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Defendant's First Amended List of Unavailable Witnesses to be Introduced through Use of Prior Recorded Testimony

William D. Mason
Cuyahoga County Prosecutor

Marilyn B. Cassidy
Cuyahoga County Assistant Prosecutor

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IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

2007 Feb -3 P 2:43

ALAN DAVIS, Special Administrator : CASE NO. 312322
of the Estate of Samuel H. Sheppard :
Plaintiff : JUDGE RONALD SUSTER
vs. : DEFENDANT'S FIRST AMENDED
STATE OF OHIO : LIST OF UNAVAILABLE
Defendant : WITNESSES TO BE INTRODUCED
: THROUGH USE OF PRIOR
: RECORDED TESTIMONY

Defendant, State of Ohio, by and through counsel, William D. Mason, Prosecuting Attorney for Cuyahoga County and Assistant Prosecutor, Marilyn B. Cassidy, intends to call the following unavailable witnesses through the use of prior recorded testimony, all as is set forth in Exhibit A attached hereto and incorporated herein by reference.

Respectfully submitted,

WILLIAM D. MASON, PROSECUTING
ATTORNEY, CUYAHOGA COUNTY



MARILYN B. CASSIDY (0014647)
KATHLEEN A. MARTIN (0040017)
Assistant Prosecuting Attorneys
Attorney for Defendant
The Justice Center, Courts Tower
1200 Ontario Street, 8th Floor
Cleveland, Ohio 44113
(216) 443-7785

1. Sam Sheppard
2. Lester Hoverston
3. Mary Cowan
4. Nancy Ahern
5. Don Ahern
6. Richard Sheppard
7. Esther Houk
8. J. Spencer Houk
9. Patrick Gareau
10. Michael Grabowski
11. Dr. Hexter
12. Dr. Samuel Gerber
13. Robert Schottke
14. Sgt. Jay Hubach
15. Belle Brown
16. Deputy Carl Rossbach
17. Detective Jerome Poelking
18. Doris Bender
19. Worth Munn
20. Thomas Weigle
21. Chief Eaton
22. Elnora Helms

EXHIBIT A

CERTIFICATE OF SERVICE

A copy of the foregoing Amended List of Unavailable Witnesses was served by facsimile and ordinary U.S. Mail, this 3rd day of February, 2000, upon Terry Gilbert, Attorney for Plaintiffs, 1370 Ontario Street, Cleveland, Ohio 44113.

A handwritten signature in cursive script, appearing to read "Marilyn B. Cassidy", is written over a horizontal line.

MARILYN B. CASSIDY (0014647)
KATHLEEN A. MARTIN (0040017)
Assistant Prosecuting Attorneys