

ST. JOHN, BOWLING, LAWRENCE & QUAGLIANA, LLP

ATTORNEYS AT LAW
428 FOUNTAIN STREET
CHARLOTTESVILLE, VA VIRGINIA 22902

TELEPHONE
(434) 296-7188

FAX
(434) 296-1301

STEPHEN WILLS MURPHY
SWM@STLAWVA.COM

RETIRED
GEORGE R. ST JOHN

JAMES M. BOWLING, IV
JMB@STLAWVA.COM
FRANCIS MCG. LAWRENCE
FML@STLAWVA.COM
RHONDA QUAGLIANA
RQ@STLAWVA.COM

January 27, 2012

BY FACSIMILE
W. Davies Chapman, Esquire
Charlottesville Commonwealth
Attorney's Office
P.O. Box 911
Charlottesville, VA 22902

*02/03/12
and it is
so ordered
in*

Re: Commonwealth v. George W. Huguely, V

Dear Dave:

This letter is intended to set forth the agreement between the Commonwealth and the defendant with respect to certain witnesses and proof of chain of custody as to various items of evidence gathered in this matter.

The Commonwealth and the defendant have agreed that it will not be necessary for either the Commonwealth or the defendant to offer "chain" witnesses. That is to say, the chain of custody of the item of evidence, once shown to have been gathered by a witness, is agreed to have been secure and the person analyzing the evidence, or the person offering into evidence the piece of evidence, can do so without proof of the chain of custody.

We have also agreed that the custodians of the records can be released and the Commonwealth and the defendant will stipulate that the records are those produced by the custodians.

It is our understanding that this agreement as to custodians would apply to such custodians as Dayton Haugh, with the rescue squad, and the custodian of records at various schools and colleges attended by Mr. Huguely, such as Canton School, Matter Dei School, and the University of Virginia.

I believe that in an earlier communication, you acknowledged that if the Commonwealth became aware of a Brady issue with respect to chain of custody would advise the defense.

2012 FEB - 3 P 3 18

CIRCUIT COURT CLERK'S OFFICE
CHARLOTTESVILLE, VA
LEZELLE A. BUNDA, CLERK
BY *[Signature]*

W. Davies Chapman

January 27, 2012

Page 2 of 2

Could you kindly respond to this with any clarifications or to confirm it so that we are on "the same page."

We understand that as a result of this agreement, both parties will release certain witnesses.

Very Truly Yours,



Francis McQ. Lawrence

FML/aes

Cc: Rhonda Quagliana, Esquire

Hugocly, George\Chapman\Chapman 12712.doc



OFFICE OF THE
COMMONWEALTH'S ATTORNEY

CITY OF CHARLOTTESVILLE • CITY HALL BUILDING • 605 EAST MAIN STREET • P.O. BOX 911 • CHARLOTTESVILLE, VIRGINIA 22902 • (434) 970-3176 • FAX (434) 971-8202

WARNER D. CHAPMAN
COMMONWEALTH'S ATTORNEY

CLAUDE V. WORRELL, II
DEPUTY COMMONWEALTH'S ATTORNEY

ELIZABETH VIRGINIA KILLEEN
ARESHINI PATHER
JOSEPH D. PLATANIA
NINA-ALICE ANTONY
ASSISTANT COMMONWEALTH'S ATTORNEYS

MAGGIE CULLINAN
VICTIM/WITNESS COORDINATOR

January 27, 2012

Francis McQ. Lawrence
Rhonda Quagliana
St. John, Bowling, Lawrence & Quagliana
416 Park St.
Charlottesville, VA 22902

Re: Commonwealth v. George Huguely

**Confirming agreement regarding chain of custody
testimony and custodians of records**

Dear Fran and Rhonda:

This letter is in response to your letter earlier today regarding our agreement concerning chain-of-custody testimony and the status of custodians of various records that may be used at trial.

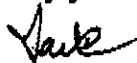
I agree with your summary of the status of these issues.

I am attaching to this note two emails in which various custodians have been identified. I do not mean to suggest that by your letter to me, or by this response, that each potential custodian has been specifically identified and addressed. To the extent that you or we may have omitted mention of a custodian by oversight the intent is to dispense with custodian testimony. To the extent we have identified custodians specifically they appear to me to include custodians of:

CARS – rescue squad
Schools attended by Mr. Huguely – Landon, Matter Dei, and UVa
Boylan Heights – video
UVA Email accounts
Verizon telephone records
UVa Medical records
Dell Computer records

As I have indicated, this itemization may not be comprehensive. It is illustrative. Our intent is to dispense with both custodian testimony and chain of custody testimony. We are releasing witnesses accordingly.

Sincerely yours,



Warner D. Chapman

IN THE CIRCUIT COURT FOR THE CITY OF CHARLOTTESVILLE

COMMONWEALTH OF VIRGINIA

V.

CASE NUMBER 11-102

GEORGE W. HUGUELY, V

ORDER CONCERNING PAYMENT OF EXPENSES FOR
TRAVEL, MEALS, AND LODGING WHILE ATTENDING AS AN
OUT OF STATE WITNESS

CAME BEFORE this Court this day, Claude V. Worrell, II, Deputy Commonwealth's Attorney for the City of Charlottesville, requesting the entry by this Court, pursuant to Code of Virginia Section 19.2-277, of an Order permitting reimbursement by the Commonwealth of Virginia to the City of Charlottesville for travel expenses for:

Kevin Carroll – New York, NY

Dr. Reni Vermani Finn – Maryland

Kenneth Clausen – Denver, Colorado

Dr. Dilaawar Mistry – Grand Junction, CO

Kaitlin Duff – Washington, D.C.

Caitlin Whiteley – Newark, New Jersey

Brian Carroll – New York, NY

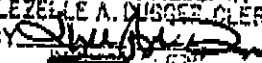
Timothy Fuchs – New York, NY

Anna Lehmann – Houston, TX

Caitlin Taylor – New Orleans, LA

FILED

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CHARLOTTESVILLE, VA
LEZELLE A. DUSGER, CLERK
BY 

Stephanie Aladj

Mike Burns

Molly Millard, New York, NY

Gaven Gill - New York


Will Bolton

Micky Thompson

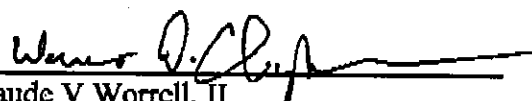
while they attend the trial as material witness' on dates from February 6, 2012 to February 17, 2012 in the above-styled cause as an out of state witness whose appearance herein has been secured pursuant to Code of Virginia Section 19.2-272 *et seq.*

It is hereby ADJUDGED, ORDERED, AND DECREED that the requested expenses, including amounts for travel, meals and lodging, if required, be payable out of the treasury of the Commonwealth pursuant to code of Virginia Section 19.2-278.


Entered this 3rd day of February 3, 2012.


_____, Judge
City of Charlottesville Circuit Court

We ask for this:



Claude V Worrell, II
Deputy Commonwealth's Attorney
City of Charlottesville
P.O. Box 911
Charlottesville, VA 22902
(804) 970-3176

 For the Defendant

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF CHARLOTTESVILLE

COMMONWEALTH OF VIRGINIA,

v.

Case No. 11-106

GEORGE HUGUELY, Defendant.

ORDER ON MOTION IN LIMINE AS TO CERTAIN PHOTOGRAPHS

This matter came on this day to be heard upon the motion of the defendant, George W. Huguely, V, by counsel, that certain photographs intended to be offered into evidence by the Commonwealth be excluded on the basis that they are the same or more prejudicial than probative; and

It appearing to the Court, in exercising its discretion, that photographs identified as numbers: NONE are or maybe be more prejudicial than probative.

The Court accordingly ORDERS that photographs numbered: NONE not be offered into

evidence by the Commonwealth.

OBJECTIONS AS TO MOTION #7 AND #9 ARE WITHDRAWN


The objection of the defendant to this Order is noted insofar as the Court denies the motion as to certain photographs; the objection of the Commonwealth is noted as to the extent the Court grants the motion as to certain photographs.

The Clerk is DIRECTED to send a certified copy of this Order to counsel.

This case is continued on the docket.

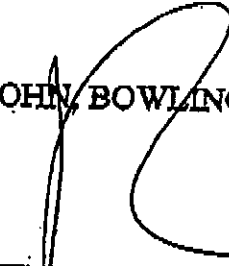
2012 FEB -3 P 3 18

CIRCUIT COURT CLERK'S OFFICE CHARLOTTEVILLE, VA LLEZELLE A. DUGGER, CLERK BY [Signature]

Enter: 
Judge
Date: 02/03/12


SEEN AND OBJECTIONS NOTED:

ST. JOHN, BOWLING, LAWRENCE & QUAGLIANA, LLP

By: 
Francis McQ. Lawrence
VSB# 14754
Rhonda Quagliana
VSB# 39522
416 Park Street
Charlottesville, Virginia 22902
434-296-7138 telephone
434-296-1301 facsimile
rj@stlawva.com
Counsel for George Huguely, V

SEEN AND OBJECTIONS NOTED:

COMMONWEALTH OF VIRGINIA

By: 
Warner D. Chapman, Esquire
Charlottesville Commonwealth
Attorney's Office
P.O. Box 911
Charlottesville, VA 22902

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF
CHARLOTTESVILLE

COMMONWEALTH OF VIRGINIA,

v.

Case No. 11-106


GEORGE HUGUELY,
Defendant.

**ORDER AS TO COMMENT BY COUNSEL AND LAW ENFORCEMENT
IN THE PROCEEDINGS**

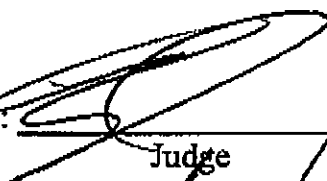
This matter came on this day to be heard upon the motion of the defendant, George W. Huguely, V, by counsel, that the Court order the Commonwealth and its employees, the defendant and his employees, and the City of Charlottesville Police Department and its employees, to make no public comment on the proceedings in this matter until the proceedings shall have ended and/or the jury is discharged, whichever shall occur first; and

It appearing that there is no objection from the Commonwealth, the Court accordingly ORDERS that the Commonwealth and its employees, the defendant, and his employees, and the City of Charlottesville Police Department and its employees, be, and they are hereby ORDERED and DIRECTED to make no public comment on the proceedings in Commonwealth v. George W. Huguely, V until the proceedings shall have ended and/or the jury is discharged, whichever shall occur first.

The Clerk is DIRECTED to send a certified copy of this Order to counsel and to the Chief of Police for the City of Charlottesville.

FILED
2012 FEB -3 P 3 18
CIRCUIT COURT CLERK'S OFFICE
CHARLOTTESVILLE, VA
LEZELLE A. DUGGER, CLERK
BY 

This case is continued on the docket,

Enter: 
Judge
Date: 02/03/12

WE ASK FOR THIS:

ST. JOHN, BOWLING, LAWRENCE & QUAGLIANA, LLP

By: 

Francis McQ. Lawrence
VSB# 14754
Rhonda Quagliana
VSB# 39522
416 Park Street
Charlottesville, Virginia 22902
434-296-7138 telephone
434-296-1301 facsimile
rq@stlawva.com
Counsel for George Huguely, V

SEEN AND WITHOUT OBJECTION:

COMMONWEALTH OF VIRGINIA

By: 

Warner D. Chapman Esquire
Charlottesville Commonwealth
Attorney's Office
P.O. Box 911
Charlottesville, VA 22902