

10 1 on?

2 A It looked like blue jeans.

3 Q And how could you determine ultimately that
4 they were blue jeans?

5 A Not only were there obvious denim material
6 parts like behind her, in her knee area it was still blue,
7 the rest of it was charred black, but rivets like denim and
8 felt like denim so we just assumed it was blue jeans.

9 Q And was there anything unusual about how her
10 jeans were on her body when you opened it at autopsy?

11 A The waistband area didn't, wasn't where they
12 should have been. It was actually under her buttocks. The
13 front of the jeans and stuff was almost completely burned
14 off and the back of the jeans, like where they should have
15 been around her legs, had kind of burned and fallen, but
16 they were partially intact enough to be able to tell what
17 kind of material it was.

18 Q How about for a top or a shirt, could you
19 determine what type of a top or shirt this body had?

20 A It looked like a two-tone blue kind of
21 turquoise little hooded sweater, like zip-up sweater of
22 some sort, that was partially around her neck and torso and
23 left arm. There was not much remaining of the right side.

24 Q You indicated at that point you would have
25 started taking off layers. What was the first layer that

11

1 you removed?

2 A Just multiple pieces of burned material, we
3 weren't sure what it was, but just lots of pieces that just
4 kind of disintegrated as you touched them. We tried to
5 keep them separated as to what maybe came from her head
6 area, what was around her torso, what was around her legs,
7 and just separated that at the scene. We lay out a sterile
8 sheet and kind of pile things up as we go to look at it a
9 little further.

10 Q Okay. Let's talk about the body's head area.
11 What did you see on the head as soon as you opened the bag?

12 A Just completely covered in cloth of some sort,
13 burned cloth.

14 Q Is that how you saw the body when it was
15 removed from the trunk out at the scene?

16 A Yes.

17 Q Did you remove that first layer?

18 A Yes.

19 Q Could you determine what type of fabric was
20 on, was covering her head?

21 A Not really. I mean it was very charred.

22 Q Did this fabric appear to cover her entire
23 body or just part of her body?

24 A It looked like mostly just her head and part
25 of her upper torso.

11 1 Q Did this first layer go all the way around her
2 head or just on the face area?

3 A We couldn't tell exactly. It looked mostly
4 like it was just on top of her.

5 Q Was it secured in any way to her body?

6 A Not --

7 Q If you could tell.

8 A No, I couldn't tell. It didn't seem to be.

9 Q Did you find any wires or any other sort of
10 wire like substance on top of the body in that head area?

11 A There were some, what looked like coated wires
12 that were just laying across her, you know, across like on
13 top of the material.

14 Q Did you notice those wires out at the scene as
15 well?

16 A Yes, they were also in the, you know, on her
17 body and in the trunk.

18 Q And once you tried to remove that top layer,
19 were you able to determine whether or not the wire was just
20 laying on top of the body or whether it was interspersed
21 with the rest of her hair or other items on her?

22 A Those initial wires that we looked at were
23 just laying on top, they weren't intertwined in anything.

24 Q And Exhibit No. 13, does this show basically
25 the condition of her head and shoulders and neck area when

11 1 she was first, the body bag was first opened?

2 A Yes, I would say that.

3 Q And does that show the first layer that you
4 removed on her face?

5 A If I recall, I mean, you know, to say exactly
6 if that's the first layer or not, but that's definitely
7 before more was removed.

8 Q Okay. I'll publish that.

9 And once you removed kind of that top
10 layer, what was underneath that? And we're talking about
11 still head and shoulders, in that area.

12 A Just a thick, what looked like a thick dark
13 layer that seemed to have kind of a mesh pattern that was
14 adhered more to, you know, her face. It didn't look quite
15 as bundled, as bulky as the cloth material, and what we
16 later agreed that it was remnants of duct tape that we were
17 seeing, was just the fabric mesh of the duck tape.

18 Q Is that shown in Grand Jury Exhibit No. 14?

19 A Yes.

20 Q Once you determined that this is in fact duct
21 tape on her face, are you able to see whether or not that
22 duct tape is just on the top of her face or whether it goes
23 around her entire head?

24 A It appeared to go completely around. Once we
25 rolled her and lifted her, rolled, her, you know, over, you

11 1 could see physical duct tape still, the silver adhesive
 2 part that went around the backside and then remnants of
 3 burnt parts around the front.

4 Q Did the duct tape on the back of her head
5 include any of her hair?

6 A Oh, yes.

7 Q And is that shown in Grand Jury Exhibit No.
8 15?

9 A Yes.

10 Q At this point before you even remove the duct
11 tape layer, do you see anything around her neck?

12 A She had a cloth, what appeared to be a cloth
13 strip around her neck.

12 Q Can you describe that cloth strip?

15 A Kind of an off-white, had sort of a raised
16 square checkered pattern, and it appeared to be sort of a
17 tube, like it was one strip that was sewn together, it was
18 open in the center, it was charred and burned in areas and
19 it appeared to be kind of pretzeled together I called it.
20 I think I referred to it as sort of a half knot or a twist
21 of some sort.

22 Q Did you see that type of fabric anywhere else
23 at the crime scene?

24 A There were pieces, a lot of the material was
25 charred beyond recognition, but there were some sections of

12 1 larger material, you know, more than just a strip of a flat
2 material that did appear to match that in the trunk and
3 around her.

4 Q And this fabric that was around her neck, was
5 it all the way around her neck?

6 A Yes.

7 Q Did it appear to be connected to any other
8 part of her body?

9 A It did not.

10 Q And is the way you found it connected to her
11 neck or around her neck depicted in Grand Jury 16?

12 A Yes.

13 Q Were you able to remove that --

14 A Yes.

15 Q -- from her neck?

16 Did you have to, I think you kind of
17 explained this but just to clarify, did you have to undo a
18 knot at all?

19 A We didn't undo the knot, we just cut it in an
20 area away from the knot.

21 Q Were you able to determine whether or not the
22 end of that rope was burned off or did you actually see end
23 to end?

24 A It was hard to tell. It was hard to tell.

25 Q How did that item around her neck intersperse

12 1 with the duct tape if at all?

2 A It was, if I remember correctly it was over
3 the duct tape, around the back of her neck and then laying,
4 it was her, the hood of her jacket was under the material.
5 It had gone over her jacket around her neck.

6 Q And the first layer that we talked about that
7 was initially removed from her face, was this white tubular
8 item over or under that first layer?

9 Do you understand my question?

10 A No.

11 Q Sorry, that was a bad question.

12 Could you see this ligature, this white
13 item when you first looked at the body?

14 A No.

15 Q And then you testified that you took off kind
16 of a first layer from her face and then you saw the duct
17 tape?

18 A Right.

19 Q Was this ligature under that first layer?

20 A Yes.

21 Q Was it up against the skin of her neck?

22 A It appeared to be in certain spots because
23 like I said her sweater was kind of caught up under there
24 also, so whether it was touching skin in some places,
25 possibly in some areas, but her sweater was between her

12 1 neck and the ligature in some parts.

2 Q Okay. And then Grand Jury 17, if you could
3 tell me what is depicted in that photograph.

4 A That's the ligature once we cut it and laid it
5 down with some of the tape and hair from the back of her
6 head along with her sweater that was still kind of stuck to
7 it.

8 Q I'll publish that to the Grand Jury.

9 You mentioned duct tape on her face
10 area. Did you see remnants or anything that you suspected
11 was duct tape anywhere else on her body?

12 A Yes, there were remnants of duct tape in the
13 denim material in the lower part of her legs.

14 Q And I'm going to show you Grand Jury Exhibit
15 20. If you could kind of take my pen and point to where
16 approximately on this photograph you would have found
17 remnants of that duct tape.

18 A It seems like it was somewhere in that general
19 area.

20 Q If you could put your initials on there
21 please.

22 Did you collect samples of that fabric
23 and impound them into evidence?

24 A Yes.

25 Q And Exhibit 20, does this also kind of show

12 1 how her pants were down off her buttocks?

2 A Yes.

3 Q And then did you eventually remove what you
4 could of the duct tape from her face?

5 A Yes.

6 Q Did that unravel like duct tape or did it come
7 off kind of in a clump?

8 A It came off in one chunk.

9 Q Was there anything significant underneath that
10 duct tape?

11 A There was hair stuck inside and there was what
12 appeared to be body fluids all inside and also in her nose
13 and mouth and covering her eyes.

14 Q Did you take a sample if you know of that
15 fluid or substance that was under the duct tape and on top
16 of her face?

17 A I did not. I impounded this whole piece of
18 duct tape with what was in it. Whether it was able to be
19 preserved, you know, as far as bodily fluids, I don't know.

20 Q And some of that bodily fluid that was on her
21 face was also on that duct tape?

22 A Yes.

23 Q And is that chunk of duct tape, is that shown
24 in Grand Jury Exhibit 18?

25 A Yes.

13

1 Q And then was there a difference between the
2 appearance of her face once some of that body fluid was
3 removed?

4 A Definitely.

5 Q And is that shown, the difference shown then
6 between Grand Jury Exhibit 18 and 19?

7 A Yes.

8 MS. GOETTSCH: I have no further questions for
9 this witness. Does anyone else have a question?

10 BY A JUROR:

11 Q Yes. You had mentioned about her blue jeans
12 and the waistband off her buttocks. What's the
13 significance of that? Can you draw any conclusions from
14 why --

15 MR. DASKAS: And I think, with all due
16 respect, I think that might cause her to speculate when she
17 can't really.

18 A JUROR: Okay.

19 THE FOREPERSON: Jill.

20 BY A JUROR:

21 Q Did you determine that the burning is what
22 actually killed her?

23 A That's not for me to determine.

24 MR. DASKAS: And that would be the same thing.
25 I'm not sure she's qualified -- well, I know she's not

13

1 qualified to make that determination.

2 BY A JUROR:

3 Q Did you end up disrobing the body completely?

4 A Yes.

5 Q Were undergarments present?

6 A She had on -- there was no bra or anything
7 that looked like a brassiere. She did have some panties
8 on.

9 THE FOREPERSON: Gary.

10 BY A JUROR:

11 Q The cloth around her neck, I've heard it
12 referred to as a ligature, as a rope, as a piece of cloth.
13 Could you rule out the fact that it wasn't a scarf or other
14 incidental item of clothing that in the wintertime she
15 might have had around her neck?

16 A I couldn't rule that out. It didn't appear to
17 be part of her normal clothing.

18 THE FOREPERSON: Any other questions?

19 By law these proceedings are secret and
20 you are prohibited from disclosing to anyone anything that
21 has transpired before us, including evidence and statements
22 presented to the Grand Jury, any event occurring or
23 statement made in the presence of the Grand Jury, and
24 information obtained by the Grand Jury.

25 Failure to comply with this admonition

13

1 is a gross misdemeanor punishable by a year in the Clark
2 County Detention Center and a \$2,000 fine. In addition,
3 you may be held in contempt of court punishable by an
4 additional \$500 fine and 25 days in the Clark County
5 Detention Center.

6 Do you understand this admonition?

7 THE WITNESS: Yes, I do.

8 THE FOREPERSON: Thank you. You may be
9 excused.

10 THE WITNESS: Thanks.

11 MS. GOETTSCH: Anybody need a break or can we
12 go forward?

13 THE FOREPERSON: Break.

14 A JUROR: Yeah.

15 MR. DASKAS: Okay.

16 THE FOREPERSON: Okay, break.

17 (Recess.)

18 MS. GOETTSCH: My next witness is Megan Foley.

19 THE FOREPERSON: Please remain standing and
20 raise your right hand.

21 You do solemnly swear that the testimony
22 you are about to give upon the investigation now pending
23 before this Grand Jury shall be the truth, the whole truth,
24 and nothing but the truth, so help you God?

25 MS. PIERSON: I do.

13

1 THE FOREPERSON: Please be seated, ma'am.

2 You are advised that you are here today
3 to give testimony in an investigation pertaining to the
4 offenses of murder with use of a deadly weapon, kidnapping,
5 accessory to murder and third degree arson, involving Craig
6 Michael Titus, Kelly Ann Ryan and Anthony Gross. Do you
7 understand this advisement?

8 MS. PIERSON: Yes, I do.

9 THE FOREPERSON: Would you please state your
10 first and last name and spell them for the record.

11 MS. PIERSON: Megan Pierson, M-e-g-a-n,
12 P-i-e-r-s-o-n.

13

14

MEGAN PIERSON,

15 having been first duly sworn by the Foreperson of the Grand
16 Jury to tell the truth, the whole truth, and nothing but
17 the truth, testified as follows:

18

19

EXAMINATION

20

21 BY MS. GOETTSCH:

22 Q Megan, how old are you?

23 A I am twenty-five.

24 Q And I actually called you Megan Foley. Is it
25 still Megan Pierson?

13 1 A Yeah, I haven't changed my name yet. Still in
2 the process.

3 Q I understand that.

4 Have you recently gotten married?

5 A Yes.

6 Q What's your husband's name?

7 A Jeremy Foley, F-o-l-e-y.

8 Q Do you live here in Las Vegas?

9 A Yes, I do.

10 Q And do you know someone by the name of Kelly
11 Ryan?

12 A Yes, I do.

13 Q How do you know Kelly?

14 A I met her at Baja Fresh in September. She was
15 my best friend.

16 Q September of what year did you meet Kelly?

17 A 2004.

18 Q You said you met her in a Baja Fresh. What
19 were the circumstances of how you met Kelly?

20 A I work across the street, walked in there and
21 saw her standing up there, and I idolized her for quite a
22 few years so when I saw her I struck up a conversation.

23 Q You say you idolized her. Can you explain
24 that?

25 A I do figure competitions and she is a fitness

13 1 competitor so I just, from that.

2 Q Okay. You had followed her career for a
3 period of time?

4 A Correct, for about six years.

5 Q So you started up a conversation with her.
6 Did you meet her husband Craig Titus?

7 A Yes, I did.

8 Q Was he there as well?

9 A Yes.

10 Q Explain how your relationship progressed from
11 that day.

12 A Previously, about four months before that, I
13 had broken my back, and she had talked to me about ways to
14 help heal and that she would start training me as soon as I
15 was able to get back on my feet.

16 Q Were you already involved in fitness
17 competitions at that time?

18 A Before that, yes.

14 19 Q Did you in fact start working out or training
20 with Kelly Ryan?

21 A Yes, I did.

22 Q And about what time did you start doing that?

23 A It was after Christmas, sometime around
24 January of 2005.

25 Q How often would you work out with Kelly?

- 14 1 A Minimum of three times a week.
- 2 Q Did you also go to fitness competitions with
 3 her?
- 4 A I went to one of them with her, or two of
 5 them, yes.
- 6 Q Where would you work out?
- 7 A At her house.
- 8 Q Is it fair to say you were at her house at
 9 least three times a week?
- 10 A Absolutely.
- 11 Q Did there come a time in your friendship when
 12 you spoke on a daily basis?
- 13 A Yes.
- 14 Q How far into your friendship would you say?
- 15 A It took us less than four weeks once I started
 16 training with her.
- 17 Q And by December of 2005 how good of friends
 18 were you?
- 19 A Best friends. She was supposed to be my maid
 20 of honor.
- 21 Q When were you married?
- 22 A February 12th.
- 23 Q Of this year?
- 24 A This year.
- 25 Q In light of that, how do you feel about being

14

1 here today?

2 A Very upsetting. It's very depressing. Just
3 not, I didn't think -- I thought I knew her better than
4 this so.

5 Q Okay. And when all of this that we're talking
6 about came down, did you also give some statements to the
7 police?

8 A Yes, I did.

9 Q When was the first time approximately that you
10 gave a statement to the police about events that occurred
11 on December 13th and 14th?

12 A I believe it was at least a week later, maybe
13 even two weeks later.

14 Q How many statements did you give?

15 A I've given two.

16 Q And is it fair to say that there was some
17 things that you said in your second statement or that you
18 remember today that are not included in the very first
19 statement that you gave to the police?

20 A Yes.

21 Q Can you explain why?

22 A At first I was protecting Kelly.

23 Q Why was that?

24 A Uhm, I believed that the things that I was
25 told about Melissa were true, and with the light of things

14

1 I found that they're not, so I was just being naive and
2 tried to protect her in a way that I didn't think that what
3 I was holding back really mattered.

4 Q Okay. Now I want to take you to Monday,
5 December 12th of 2005. Did you speak to Kelly on that day?

6 A I'm sorry, which day?

7 Q On Monday, December 12th.

8 A Yes, I did.

9 Q What was your contact with Kelly on that day?

10 A Just to come over and to train that evening.

11 Q What time?

12 A Five o'clock.

13 Q Did Kelly say anything to you at that time
14 about Melissa and any sort of identity theft or theft that
15 she suspected?

16 A Not at that time, no.

17 Q Did you see Melissa at that time?

18 A I saw Melissa at the house when I trained,
19 correct.

20 Q And prior to December 12th how many times had
21 you met Melissa?

22 A Uhm, I probably had seen her at least ten
23 times if not more, through training I would see her, but
24 that was about it, couple of times outside of there.

25 Q Prior to Tuesday the 13th, December 13th, had

14

1 Kelly ever said anything to you about having any potential
2 problems with Melissa stealing from her?

3 A No.

4 Q Moving to Tuesday, December 13th, did you have
5 any contact with Kelly that day?

6 A I don't believe so. I tried contacting her.
7 No, I take that back. Yes, I did.

8 Q When was the first time?

9 A Around I want to say ten o'clock in the
10 morning-ish, somewhere around there.

11 Q What was the nature of that contact?

12 A Craig had contacted me earlier than that and
13 he was just going into further detail about what they had
14 found in Melissa's room.

15 Q And tell me about that. What time did Craig
16 call you on December 13th?

17 A Around nine a.m.

18 Q Was that unusual to you?

19 A Absolutely.

20 Q Although you were best friends with Kelly how
21 much contact did you have with Craig?

22 A Contact at the house when we were in person,
23 but via phone or something like that, not very often at
24 all, once a month if that.

25 Q Did you find it unusual that Craig called you

14 1 directly?

2 A Yes.

3 Q And I'm sorry, did you say what time that was
4 that he called you?

5 A Around nine a.m.

6 Q And did you recognize his voice?

7 A Yes.

8 Q What phone did he call?

9 A He called my cell phone.

10 Q And what did Craig tell you at that time?

15

11 A That they had gone into Melissa's room and
12 found, opened up a lock box that had credit cards, copies
13 of credit cards, a HELOC statement, Home Equity Line of
14 Credit, and copies of IDs.

15 Q What was his demeanor like when he was telling
16 you this?

17 A Very, very pissed. Very angry.

18 Q What else did he say?

19 A There is three things that you don't mess
20 with, that's friends, family and his money.

21 Q And we're talking about a conversation that
22 came from Craig. Was this a message he left for you or did
23 you actually have a conversation with him?

24 A I believe that was the time that he did leave
25 me a message and later on in the morning that was the

15 1 conversation that him and I had.

2 Q So at nine o'clock he leaves you a message?

3 A Uh-huh.

4 Q You call him back?

5 A Uh-huh, around eleven-ish I believe.

6 Q And that's when you have this conversation?

7 A Uh-huh.

8 Q You need to say yes for her because she's
9 taking everything down and she can't get uh-huhs and
10 huh-uhs.

11 A Okay.

12 Q But I'll remind you if you forget.

13 So then you said Kelly also followed up
14 with you about this, what they found in her lock box. Is
15 that fair to say?

16 A Correct.

17 Q And what time did you have a conversation with
18 Kelly?

19 A Around ten-ish.

20 Q Was this the first you had heard from them
21 about potential problems with Melissa?

22 A Yes.

23 Q After you have this conversation with Craig
24 and Kelly, when's the next time you attempt to contact
25 Kelly?

15

1 A After I had my final at U.N.L.V. which is
2 around I want to say two o'clock. And she did not answer.

3 Q Why were you calling her?

4 A I wanted to see if they wanted to get together
5 for dinner to celebrate me graduating from U.N.L.V.

6 Q Did you plan on working out with Kelly that
7 day?

8 A Yes, that also was a reason I was calling.

9 Q Was it sort of your intention that you were
10 going to work out that day?

11 A Yes.

12 Q Did you always work out at five o'clock?

13 A Yes.

14 Q Did you get any response back from Kelly prior
15 to five o'clock?

16 A No.

17 Q Was that unusual to you?

18 A Yes.

19 Q Did you then assume that you're not going to
20 work out that day?

21 A Yes.

22 Q What did you do instead?

23 A I proceeded to made dinner reservations at
24 Green Valley Ranch with my husband.

25 Q Did you talk to Kelly later that night?

15

1 A Yes.

2 Q When was the next time that you heard from
3 Craig or Kelly?

4 A While we were at dinner, so 6:30, somewhere
5 around there, 6:30, seven o'clock.

6 Q Which one called you?

7 A I believe it was Craig that actually made the
8 phone call. It was from their home phone.

9 Q What was the nature of that conversation?

10 A He was just discussing more stuff about
11 Melissa, saying that he had bought her a plane ticket and
12 was sending her to Florida, but then would contradict and
13 say he dropped her off at the corner store, that they
14 didn't feel sorry for her and they were kicking her out for
15 stealing their stuff.

16 Q Was there conversations about whether you and
17 Jeremy would go over to their house and get together that
18 night?

19 A At that conversation I don't believe so, no.

20 Q Did those conversations come later?

21 A Yes.

22 Q About what time did that happen?

23 A Maybe fifteen, twenty minutes later. I got
24 about three calls while we were at dinner.

25 Q Who called you next?

15

1 A I believe it was Kelly.

2 Q What was the nature of that conversation?

3 A She was just extremely pissed off. We were
4 trying to somewhat compare stories of what Melissa had told
5 me and what, just regarding that I better find a
6 replacement for my maid of honor because she wouldn't be
7 around, and her interpreting that Kelly was going to be
8 dead versus it was regarding, I think her intentions were
9 elsewhere, Melissa's.

10 Q You don't think that's what Melissa meant?

11 A No.

12 Q Did you and Kelly have a discussion about what
13 Melissa meant by that?

14 A Yes.

15 Q And did Kelly indicate that they were
16 threatened in any other way by Melissa or thought they
17 were --

18 A No.

19 Q During that conversation did you discuss
20 whether or not Jeremy and you would go over to their house?

21 A Yes. I believe that she handed the phone over
22 to Craig and he elaborated more on what Kelly had said
23 about Melissa, and he, I could hear him speak to her, you
24 know, is it okay if Megan and Jeremy come over, and he came
25 back and was like Kelly's not feeling well, how about you

16

16 1 guys come over tomorrow. And then we hung up.

2 Q Did you hang-up from that conversation?

3 A Yes.

4 Q Did you get another phone call from them while
5 you were at dinner?

6 A Yes.

7 Q Who called you this time?

8 A It was Kelly.

9 Q And what was the nature of that conversation?

10 A More stuff, just reminiscing about stuff that
11 Melissa had said in the past, that if Craig doesn't kill
12 you you're better off dead anyway type of stuff that she
13 was worried about, and so we decided at that point, she's
14 like come over after you guys get done with dinner.

15 Q Did you and Jeremy then go over after dinner?

16 A Yes, we did.

17 Q About what time was that?

18 A We got there around 10:30, eleven o'clock.

19 Q Did you stop anywhere between Green Valley
20 Ranch and their house?

21 A We went to my house, changed clothes and got
22 my puppy and then we went over to Craig and Kelly's.

23 Q Okay. And what was your impression at this
24 point as to why you were going over there?

25 A To celebrate for me graduating and just to sit

16 1 there and figure out what had gone on between, you know,
2 compare stories.

3 Q Now at this particular time when you go over
4 there, are you under the influence of any sort of drugs or
5 alcohol?

6 A No drugs. Jeremy and I had shared a bottle of
7 wine at dinner but I wouldn't, we were driving so not, not
8 drunk or anything like that, no.

9 Q What do you find when you get over to their
10 house?

11 A Craig you could tell was a little disturbed.
12 Kelly was upstairs. And he showed us, you know, this bag
13 with crystal meth in it supposedly, I don't know what it
14 looks like so, and some bloody needles and --

15 Q Did he say who that bag belonged to?

16 A He said it belonged to Melissa.

17 Q So is it fair to say that as soon as you get
18 there Craig is still talking about what Melissa did or
19 didn't do?

20 A Uh-huh.

21 Q Is that a yes?

22 A Yes. Sorry.

23 Q It's all right.

24 Where was Kelly when you first got to
25 the house?

16

1 A Upstairs in the bathroom.

2 Q Where did you go when you first got to the
3 house?

4 A We went upstairs and went into the office
5 first which in their house is right next to the master
6 bedroom and then I walked around to the master bedroom into
7 Kelly's.

8 Q Where did Jeremy go?

9 A He stayed in the office with Craig.

10 Q What is Kelly doing in the bathroom?

11 A Drying her hair, putting on lotion, putting
12 make-up on like she had just gotten out of the shower.

13 Q What happens next?

14 A We talk a little bit here and there about
15 class, working out, Kelly mentions a few things about
16 Melissa and what she had done, and I walked back and forth
17 between the office and the bathroom a couple of times.

18 Q Does there come a time that Kelly starts to
19 talk to you about what happened potentially to Melissa?

20 A Yes.

21 Q What is Kelly's demeanor like when she starts
22 to tell you this?

23 A She keeps her voice very quiet, obviously
24 didn't want Craig to hear anything that she was saying.

25 Q That was your impression at least?

16

1 A Yes, that was my impression because every time
2 he walked in she would stop talking.

3 Q So what does she tell you in kind of a hushed
4 voice about Melissa?

5 A She said that they had gotten her a hotel room
6 the night before so Craig went over to the hotel to
7 confront Melissa about what he had found, and then it ended
8 up getting back over to the house and she was sitting
9 upstairs --

10 Q She meaning?

11 A Kelly was sitting upstairs and they, Melissa
12 and Craig came in, and Kelly or Melissa, I'm not sure which
13 one, supposedly had a Taser gun, and at some point it got
14 into Kelly's hands and she turned around and tried to use
15 it on her.

16 Q And you said you're not sure which one had the
17 Taser?

18 A First -- Kelly told me that Melissa had it
19 first and she took it from her.

20 Q Okay. What else did Kelly tell you?

21 A She turned on the Taser to use it and that it
22 I guess stunned her in the back of her neck, but she didn't
23 have it up high enough so it kind of just got her
24 attention.

25 Q Her meaning Melissa?

16 1 A Meaning Melissa's attention. And Kelly tried
17 2 to do it again and she, I guess she didn't have the voltage
3 up high enough so she yelled for Craig and Craig came
4 upstairs, picked Melissa up, brought her downstairs into
5 the living room and supposedly body slammed her and started
6 beating her up.

7 Q Now is Kelly able to tell this all to you in
8 one big statement or is it interrupted?

9 A It was interrupted.

10 Q Why is that?

11 A Every time Craig came into the room she would
12 stop talking about it.

13 Q Are you in the master bathroom?

14 A Correct. And walking into the bedroom too.
15 She was folding clothes and just doing odd things.

16 Q What would Kelly start to talk about once
17 Craig entered the room?

18 A What Craig did to her. Or what Craig did to
19 Melissa. I didn't hear.

20 Q Okay. If Craig walked into the room you said
21 Kelly would stop talking. Did Kelly talk about anything if
22 Craig was in the room?

23 A She just started talking about work or work
24 out or training, she wouldn't talk anything about what had
25 happened to Melissa.

17 1 Q When Craig left the room would she start
2 talking about what happened to Melissa?

3 A Immediately.

4 Q Did Kelly move you anywhere in the room at one
5 point?

6 A When Craig and Jeremy were in the room we
7 walked into the walk-in closet with doors, we walked in
8 there and she shut the doors and kept whispering.

9 Q Are you asking her any questions at this
10 point?

11 A A little bit here and there, but it was just
12 when Craig would walk in she would stop talking about it,
13 and I was like what, what, what happened now, or how did it
14 happen. That's really about it. I was in shock so.

15 Q Did she indicate to you why she tased Melissa
16 in the first place?

17 A No.

18 Q So at this point she's told you that she
19 called Craig upstairs, Craig took Melissa downstairs and
20 body slammed her in the living room?

21 A Correct.

22 Q And you said started to beat her up?

23 A Uh-huh. Yes.

24 Q Are those the words that Kelly used?

25 A Yes.

17 1 Q Did she tell you anything else that happened
2 to Melissa?

3 A She said that she at some point had taken a
4 Xanax to go to sleep and that while she was sleeping Kelly
5 went into her room and punched her in the face.

6 Q You're talking about she --

7 A Melissa.

8 Q Melissa took a Xanax?

9 A Yes.

10 Q To your understanding of the conversation was
11 this after she was beat up or body slammed by Craig?

12 A That's the way I was led to believe, yes.

13 Q Did that make sense to you at the time?

14 A No.

15 Q Did you ask any follow-up questions about
16 that?

17 A Not really because it started to, everything
18 started to seem very fishy to me so no.

19 Q And then Kelly tells you that she walks into
20 where Melissa is sleeping and hits her?

21 A Uh-huh.

22 Q Is that a yes?

23 A Yes.

24 Q What else does Kelly tell you about what
25 happened to Melissa?

17

1 A She said that she punched her a couple of
2 times, she showed me marks on her knuckles from it, and she
3 said that while, and I don't know whether this fought
4 occurred, but Craig was holding her down and told Kelly to
5 go get the morphine and she shot a whole needle of morphine
6 into her leg and she said she was very resilient because it
7 didn't do anything to her.

8 Q Did she indicate to you whether or not Melissa
9 was fighting at this point?

10 A No, but you would believe, you would think so.

11 Q Kelly didn't say one way or the other?

12 A If Craig is holding her down I would assume
13 that she was obviously not doing it willingly.

14 Q At any time during this evening does Craig
15 indicate to you anything about a fight with Melissa, a
16 physical fight with Melissa?

17 A He said also that he had beat her up.

18 Q When did that happen?

19 A When I was walking back and forth between the
20 master bedroom and the office, I could tell that obviously
21 Craig was informing Jeremy of obviously something that was
22 going on or that had gone on, and he had told us that, or
23 he had told me that, you know, he had beat her up
24 downstairs.

25 Q And so the whole time that you and Kelly are

17 1 in the master bedroom area, Craig is walking back and
2 forth, where is Jeremy?

3 A In the office. I don't think he thought Kelly
4 was clothed because she came out of the shower so he stayed
5 out of the master bedroom.

18 6 Q At some point do you ask Kelly where Melissa
7 is?

8 A Yes.

9 Q What does Kelly say?

10 A She's downstairs, and she whispers it.

11 Q And let the record reflect that you're kind of
12 pointing down with your finger.

13 A Pointing down because we were right above the
14 garage.

15 Q Is that the motion that Kelly did?

16 A Yes.

17 Q The same motion that you did?

18 A Yes, she goes "she's downstairs."

19 Q And what was your thought at this point as to
20 where Melissa was?

21 A I thought she was downstairs sleeping in her
22 room.

23 Q Eventually do you and Kelly leave the master
24 bedroom area?

25 A Yes.

18 1 Q Where do you go?

2 A We walked downstairs into the kitchen because
3 she wanted to show me her kitchen glasses that she believed
4 Melissa had put morphine in.

5 Q Is this the first time you had heard about any
6 suspicions that Melissa was putting morphine in the
7 glasses?

8 A Yes.

9 Q What did Kelly tell you about that?

10 A She just said that she had gotten water out of
11 the water facet and that it tasted, she thought it tasted
12 different, and there was like a film on the glasses just
13 like there would be from hard water in Las Vegas.

14 Q Was Craig present for that conversation?

15 A Yes.

16 Q Did Craig say anything about Melissa putting
17 morphine in his glasses?

18 A No.

19 Q What did you do as a result of the fact Kelly
20 was thinking there was something in her glasses?

21 A She said that she also found a Kinetico
22 brochure in Melissa's room so she thought she was doing
23 something, tampering with the water, so we went out to the
24 garage to look at the water softener and Jeremy looked at
25 the salt.

18

1 Q What did Jeremy do?

2 A He picked the lid off the bin with the salt
3 and set it on top of the Jaguar.

4 Q Did all four of you go out in the garage to
5 look at the water softener?

6 A No, just Jeremy, myself and Kelly.

7 Q What was Kelly's demeanor like when she was in
8 the garage at that time?

9 A Freaked out.

10 Q What do you mean by that?

11 A Very uneasy. When Jeremy set the lid down on
12 her car she about jumped out of her skin and that again was
13 another hint where him and I started to put things together
14 realizing that something was not right.

15 Q And you said her car. What kind of car was
16 that?

17 A It's a red Jaguar.

18 Q Was that in the garage?

19 A Yes.

20 Q Was the garage door open or shut?

21 A Both of them were shut.

22 Q Was the Jaguar backed into the garage or
23 pulled in front ways?

24 A Pulled in forward.

25 Q Did you see the front, could you see through

18 1 the windshield into the front seat of the car?

2 A Yes.

3 Q Did you see anybody in the car?

4 A No.

5 Q Do you go then back in the house after the
6 garage?

7 A Yes.

8 Q What do you guys do next?

9 A Just keep talking, just small talk to be
10 honest, nothing really. I think we were going to go
11 upstairs to watch a movie.

12 Q How do you feel about staying in their house
13 at that point?

14 A I was very freaked out. I was very scared.
15 You could just tell by the energy that something was not
16 right, that something had gone on in there.

17 Q Are there any other conversations about
18 Melissa that evening?

19 A Yes. Later on in the master bedroom Craig
20 showed on Kelly how you can strangle somebody, and I kind
21 of played dumb to see what he was talking about and I was
22 like what are you talking about, let me see, and he did it
23 on me and you instantly stop breathing. It scared me the
24 way that, he motioned the way that he showed it on me.

25 Q You said later that he did this?

18

1 A Uh-huh.

2 Q Is that yes?

3 A Yes.

4 Q This is after you were in the garage looking
5 at the water softener?

6 A Uh-huh. Correct.

7 Q You said you were going to watch a movie. How
8 do you get back upstairs to the master bedroom?9 A I think they just walked up there. I can't
10 remember exactly.11 Q What starts the conversation about choking
12 someone?13 A Craig just walked in and started talking about
14 it and that's how, he started talking more about how he
15 said that he killed Melissa.16 Q Who all was in the master bedroom at that
17 time?18 A Myself, Kelly, Craig, and I believe Jeremy
19 was, if not he ran to the bathroom or something, I can't
20 remember, I believe he was there.21 Q Did Craig talk about doing this choking to
22 Melissa?

23 A Yes.

24 Q And then you also said that he said he killed
25 Melissa?

19

19

1 A Yes.

2 Q What did he say specifically that you can
3 remember?4 A He said that, he said -- well, he said that he
5 was joking around, but that is how he had killed Melissa,
6 by strangling her.

7 Q Did you take him seriously at that time?

8 A No.

9 Q Why is that?

10 A His demeanor, at times he's very, very hard to
11 read, you never know if he's serious or joking, and I mean
12 he was laughing so I really did not believe he was serious.13 Q You said he demonstrated a choke on you. What
14 did he do exactly?15 A He came behind me, put his arm like this and
16 squeezed his bicep and it cuts off your airway.17 Q And let the record reflect that you're kind of
18 moving your arm up into a flex.

19 A He flexed the bicep and just put his arm here.

20 Q So your neck is in the crook of his elbow?

21 A Yes. Your neck is here, he squeezes the bicep
22 and it cuts it off right there.

23 Q Is Craig also into fitness competition?

24 A Yes, he's a body builder.

25 Q Is it fair to say that his biceps are fairly

19 1 large?

2 A Gigantic.

3 Q So at this point he says he did this to
4 Melissa, you still don't think he's serious?

5 A No.

6 Q Did he make any other comments that made you
7 maybe change your impression about that?

8 A Later on he said we're really going to miss
9 her, I wish that it didn't have to go down like this, just
10 comments that lead you to believe that when he's saying
11 we're going to miss her, that she's no longer here, not
12 that she was shipped away on a weekend to go to Florida.

13 Q Did Craig leave the house at all that night
14 while you were there?

15 A Yes.

16 Q About what time did he leave?

17 A Around, it was maybe fifteen, twenty minutes
18 after we got there. Eleven, 11:15, something like that.

19 Q Did he say where he was going?

20 A No, he did not.

21 Q How long was he gone?

22 A Ten minutes at the most, fifteen minutes.

23 Q Do you know what car he took?

24 A He took his truck.

25 Q Did he say where he was going at all?

19 1 A No, he did not.

2 Q Did you ask him where he had been once he came
3 back?

4 A No. No.

5 Actually I did. I asked him what he was
6 doing and he said not to worry about it, no big deal.

7 Q Was there any discussion between Craig or
8 Kelly with you about what they were going to do with
9 Melissa's body?

10 A Yes.

11 Q Who talked about that, Kelly or Craig?

12 A Craig.

13 Q At what point in the evening did he talk about
14 this?

15 A Right pretty close to before we left.

16 Q Okay. Is this after the choke hold
17 demonstration?

18 A Yes.

19 Q And about what time did you leave?

20 A We left about two, 2:30.

21 Q Where were you when he talked about what he
22 was planning for Melissa?

23 A I believe we were upstairs in the office.

24 Q Did you ever watch the movie that you --

25 A No. We wouldn't have anyway.

19 1 Q So you just kind of talked the whole night?

2 A Uh-huh.

3 Q Is that a yes?

4 A Yes.

5 Q What did he tell you about what his plans were
6 for Melissa?

7 A That he was going to drive the Jaguar up to
8 Red Rock, scatter clothes around the car and set it on fire
9 and make it look like a rape.

10 Q Did he discuss when that was going to happen?

11 A Four o'clock.

12 Q Did he say anything about other times that he
13 was, other times that something was going to happen?

14 A He stated that at five o'clock something was
15 going to happen, eleven p.m. and four a.m.

16 Q Did you take him seriously at this point?

17 A No.

18 Q Did Anthony, did he mention Anthony Gross or
19 Tony Gross at the time?

20 A He said that he lent him a thousand dollars
21 and if he was going to have anybody help him dispose of the
22 car that he was going to call him.

23 Q Do you know Tony Gross?

24 A Yes, I do. Through Kelly and Craig.

25 MR. DASKAS: Let me offer an admonishment to

19 1 the members of the Grand Jury. At this point you've heard
2 2 statements of Kelly Ryan, statements of Craig Titus, and
3 3 now statements pertaining to Anthony Gross. I'll just
4 4 remind you that you are instructed that if you find certain
5 5 statements were made during the course of and in
6 6 furtherance of a conspiracy you may consider those
7 7 statements against all members of the conspiracy, otherwise
20 8 you can only consider those statements against the person
9 9 making the statement.

10 Second admonition is this witness
11 11 testified about some energy she felt in the house as though
12 12 something had gone wrong. You cannot consider that for the
13 13 truth of the matter. That's just simply her impression
14 14 from being in the home. So I would ask you to disregard
15 15 that comment.

16 16 BY MS. GOETTSCH:

17 Q Between the time that Craig is demonstrating
18 18 the choke hold and the time that you leave the house, did
19 19 you ever go back into the garage?

20 A I believe so, yes.

21 Q What was the purpose of going back into the
22 22 garage?

23 A Kelly said that the posing lights were on and
24 24 she did not know why so she was going out there to try and
25 25 turn them off.

20

1 Q What are the posing lights?

2 A You stand in front of them for body building
3 and fitness to pose, practice posing. They're different
4 lights than regular lights.

5 Q When you went out there to look at the water
6 softener, were the posing lights on?

7 A Yes.

8 Q Did she say anything about it at that time?

9 A No.

10 Q Did you go out to the garage with her to look
11 at the posing lights?

12 A Yes, I did.

13 Q Did you think it was unusual at all that they
14 were on?

15 A Yes.

16 Q Why is that?

17 A They're never on. They are only on if you're
18 posing.

19 Q Did you shut the lights off in the garage?

20 A No.

21 Q Did Kelly shut the lights off in the garage?

22 A No.

23 Q Did Craig go out to the garage?

24 A I don't believe. If he did this was after.

25 So, no, he wouldn't have gone out into the garage after

20

1 that.

2 Q So what did you and Kelly do after you and
3 Kelly went out to look at the posing lights?

4 A She acted stupid, walked around and said I
5 don't know why these posing lights are on, and she acted
6 like they were on the other side of Craig's truck and there
7 is no moving room on the front or the back and she wasn't
8 going to jump over those to turn off the lights.

9 Q Is that where the switch is to turn off the
10 posing lights?

11 A That's what she said but I believe they're to
12 the left.

13 Q To your knowledge do remember if she could
14 have shut them off?

15 A Yes.

16 Q Do you eventually go back in the house?

17 A Yes.

18 Q Did you ever enter the garage again?

19 A No.

20 Q At some point when you go to leave does Craig
21 ask you to take anything with you?

22 A He hadn't asked me at that time, no. He had
23 asked Jeremy supposedly.

24 Q Okay. And when did you come to learn that
25 Craig wanted you or Jeremy or both of you to take something

20

1 from the house?

2 A As we were literally walking out the door.

3 Q What happened?

4 A We said our goodbyes, and there was a gym bag
5 right next to my purse, I grabbed my purse, walked out and
6 Craig said "hey, wait, you forgot this," and I said "what
7 is this," and he said "oh, don't worry about it, I talked
8 to Jeremy about it, he said it was okay to have it at your
9 house for a couple of weeks."

10 Q Did you know what was in the gym bag?

11 A No.

12 Q Did you take the gym bag with you?

13 A Yes.

14 Q Did he say, did Craig or Kelly say why they
15 wanted you to take the bag?

16 A He said that he knew the police were going to
17 be coming to his house the next day and he acted like he
18 just didn't want whatever was in the bag in the house while
19 the police were there.

20 Q Did you take the bag home in fact?

21 A Yes.

22 Q By the time you leave the house do you have
23 any idea where Melissa is?

24 A Yes.

25 Q And how do you come upon that knowledge?

20 1 A I believe it was Craig that said that she was
2 in the trunk of the car.

3 Q When and where does he make that statement?

4 A It was downstairs, maybe half an hour before
5 we left.

6 Q And what do you guys do at that point?

7 A Just talking again. I can't remember exactly,
8 just talking more about it. I think he was saying how he
9 was going to get rid of the body. Before that he said she
10 was in the trunk.

11 Q So you leave at this point and you feel like
12 something has gone wrong?

13 A Uh-huh.

14 Q Is that a yes?

15 A Yes.

16 Q Do you call the police?

17 A No.

18 Q Why not?

19 A I was scared. Very threatened by Craig.

20 Q Do you know exactly what went on at this
21 point?

22 A From A to Z, no.

23 Q Did some of it not make sense to you?

24 A Absolutely.

25 Q As a result of that do you ever look in the

1 Nike bag that Craig gave you to take home?

2 A I did the following day so actually it would
3 have been, since it was 2:30 in the morning it would have
4 been Tuesday afternoon. Or would that have been Wednesday?

5 Q Wednesday the 14th?

6 A Yes, when I left in the morning so it would
7 have been later on that afternoon.

8 Q What was in the Nike bag?

9 A A Taser gun, a stun gun, a gym rope, and
10 something else for one of the Taser guns or stun gun. I'm
11 not sure what it was.

12 Q Do you eventually hand that Taser gun and the
13 contents of that gym bag over to the police?

14 A Absolutely.

15 Q Do you recall what day it was that you did
16 that?

17 A No. It was the first, the day that I gave my
18 first statement.

19 Q Now you're pretty familiar with Craig and
20 Kelly's house; is that right?

21 A Absolutely.

22 Q Do you know whether or not they have an alarm
23 system on the house?

24 A Yes, they do.

25 Q Do you know whether or not an alarm or any

1 1 sort of sound is made when you open and shut the door?

2 A It beeps three times if you open the door.

3 Q After you leave that morning when is the next
4 time that you have a conversation with Craig or Kelly?

5 A I don't think I spoke to Kelly or Craig --
6 Craig had contacted me from a, he went and bought a pay as
7 you go phone, I didn't answer it because I didn't know the
8 phone number, and so it had been at least two or three
9 days.

10 Q How did you know that it was Craig that had
11 called you?

12 A Finally they left a message on my house phone
13 and every time I tried to call it back they had all of
14 their phones off so I had no way of getting in contact with
15 them. I didn't know where they were.

16 Q When is the next time you talked to Craig and
17 Kelly?

18 A Friday.

19 Q And that would have been the 16th of December?

20 A Yes.

21 Q It would have been that following Friday?

22 A That Friday, yes.

23 Q What was the occasion for contacting them?

24 Let me back up. Who called you? Who
25 called who?

- 1 1 A Craig called me.
- 2 Q What was the nature of that conversation?
- 3 A He just called me to see what was going on,
4 say hello, and I told him I wanted to see Kelly.
- 5 Q Did you agree to meet anywhere?
- 6 A We were going to meet at, I believe it's
7 Coco's on Tropicana and 215, and my husband wouldn't let
8 me.
- 9 Q Who was going to meet there?
- 10 A Probably just me and Craig and Kelly.
- 11 Q You didn't meet then at the Coco's?
- 12 A No.
- 13 Q Did you meet somewhere else?
- 14 A Later that evening I believe it was Kelly that
15 called me and she said that we could come see them at Greg
16 and Diana's.
- 17 Q Did you know Greg and Diana?
- 18 A Yes.
- 19 Q How did you know them.
- 20 A Through Craig and Kelly. They're business
21 partners.
- 22 Q What is their last name?
- 23 A Ruiz.
- 24 Q Did you go over to Greg and Diana's house?
- 25 A Yes.

1 1 Q Who all was there?

2 A Mike Kessler, Greg and Diana Ruiz, myself
3 Jeremy, and obviously Craig and Kelly. And then later on
4 Tony came back and Jeff Schwimmer (phonetic).

5 Q And Tony who?

6 A Anthony Gross.

7 Q Now you're concerned about what's gone down
8 with Craig and Kelly and you agree to meet them. Why?

9 A I was going to say goodbye to Kelly.

10 Q Where did you think she was going?

11 A To Greece.

12 Q Why did you think that?

13 A They said they couldn't get extradited back
14 here if they were convicted.

15 Q When did you have that conversation with --

16 A As soon as we got to Greg and Diana's, they
17 were staying upstairs in one of their bedrooms and they
18 just sat us down, and Kelly was playing dumb saying that
19 they think that we did it and Craig said that they were
20 going to go to Greece, he said it's no big deal, Kelly is
21 going to continue to compete there, everything will be
22 fine, and he said he only needed two witnesses to say that
23 she was overdosed in the front seat of the car and that
24 they'd get off.

25 Q How do you respond to that statement?