Appointed to *State Board of Directors-Arizona Community Colleges* (2001-2003)
Board Certified Trial Specialist—*Arizona Board of Legal Specialization* (1989-1999)
Named Lawyer of the Year for "Outstanding Leadership and Contribution" *Arizona State Bar Association* (1996)
Nominated by non-partisan judicial nominating committee to vacancies on the *Arizona Supreme Court* in 1992 and 1994
Appointed as Commissioner on *Arizona Higher Education & Research Commission* (2004-2008).

Professional Recognition and Honors

Arizona Bar Foundation *Founding Fellow*
American Board of Trial Advocates (*Senior Advocate*)
Marquis' *Who's Who In American Law* (First Edition)
Martindale-Hubbell *A-V Rating*
Martindale-Hubbell's *Preminent American Lawyers*
Woodward/White's *Best Lawyers In America*
Arizona Listing: *Arizona's Finest Lawyers*
Prentice Hall's *Directory of Litigation Attorneys*
Arizona Court of Appeals—*Judge Pro Tempore*
National Institute of Trial Advocates—*Distinguished Faculty Member*
Western Writers of America—*Fellowship*—"The Gallup 14"
Western Writers of America—Spur Award—*Miranda—The Story of America's Right to Remain Silent*—Finalist—Contemporary Non-Fiction—2005.
Southwestern Book Association—Top Twenty Books 2011—"Innocent Until Interrogated"—University of Arizona Press.
Arizona Book Association—Winner of GLYPH Award for Best Non Fiction Book—2011—"Innocent Until Interrogated"—University of Arizona Press
Arizona Book Association—Winner of GLYPH Award for Best Arizona Embodying Book—2011—"Innocent Until Interrogated"—University of Arizona Press
Maricopa County Bar Association *Hall of Fame* (Induction October 2010)

Academic Interests

Constitutional Law and Criminal Procedure
Creative Writing—Fiction and Narrative Non-fiction
Ethics & Professionalism
Higher Education Policy
IT and Computer Network Security Issues
Trial and Appellate Advocacy

Publishing Contracts

Arizona State Bar Association
Lexis-Nexis Publishing Company
Lois Law Publishing Company
University of New Mexico Press
University of Arizona Press
Xlibris Publishing Company

Major Constitutional Law & Literary Presentations

“Innocent Until Interrogated—The True Story of the Buddhist Temple Massacre and the Tucson Four” Arizona Public Defenders Association—Annual Convention—2009—Tempe Arizona.

“Miranda—The Story of America’s Right to Remain Silent” Arizona State Bar Association; Arizona State University—College of Law—College of Social Justice—College of Arts and Letters; University of Arizona—College of Law—UofA Faculty Fellows Lecture; Arizona Senior Academy Lecture; University of Wyoming—The Griffiths Lecture; University of New Mexico College of Law; Brandies University Book Lecture (Tucson Chapter); Arizona Historical Society; Arizona State Capitol History Lecture Series; Arizona Humanities Council; Arizona Poetry Center.

“The Gallup 14” NM Literary Group; NM State Bar; Modrall Law Firm; Albuquerque Fiction Group; Southwest Writer’s Group; KUNM Television; Jennings, Strouss & Salmon, PLC; The Arizona Poetry Center; KUAT Television—“Politics and The Writer” Ron Carlson, with Dementria Martinez, Alberto Rios, Jewell Parker Rhodes, and Gary Stuart.

“Innocent Until Interrogated—The Story of the Arizona Buddhist Temple Massacre and The Tucson Four”. I have delivered more than forty major presentations from September 2010 to May 2011 on the book, and the major legal and civic issues presented in constitutional law, criminal procedure, interrogation techniques, and the Miranda doctrine in both domestic crime and cases involving global terrorism. These include invited presentations to bar associations, historical societies, faculty groups and associations, state, regional, and national TV & radio shows, op-ed pieces, book stores and book clubs

and many state organizations law firms, public interest groups, Inns of Court, judicial and professional organizations, including the Sandra Day O'Connor College of Law, and the James E. Rogers College of Law.

Law School Published Teaching Materials

- "Appellate Advocacy"* ASU College of Law, 2010-2012
- "Civil Procedure"* ASU College of Law, 1993.
- "Courtroom Ethics"* ASU College of Law 1994—2002.
- "Courtroom Ethics"* University of Arizona College of Law—1999-2002.
- "Creative Writing For Lawyers"* University of Arizona—2003, 2005.
- "Creative Writing for Lawyers"* ASU College of Law—2004, 2006—2012.
- "Ethics & Professional Responsibility"* ASU College of Law—2012.

Other Law Relevant Published Materials

"First Report to the Arizona House of Representatives—Select Committee on Ethics" by Gary L. Stuart, Independent Counsel to the Arizona House of Representatives, March 4, 1991 regarding Representatives, James Hartdegan, Suzanne Crampton Laybe, Donald Kenny, James Meredith, Bobby Raymond in connection with the "*AzScam*" indictments and investigation. Published by the House of Representatives and delivered to all judicial departments, public libraries, document repositories, and the Arizona State Archives.

"Second Report to the Arizona House of Representatives—Select Committee on Ethics" by Gary L. Stuart, Independent Counsel to the Arizona House of Representatives, June 1991, regarding the conduct of all members of the Arizona House of Representatives who were not indicted or charged with civil sanctions in connection with the "*AzScam*" investigation.

"For the Wrong that Needs Resistance—The Lessons of AZ Scam" Arizona Attorney, Vol. 28, Number 3, page 9, May 1991.

"Investigating a Nightmare" The Maricopa Lawyer, Vol. 10, No. 5, May 1991, by Gary L. Stuart, Special to the Maricopa Lawyer.

"100 Days of AzScam" The Arizona Republic, Perspective, by Gary L. Stuart, June 1991.

"Despite AzScam, Arizonans Should Resist Loss of Faith in State Legislators" The East Valley Tribune, May 13, 1991.

Articles, Books, Columns, Reviews, & Op-Eds

1. <i>“Restricted Title of Guest Statute Prevents Release of Non-Owner Driver From Liability to Passengers for Ordinary Negligence”</i>	Arizona Law Review Vol. 7, Number 2, page 341, Spring 1966
2. <i>“Contributions To The Profession”</i>	Arizona Advocate Vol 1, No. 2, page 2, March 1967
3. <i>“The State of Our Ethics”</i>	Arizona Bar Journal, Vol. 14, No. 3, page 6, October 1978
4. <i>“New Supreme Court Changes in Lawyer Advertising”</i>	Arizona Bar Journal Vol. 15, No. 3, page 44, October 1979
5. <i>“Product Liability Litigation”</i>	Practicing Law Institute, Chicago Illinois 6/8/1979
6. <i>“Product Liability Issues”</i>	Practicing Law Institute Phoenix, AZ Winter, 1980
7. <i>“Law For Legal Secretaries and Paralegals”</i>	Law Seminars Inc Phoenix, AZ 5/12/1984
8. <i>“Confidentiality, Compliance and Candor”</i>	Arizona Bar Journal, Vol. 20, No. 4, page 26, December 1985
9. <i>“Ethical Responsibility for Managing Partners and Supervisory Lawyers”</i>	Jennings, Strouss and Salmon, Phoenix, AZ 1/24/1985
10. <i>“Insurance Litigation”</i>	Defense Research Institute Phoenix, AZ Spring 1986
11. <i>“The Zealous Advocate In Court”</i>	ABA Showcase Presentation, National Convention, San Francisco, CA August, 1987
12. <i>“Motor Vehicle Litigation”</i>	Defense Research Institute Phoenix, AZ Fall 1988
13. <i>“Medical Staff Credentialing”</i>	The Journal for the Expert Witness, Trial Attorney and Trial Judge—Medical Negligence Issue IV, page 26, Fall 1989
14. <i>“Advanced Vehicle Collision Issues”</i>	ABA Litigation and Insurance Section National Video Program, Washington

	DC, March 1989
15. "The Ethical Pitfalls of Trial Practice"	American Board of Trial Practice—Fall Convention-Sedona Arizona— 10/20/1990
16. "The Professional Responsibilities of In-House Counsel"	Jennings, Strouss & Salmon 3/22/1990
17. "The Ethics of Opening Statements"	Arizona College of Trial Advocacy Tucson, AZ August 1991
18. "For The Wrong That Needs Resistance—The Lessons of AzScam"	Arizona Attorney, Vol. 28, Number 3, Page 9 November 1991
19. "Investigating a Nightmare"	The Maricopa Lawyer, Vol. 10, No. 5, May 1991, by Gary L. Stuart, Special to the Maricopa Lawyer.
20. "100 Days of AzScam"	The Arizona Republic, Perspective, by Gary L. Stuart, June 1991
21. "Despite AzScam, Arizonans Should Resist Loss of Faith in State Legislators"	The East Valley Tribune, May 13, 1991.
22. "Ethics in Practice"	Maricopa County Bar Association Phoenix, AZ 10/18/1991
23. "Paralegal Ethics"	Arizona Paralegal Association Phoenix AZ 11/6/1992
24. "Ethical Preparation of Witnesses"	Arizona Trial College, Tucson AZ August 1992
25. "Professional Ethics for Corporate Lawyers"	Jennings, Strouss & Salmon 6/16/1993
26. "Setting and Collecting Attorney's Fees"	State Bar of Arizona, CLE by the Sea 7/20/1994
27. "Reasonable Fees and Costs in The Age of Computers—An Ethical Dilemma"	American College of Mortgage Attorneys The Cloister, Sea Island, GA 11/11/1994
28. "The Ethical Trial Lawyer"	Published by State Bar of Arizona ISBN 0-88726-028-4--1 st Edition— Cloth—521 pages, November 1994
29. "The Ethics of Preservation of Physical Evidence"	Arizona Trial College, Tucson, AZ August 1995
30. "Ethical Dilemmas Faced In Jury"	State Bar of Arizona—CLE by the Sea

<i>Trials</i>	San Diego CA 7/12/1995
31. <i>“Out of the Frying Pan—Hot Ethics Topics”</i>	Maricopa County Office of the Public Defender Phoenix, AZ 3/10/1995
32. <i>“The Ethics of Closing Arguments”</i>	Arizona Association of Defense Counsel, Phoenix, AZ 3/16/1995
33. <i>“Ethics and O.J.”</i>	CBS—Channel 10, Televised Panel— Professionalism for Trial Attorneys 10/4/1995
34. <i>“Ethics and Depositions”</i>	Annual Lecture Series—National Institute of Trial Advocacy—San Diego California, 1995-2000
35. <i>“Ethics For Tort Lawyers”</i>	Maricopa County Bar Association Phoenix AZ 2/7/1995
36. <i>“Whatever Happened To The Law?”</i>	St. Thomas Moore Society Annual Dinner Speech, Phoenix AZ 6/15/1995
37. <i>“How Can You Lose With The Truth”</i>	ABA Journal—Section of Litigation Vol. 22, Number 3, Page 14 Spring, 1996
38. <i>“An Ethical Afternoon At The Movies”</i>	Denver Law School Stars CLE Program Denver CO 9/17/1996
39. <i>“Ethics and Civil Litigation”</i>	Maricopa County Bar Association, Phoenix, AZ 6/18/1996
40. <i>“Bench v. Bar”</i>	Arizona Judicial Conference—Plenary Session—Tucson, AZ 6/5/1996
41. <i>“Bench v. Bar—Round One”</i>	State Bar of Arizona—CLE by The Sea—San Diego Ca 7/20/1996
42. <i>“Legends of Litigation Lecture”</i>	Maricopa County Bar Association Phoenix AZ 3/7/1996
43. <i>“The Trial Lawyer’s Duty To Seek the Truth”</i>	Maricopa County Bar Association CLE Phoenix AZ June 18, 1996
44. <i>“You’ll Know When There’s Something Doing”</i>	Arizona Workers Compensation Annual Conference, Flagstaff AZ 9/26/1996

45. <i>"An Ethical Afternoon At the Movies"</i>	Lexis-Nexis CLE for Colorado Lawyers September 1996
46. <i>"Defending a High-Dollar Damage Case"</i>	Maricopa County Bar Association CLE Phoenix, AZ January 30, 1997
47. <i>"An Ethical Morning At the Movies"</i>	State Bar of New Mexico Farmington, NM 6/26/1997
48. <i>"The Ethics of Theory Formulation"</i>	Arizona College of Trial Advocacy, Tucson, AZ August 1997
49. <i>"An Ethical Morning At the Movies"</i>	City of Phoenix Law Department Lecture Series 5/1/1997
50. <i>"Rambo Bites The Dust: Current Trends in Deposition Ethics"</i>	The Journal of the Legal Profession, The University of Alabama School of Law, Volume 22, page 103, 1997
51. <i>"The Duty of Confidentiality"</i>	State Bar of Arizona Phoenix and Tucson AZ December 3 and 4, 1997
52. <i>"The Ethics of Trial Advocacy"</i>	Arizona College of Trial Advocacy Tucson, AZ August 1997
53. <i>"An Ethical Morning At The Movies"</i>	State Bar of New Mexico CLE 9/26/1997
54. <i>"Ethics for New Lawyers"</i>	Arizona State Bar Convention, Phoenix AZ June, 1997
55. <i>"An Ethical Afternoon at the Movies"</i>	Jennings, Strouss & Salmon—Ethics for Client Lecture Series 10/30/1997
56. <i>"An Ethical Evening At the Movies"</i>	Denver University Law Star, Denver, CO 9/23/1997
57. <i>"An Ethical Afternoon At The Movies"</i>	Davis, Graham & Stubbs Denver, CO 9/24/1997
58. <i>"Defending a High-Dollar Damage Case"</i>	Maricopa County Bar Association, Phoenix, AZ 1/30/1997
59. <i>"Ethics in United States District Courts"</i>	Ninth Circuit Judicial Conference Tucson AZ 1/28/1997
60. <i>"A New Oath Of Lawyering"</i>	Lexis-Nexis Exchange, On-line Lecture Series September 1997

61. "E-mail and Ethical Rule 1.6"	Lexis-Nexis Exchange, On-line Lecture Series October 1997
62. "Attorney Client Privilege and the Whitewater Investigation"	Lexis-Nexis Exchange, On-line Lecture Series April, 1997
63. "The Ethics of Arguments"	State Bar of Arizona, CLE by the Sea San Diego CA 7/22/1998
64. "The Ethics of Arguments"	State Bar of Arizona, Scottsdale AZ 12/8/1998
65. "Judicial Ethics"	Arizona Judicial Conference, Phoenix AZ 10/30/1998
66. "Prosecutorial Ethics"	City of Phoenix Law Department Phoenix AZ 4/23/1998
67. "Ethical Litigation"	Published by Lexis Nexis, Inc., Dayton Ohio. National Book—On Line Digital Edition—Edited by Prof. Janeen Kerper—California Western College of Law—June 1998 (print size— approximately 900 pages)
68. "Selected Chapters From Ethical Depositions"	Co-Authored with Prof. Janeen Kerper, Pacific Deposition Program NITA 3/19/1998
69. "Rambo In Ruins"	Lexis-Nexis Exchange, On-line Lecture Series April 1998
70. "Truthful Questions"	Lexis-Nexis Exchange, On-line Lecture Series May 1998
71. "Fees, Costs and Computers"	Lexis-Nexis Exchange, On-line Lecture Series March 1998
72. "Ethical Arguments"	Lexis-Nexis Exchange, On-line Lecture Series May 1998
73. "Conflicts of Interest"	State Bar of Arizona, Phoenix AZ 11/5/1999
74. "Conflicts of Interest"	CLE By The Sea- San Diego Ca 7/14/1999

75. <i>"Conflicts of Interest In Land Use Planning"</i>	CLE International, Denver CO Land Use Conference, 12/6/1999
76. <i>"An Ethical Afternoon at the Movies"</i>	Coconino County Bar Association, Flagstaff AZ 11/2/1999
77. <i>"The Best of The Best"</i>	New Mexico Trial Lawyers Assoc. Albuquerque, NM 12/21/1999
78. <i>"Stuart on Starr"</i>	Arizona Republic January 1999
79. <i>"Why Are Lawyers So Argumentative?"</i>	State Bar of Arizona CLE Summer 1999
80. <i>"Whatever Happened To Atticus Finch"</i>	State Bar of Arizona, Phoenix AZ 12/8/2000
81. <i>"Who Wants To Be A Lawyer—Professional Discipline"</i>	CLE by the Sea San Diego CA 7/19/2000
82. <i>"An Ethical Morning At The Movies"</i>	New Mexico State Bar Association, Ruidoso, NM 10/5/2000
83. <i>"The Attorney Client Privilege"</i>	NSBA Council of School Attorneys, National Conference, Litchfield Park AZ 10/14/2000
84. <i>"The Ethics of Witness Preparation"</i>	ABOTA Convention—Phoenix, AZ— November 2000
85. <i>"The Gallup 14", a novel</i>	University of New Mexico Press 1 st Edition—Hardcover, ISBN 0-8263-2133 332 pages—February 2000
86. <i>"Courtroom Ethics"</i>	Lecture Series at University of Arizona College of Law-2000-2002
87. <i>"An Ethical Morning At the Movies"</i>	Maricopa County Bar Association Phoenix AZ 6/27/2001
88. <i>"Politics And The Writer"</i>	KAET-Arizona State University-TV Panel of Historical Fiction Writers February, 2001
89. <i>"Law Firm Ethics"</i>	Private Seminar Jones, Skelton & Hocuqli Sep. 26, 2002
90. <i>"Ethical Writing for Lawyers"</i>	State Bar of Arizona, CLE Phoenix, AZ October 25, 2002
91. <i>"The Galapagos—A New</i>	Private publication

<i>Baseline—Travelogue”</i>	May 2002
92. Memorandum Opinions	Arizona Court of Appeals (two non-published opinions)
93. Ethics Opinions	Arizona State Committee on Professional Responsibility (approximately 35 published opinions)
94. Creative Writing Lectures and Presentations	University of Arizona; ASU College of Law; Creative Writing for Lawyers—2002-to date
95. “Miranda—The Story of America’s Right to Remain Silent”	University of Arizona Press, ISBN 0-8165-2313-4 (1 st Edition—Cloth; 2 nd Ed. Paperback—212 pages—October 2004 hardcover 212 pages, 2004.
96. “A Day In Trial: Masters in Action”	Arizona Trial Lawyers Association—Seminar Booklet –Ethical Pitfalls in Opening Statements and Closing Arguments--March 16, 2007
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