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IN THE FIRST DISTRICT COURT, CACHE DEPARTMENT

IN AND FOR CACHE COUNTY, STATE OF UTAH

STATE OF UTAH, Plaintiff, v. V , Defendant.	SECOND SUPPLEMENTAL REQUEST FOR DISCOVERY (Expert Notice and Evidence) Case No (Judge Brian Cannell)
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The Defendant, V , by and through his attorneys,

hereby requests notice of:

- 1) Specific expert testimony and opinions which the State anticipates introducing in the trial of this case; and
- 2) Specific medical, scientific, or any other expert evidence that the State anticipates introducing in the trial of this case and upon which the State's expert relies for his or her opinion.

More specifically, the Defendant requests specific notice of any expert the State anticipates it will call in the trial of this matter, a curriculum vitae, a report prepared by the expert relevant to his or her opinions in the case, a summary of the expert's proposed testimony,

and any records, data, photographs, scientific studies, peer reviewed articles or other any other report or information of any kind upon which this expert basis his/her opinion.

In addition to this documentation, counsel also requests that the proposed expert be available for a consultation.

GOOD CAUSE EXISTS FOR THIS INFORMATION. The State of Utah has produced discovery in this matter that includes some medical examination of the alleged victim. It is anticipated that the State of Utah may also seek to present “expert” testimony as to why a victim may or may not report, and why a victim may report late.

Mr. V is entitled to know the specific evidence and opinions the State intends to introduce against him, as well as the basis for those opinions, in order to meet and counter them. This would include the opinions of the State’s expert as well as the basis for those opinions. To the extent that the expert’s opinions are based on scientific studies and research, Mr. V is entitled to know the specific studies and science on which any such opinions are based.

THE DEFENDANT REQUESTS that such information be provided at the earliest possible time so that the Defendant may be prepared to meet the specific allegations, consult with his own experts if necessary, and file any necessary motions in limine prior to trial. The trial in this matter is set to begin August 18, 2014, and Mr. V objects to any continuance.

THE DEFENDANT ALSO REQUESTS , that this court set a pretrial hearing pursuant to Utah Rule of Evidence 702 to challenge the admissibility of the State’s evidence and expert testimony. This hearing must be set prior to the August 18th trial setting. A separate motion to set

a Rule 702 hearing is filed herewith.

FINALLY, THE DEFENDANT MOVES THIS COURT to exclude any expert evidence or testimony not disclosed in a timely fashion so that the Defendant may prepare to meet such allegations.

DATED this 2nd day of July 2014.

/s/ Kenneth R. Brown

KENNETH R. BROWN
ANN M. TALIAFERRO
Attorney for Defendant

MAILING CERTIFICATE

I hereby certify that a true and correct copy of the foregoing SECOND SUPPLEMENTAL REQUEST FOR DISCOVERY (Expert Notice and Evidence) was mailed, postage prepaid, to Barbara Lachmar, Deputy Cache County Attorney, 199 North Main, 3rd Floor, Logan, Utah 84321, on this 2nd day of July 2014.

/s/ Stephanie Snyder