

VENUS INVESTIGATIONS

Venus Lovetere - Private Investigator

**CONFIDENTIAL COMMUNICATION PROTECTED BY ATTORNEY-CLIENT
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CLIENT: Colorado Springs Fellowship Church
RE: UNITED STATES OF AMERICA, Plaintiff,
v.
DAVID A BANK,
DEMETRIUS K HARPER, aka Ken Harper,
GARY L WALKER,
CLINTON A STEWART,
aka C. Alfred Stewart,
DAVID A ZIRPOLO and,
KENDRICK BARNES, Defendants

REPORT DATE: November 19, 2012
FROM: Venus Lovetere
Venus Investigations
MEMO: colorado.Juror Higginbotham,J

CO. FEDERAL CRIMINAL CASE #: 1:09-cr-00266-CMA
CRIME: Mail Fraud, Wire Fraud, Consp to commit;

INVESTIGATION: Interview Juror – John I Higginbotham III

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ASSIGNMENT:

On Monday, October 22, 2012, I was retained by Client to locate and interview 12 Jurors, 2 alternate Jurors and the Bailiff (US Marshal) in the above captioned case.

The documents received from the Client listed the names of 12 Jurors, 3 alternate Jurors and the Bailiff. The Client included these persons first and last names, city and state of their last known residence, and their last known occupation. Also included on some were telephone numbers & addresses that were mostly unverified.

Information Provided: **JOHN HIGGINBOTHAM Jr.**
Lives in Adams County between Brighton and Thorton area. Works at Lifetime Fitness as a swim instructor. 12220 Niagara St, Todd Creek CO 80602. (303) 452-3853

LOCATE INVESTIGATION:

I initiated a located investigation. Information returned many possibilities that included numerous telephone numbers (unverified), address history, and personal identifying information.

I perused through the results of the searches and proceeded by selecting the name(s) most probable of being the SUBJECT from the information provided by the Client.

After which I commenced telephoning the various phone numbers ascertained. This is a result of my investigation.

SATURDAY, NOVEMBER 17, 2012:

On this day, Investigator, Venus Lovetere spoke with **Mr. John I Higginbotham III**, telephonically at his Colorado cellular number, [REDACTED]. I made him aware, who I was and why I was calling. He stated that he was a Juror in the above captioned case.

I attempted to interview Mr. Higginbotham regarding the jury verdict in this case to no avail. Mr. Higginbotham was unwilling to speak about the case. However, he made several comments as to why he would not speak with investigator, they are:

- He inquired as to my role in this case, what 'side' I represented.

I explained that I did not 'represent' any side directly, but that I was hired by people whom are friendly with the defense and asked me to speak with the jurors to ascertain the process on how they reached their decision.

- He said that he (the jurors) were told by the judge that no one should be contacting them (the jurors) from the defense. And that if anyone did call them (the Jurors) to call the attorney (Prosecutor).
- He asked if 'this was legal?' Meaning my telephone call to him.

I told him that there was nothing illegal about me calling him and talking about the case . I asked him if he was aware of an Order from the Court barring the Jurors from talking to the Defense. He was not.

- He stated that about 1 week after they (the jurors) reached their verdict (Oct 2011), that someone called him wanting to talk about the case. He stated that he had called the Prosecutor and told him that he had been contacted. Soon after, someone from the FBI called him and told him that the next time someone called him to get as much information from them as possible and then to let him know, 'that he would 'take care of it.'

I asked him if he thought that it was strange for the FBI to call him. He agreed that it was strange but did not know why the FBI called him. Nor did he know what the FBI Agent meant when he said that 'he would take care of it.'

When asked further why he thought he could not speak with the defense, he was insistent that both the Judge & Bailiff told him that "no one from the case should be calling them" (the jurors).

Though I reminded him that the trial and verdict ended over 1 year ago and what 'harm/trouble' would there be if he spoke to me, he did not know. However he, 'did not want to take a chance' by speaking with me..

At this time I elected not to continue and thanked him for his time.

Terminated.

INVESTIGATOR's NOTES:

- He is John I Higginbotham the III, his father is, 'Jr.'
- He is male, approximately, 22 years old.
- His statements were that of being 'uppity' in nature as to being contacted about the case.
- He seemed to truly believe that my contacting him about the case was illegal.