

EXHIBIT 10

Forensic Report - HCR

Page 1 of 5

CAPTION: IN THE MATTER OF Carol Ann and Laura Stutte (Claim 41-H-25N023)
TKR CASE #: CS-11-0837
DATE OF REPORT: May 3, 2011
PREPARED UPON REQUEST BY: Stacy Jennings, ANPAC
FORENSIC DISCIPLINE: HISTORICAL CELLULAR RECONSTRUCTION (HCR)

FORENSIC STUDY:

Historical Cellular Reconstruction (HCR) is a forensic discipline involving technical data and information relating to a particular cellular telephone or device which may be in question; and is analyzed to construct a brief history or summary of the phone's probable location during a specific time period often referred to as the Relevant Period Tested (RPT). Typically, true HCR analysis is not based upon GPS data but rather based upon the technical and radio-frequency (RF) data and information maintained by the cellular provider related to a particular cellular device's connection to cell towers and the service provider's network at a specific point in time. As such, HCR analysis is often summarized in one of two primary geographic/topographic location techniques for reporting: (a) Isolation or (b) Elimination. In either event, the data reviewed is generally compiled with field surveys, technical analysis, and forensic study. A Preliminary Report of Findings and/or Final Report of Findings can then be generated contingent upon the level of study and analysis employed at the particular time in which the report is authored. In most cases, the data is confirmed to a level of conclusion synonymous with what could actually occur in a cellular network under the analyzed conditions as provided; thus, eliminating speculative opinions and relying on technical feasibility and forensic conclusion.

HCR evidence has been used by law enforcement agencies, prosecutors, defense attorneys, and civil litigation attorneys to name a few, for many years as a tool to aid in the investigation and resolution of criminal and civil cases. Additionally, this type of technology has been and will continue to be a vital component in many missing persons investigations and search and rescue operations as well.

CASE ORIGIN:

This case was first presented for analysis on March 25, 2011; upon receipt of a request for assistance from Stacy Jennings, ANPAC Claims Investigator. Ms. Jennings described in a factual resume, circumstances involving the target number(s) listed in the factual resume below, and the relevance of this or these numbers with regard to the ongoing claim or investigation.

Forensic Report - HCR

FACTUAL RESUME:

This case, now subject of this report, originated On September 4, 2010 at approximately 2042 Hours CST, when Vonroe Fire authorities responded to a residential fire at 2715 Highway 360, in Vonroe, TN 37885. This residence was identified as that belonging to Carol Ann and Laura Stutte. During the time of case presentation, Stacy Jennings relayed certain facts detailing a summary of events reportedly having occurred prior to, including, and after the evening of the subject incident. Several additional facts were extracted from the deposed statements of relevant subjects to this case which were reviewed during the course of the HCR Analysis performed in this matter. In summary, both subject's state to have been out of town since early on the fire date. They claim to have travelled to Nashville along with some friends. Carol Ann Stutte claims that at or around the time she was notified of the fire, she was eating with Laura Stutte and some friends at a restaurant in Nashville, TN. Carol Ann Stutte (S#1) states she later began travelling back towards their residence, but not until after approximately 0100 AM hours on September 5, 2010, some four (4) or more hours after they were informed of the fire. Laura Stutte (S#2) states to have driven home with her friends the following day (September 5, 2011), sometime after 1200 hours. Both subjects state to have been in Nashville, TN at the time of the fire.

DEVICE IDENTIFICATION:

Device Target No.	Assigned Telephone Number	Reported Custodian or Subject Owner
T#1	(423) 261-4255	Carol Ann Stutte (S#1)
T#2	(423) 261-4355	Laura Stutte (S#2)
T#3	N/A	
T#4	N/A	
T#5	N/A	

Page 2

BASIS OF REQUEST (RPT AND ASSERTION ANALYSIS):

The basis for the HCR request is a hybrid Isolation and Elimination request, resulting from Factual Geographic Location based assertions having connection to the Relevant Period(s) Tested (RPT), specifically identified below. HCR Analysis is sought to identify the validity of these assertions as well as test any other relevant theories resulting from the forensic analysis and investigation conducted in this matter.

RPT No.	Period Description	Target Relevance	Assertion
1	09/04/11 1100-1400 HRS	#1, #2	S#1, S#2 Travelling to Nashville, TN
2	09/04/11 1900-2200 HRS	#1, #2	S#1, S#2 In Nashville not Vonroe, TN
3	09/05/11 0000-0200 HRS	#1	S#1 Enroute from Nashville to Vonroe, TN
4	09/05/11 1100-1400 HRS	#2	S#2 Enroute from Nashville to Vonroe, TN

Page 3

Forensic Report - HCR

Page 3 of 5

MATERIALS PRESENTED FOR ANALYSIS:

The requesting party provided the following materials, exhibits, and/or evidentiary items for analytical review in this matter:

Item No.	Date Received	Description
T#1	03/25/11	CDR-Cell Site from US Cellular, Deposed Statement
T#2	03/25/11	CDR-Cell Site from US Cellular, Deposed Statement
T#3	N/A	
T#4	N/A	
T#5	N/A	

ANALYSIS CONDUCTED:

A review of the items presented for analysis resulted in SUFFICIENT INSUFFICIENT data for preliminary findings regarding the RPT(s) detailed above.

Site Source Plotting was conducted to preliminarily outline the relative position of key locations.

Location No.	Listed Position	Relevance
L#1	2715 HWY 360, Vonroe, TN 37885	Fire Scene (Stutte Residence)
L#2	120 2 nd Ave, North, Nashville, TN	Restaurant (S#1, S#2 Alibi Location)
L#3	N/A	
L#4	N/A	
L#5	N/A	

Additionally, call/transaction symmetry (CTS) analysis was performed in connection with _____ target device(s) originally listed in this report; whose relationship is now described as applicable below:

N/A

CTS was not requested in this matter.

FINDINGS and FORENSIC CONCLUSIONS:

Preliminary HCR Analysis provides sufficient data for an initial finding(s) as it/they relates to assertions described above.

Forensic Report - HCR

Page 4 of 5

Item No.	Assertion	Finding	Result
1A	Assertion #1 T#1 was travelling to Nashville, TN	1 Record, 11:37 Vonroe Vicinity	Inconclusive
1B	Assertion #1 T#2 was travelling to Nashville, TN	0 Records	No Data
2A	Assertion #2	0 Records	No Data
3A	Assertion #3 S#1 Enroute from Nashville to Vonroe, TN	Network connection records during this RPT for T#1 indicate that the target device was actually in an area NorthEast of Vonroe, towards Knoxville, TN.	Refuted
4A	Assertion #4 T#2 Enroute from Nashville to Vonroe, TN	Network connection records during this RPT for T#2 indicate that the target device was actually in the area of Vonroe, TN at 0300 Hours on 09/05/11, approximately seven (7) or more hours ahead of the stated time of record.	Refuted

In Summary, there is no conclusive evidence supported by Network Connectivity Records to demonstrate that either Carol Ann Stutte or Laura Stutte ever travelled to Nashville, TN on 09/04/10 or returned from Nashville, TN on 09/05/10. Furthermore, the connectivity records reviewed actually support travel in a Northerly or NorthEast direction for T#1 away from the direction of reported travel to Nashville. In initial summary of the technical data reviewed, there now exist several stated claims made by the Stuttes which would in some instances be a network improbability, and in at least one instance exist as a network impossibility.

Insufficient data was presented for the appropriate level of HCR Analysis required to present initial findings.

No field surveys were conducted in connection with this request for HCR Analysis.

*Although field survey studies of the relevant Sites and Sources would allow for more definitive forensic production; absent same does not negate the accuracy or conclusiveness of the preliminary findings set forth herein.

**The hybrid isolation/elimination findings are hereby furnished within a high degree of certainty, and are founded on a proven history of training, and investigative HCR experience relating to the analysis of cellular technology data.

FORENSIC ANALYSIS AND CO-INVESTIGATION PARTICIPANTS:

Kevin R. Levy, Special Agent Ret. (USSS)
HCR Expert – Lead Litigation Consultant & Investigator

Forensic Report - HCR

Page 5 of 5

CERTIFICATION:

The above report has been prepared in a manner consistent with the forensic discipline and practice for which the request for analysis was originally made. Sources for all data analyzed have been cited, and their inherent accuracy and truthfulness are included therein. I hereby certify the findings, conclusions, and results included within this forensic report to be true and accurate to the best of my knowledge.

X

Kevin R. Levy, Historical Cellular Reconstruction Expert (HCR)
Lead Litigation Consultant & Investigator

Date Signed

ATTACHMENTS:

None