

1 John E. DeWulf (006850)  
Marvin C. Ruth (024220)  
2 Vidula U. Patki (030742)  
**COPPERSMITH BROCKELMAN PLC**  
3 2800 North Central Avenue, Suite 1900  
Phoenix, Arizona 85004  
4 T: (602) 224-0999  
F: (602) 224-0620  
5 jdewulf@cblawyers.com  
mruth@cblawyers.com  
6 vpatki@cblawyers.com

7 *Attorneys for Defendants*

8  
9 **SUPERIOR COURT OF ARIZONA**  
10 **COUNTY OF MARICOPA**

11 Peter S. Davis, as Receiver of DenSco  
Investment Corporation, an Arizona  
12 corporation,  
13 Plaintiff,  
14 v.  
15 Clark Hill PLC, a Michigan limited liability  
company; David G. Beauchamp and Jane  
16 Doe Beauchamp, husband and wife,  
17 Defendants.

No. CV2017-013832

**DEFENDANTS' DISCLOSURE OF  
EXPERT WITNESS DR. ERIN  
NELSON**

(Commercial Case)

(Assigned to the Honorable Daniel Martin)

18 Pursuant to the Court's May 16, 2018 Scheduling Order, Defendants Clark Hill PLC  
19 and David G. Beauchamp, hereby disclose the attached report of Dr. Erin Nelson.

20 DATED this 5<sup>th</sup> day of April, 2019.

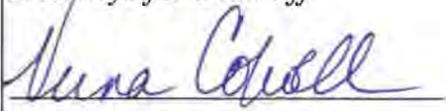
21  
22 **COPPERSMITH BROCKELMAN PLC**

23 By:   
24 John E. DeWulf  
Marvin C. Ruth  
Vidula U. Patki  
25 2800 North Central Avenue, Suite 1900  
Phoenix, Arizona 85004  
26 Attorneys for Defendants

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**ORIGINAL** of the foregoing e-mailed/mailed this  
5<sup>th</sup> day of April, 2019 to:

Colin F. Campbell, Esq.  
Geoffrey M. T. Sturr, Esq.  
Joshua M. Whitaker, Esq.  
OSBORN MALEDON, P.A.  
2929 N. Central Ave., Suite 2100  
Phoenix, AZ 85012-2793  
*Attorneys for Plaintiff*





**ERIN M. NELSON, PSY.D.**

Forensic & Clinical Psychology

April 4, 2019

John E. DeWulf, Esq.  
Coppersmith Brockelman, P.L.C.  
2800 North Central Avenue, Suite 1900  
Phoenix, Arizona 85004

Marvin C. Ruth, Esq.  
Coppersmith Brockelman, P.L.C.  
2800 North Central Avenue, Suite 1900  
Phoenix, Arizona 85004

**Re: *Peter S. Davis v. Clark Hill***  
**Maricopa County Superior Court Case No. CV-2017-013832**

Dear Mr. DeWulf and Mr. Ruth:

Pursuant to your request, I recently performed a record review and analysis pertaining to the above captioned matter.

**BACKGROUND INFORMATION**

Denny Chittick was a 48-year-old, divorced, Caucasian father of two at the time of his July 28, 2016 death by suicide. Mr. Chittick obtained a Bachelor of Science degree in Business Finance from Arizona State University.<sup>1</sup> Mr. Chittick was the Senior Vice President and CIO of Insight Enterprises, Inc., at the time of his retirement in 1997.<sup>2</sup> Mr. Chittick subsequently founded, and was the president and sole shareholder of, DenSco Investment Corporation ("DenSco"). Over the years Mr. Chittick/DenSco developed a substantial base of investors, many of whom were his family and friends.

Given your familiarity with the events leading up to the instant record review, I will forgo a detailed review of that information. Suffice it to say, David Beauchamp served as legal counsel to the decedent, Denny Chittick, for many years. Toward the end of Mr. Chittick's life, he withheld critical information from Mr. Beauchamp, particularly as it pertained to the scope and magnitude of his unfortunate business dealings with Mr. Scott Menaged.

---

<sup>1</sup> BC\_000296

<sup>2</sup> BC\_000296

John E. DeWulf, Esq.  
Marvin C. Ruth, Esq.  
*Re: Davis v. Clark Hill*  
April 4, 2019  
Page 2

When he took his own life, Mr. Chittick/DenSco's financial losses related to his involvement with Mr. Menaged was in the tens of millions of dollars. Mr. Menaged is currently incarcerated as a result of crimes perpetrated against Mr. Chittick/DenSco and others.

As outlined in Defendants' Sixth Supplemental Disclosure Statement<sup>3</sup>, David Beauchamp served as counsel for Denny Chittick/DenSco Investment Corporation ("DenSco") dating back to the early 2000's. In 2013, Mr. Beauchamp discussed with DenSco that it should update its Private Offering Memorandum ("POM"). This update was initiated but not completed. In June 2013, Mr. Chittick advised Mr. Beauchamp that DenSco, along with Scott Menaged, had been sued by FREO Arizona, LLC. Although Mr. Beauchamp did not represent DenSco in that matter, he did advise Mr. Chittick, in part, that the litigation should be disclosed in DenSco's 2013 POM. Mr. Chittick represented to Mr. Beauchamp that Scott Menaged was "...someone he had 'done a ton of business with...hundreds of loans for several years'..." In December 2013, Mr. Chittick advised Mr. Beauchamp that several of DenSco's loans to Mr. Menaged were in jeopardy as a result of double-lien issues. Mr. Chittick indicated to Mr. Beauchamp that he intended to pursue a remediation plan independently and directly with Mr. Menaged. In January 2014, Mr. Chittick described Mr. Menaged as someone he had lent a "...total of \$50 million since 2007 and that he'd 'never had a problem with payment or issue that hasn't been resolved'." However:

While it was true that DenSco had lent Menaged approximately \$50 million since 2007, DenSco had lent Menaged \$31 million in 2013 alone, and had \$28.5 million in loans to Menaged outstanding as of the end of 2013, a large portion of which were more than six months past due, including a significant number of 2012 loans. Further, Mr. Chittick had known as of September 2012 that Menaged had double-liened multiple properties with DenSco loans, thereby jeopardizing DenSco's lien position, yet not only did he keep this a secret, Mr. Chittick thereafter drastically increased DenSco's lending to Menaged, from \$4.65 million outstanding at the end of 2012 to more than \$28 million outstanding by the end of 2013 (all of which Mr. Chittick also failed

---

<sup>3</sup> Defendants' Sixth Supplemental Rule 26.1 Disclosure Statement, dated March 13, 2019

to timely disclose to Mr. Beauchamp). Rather than provide Mr. Beauchamp with any of this information, Chittick instead misrepresented to Mr. Beauchamp in January 2014 that Menaged was a good borrower with a sterling track record. Mr. Chittick made similar misrepresentations to Mr. Beauchamp regarding his positive lending relationship with Menaged when he disclosed the FREO lawsuit.

Mr. Chittick further explained that Menaged's wife had become critically ill in the past year, and that Menaged had turned the day-to-day operations of his companies over to his cousin. According to Mr. Chittick, the cousin would receive loan funds directly from DenSco, then request loans for the same property from another lender, including the Miller Lenders. The other lenders, who had funded their loans directly to the trustee, would record their deed of trust, as would DenSco, leaving DenSco in second position. The cousin, unfortunately, then purportedly absconded with the funds DenSco lent directly to Menaged. This "double lien" issue consequently jeopardized DenSco's secured position and its loan-to-value ratios. Mr. Chittick feared that a lawsuit with the Miller Lenders would jeopardize DenSco's entire enterprise.

According to Mr. Chittick's email, Menaged purportedly found out about his cousin's scam in November and revealed the fraud to Mr. Chittick at the time. Yet rather than consult legal counsel, Mr. Chittick devised a plan to fix the double lien issue with Menaged. The initial plan included DenSco paying off the other lenders. That required additional capital, which Menaged and Mr. Chittick agreed would come from DenSco lending Menaged an additional \$1 million and Menaged investing additional capital, including \$4-\$5 million from the liquidation of other assets, as set forth in a term sheet DenSco and Menaged signed after having already put their plan into effect. As the scope of the problem appeared to grow, Mr. Chittick and Menaged agreed to terms of an expanded plan, which included further investment from both DenSco and Menaged, who would also continue to flip and rent homes to raise the necessary profits needed to pay off the other lenders.

---

Unbeknownst to Mr. Beauchamp, and according to Mr. Chittick's January 7, 2014 email, DenSco and Menaged had already been "proceeding with this plan since November [2013]."..."In other words, by the time Mr. Chittick approached Mr. Beauchamp with a partial disclosure of the issues in late 2013 and early 2014, Mr. Chittick had already agreed to a business plan with Menaged to work out the double lien problems, and had already advanced Menaged significant sums pursuant to that agreement. As Mr. Beauchamp explained in a February 20, 2014 email to his colleagues, Mr. Chittick "without any additional documentation or any legal advice...has been reworking his loans and deferring interest payments to assist Borrower...When we became aware of this issue, we advised our client that he needs to have a Forbearance Agreement in place to evidence the forbearance and the additional protections he needs."<sup>4</sup>

The instant record review and analysis was requested in order to provide my psychological impression(s) pertaining to the relevant behavior of Denny Chittick and factors that may have influenced such behavior. Specifically, you asked me to address the level of influence, if any, Scott Menaged had over Denny Chittick's decision-making and conduct on or about January 2014 through May 2014.

#### **SOURCES OF INFORMATION:**

##### **Pleadings:**

1. Complaint
2. Defendants' Initial Rule 26.1 Disclosure Statement
3. Plaintiff's Initial Rule 26.1 Disclosure Statement
4. Plaintiff's Notice of Service of Preliminary Expert Opinion
5. Plaintiff's Disclosure of Areas of Expert Testimony (9/7/18)
6. Defendants' Disclosure of Areas of Expert Testimony (9/7/18)
7. Defendants' 6<sup>th</sup> Supplemental Disclosure Statement

---

<sup>4</sup> Defendants' Sixth Supplemental Rule 26.1 Disclosure Statement, dated March 13, 2019

**Deposition Transcripts:**

1. July 19, 2018 Deposition of David Beauchamp (Vol. I)
2. July 20, 2018 Deposition of David Beauchamp (Vol. II)
3. August 22, 2018 Deposition of Shawna Heuer
4. November 16, 2018 Deposition of Peter Davis (w/Exhibits)
5. December 3, 2019 Deposition of Steve Bunger (w/Exhibits)
6. December 17, 2018 Deposition of Victor Gojcaj (w/Exhibits)
7. December 12, 2018 Deposition of Brian Imdieke (w/Exhibits)
8. February 20, 2019 Deposition of Russ Dupper
9. March 7, 2019 Deposition of Barry Luchtel
10. March 9, 2019 Deposition of DoriAnn Davis

**Miscellaneous Transcripts:**

1. 2016-08-26 Scott Menaged 341 Testimony
2. Menaged Rule 2004 Testimony
3. Transcript of Interview of Menaged in ACC Litigation
4. Audio & Transcript of Chittick and Menaged Conversation

**Additional Documents:**

1. Chittick Estate Documents – Personal Journals
  2. October 20, 2017 Menaged Judgment in a Criminal Case
  3. Chittick Corporate Journals
  4. Chittick Letter to Investors
  5. Chittick Letter to Robert Koehler
  6. Chittick Letter to Shawna Heuer
  7. Chittick To Do List
  8. Menaged Indictment
  9. Menaged Information-Indictment
  10. Menaged Plea Agreement
  11. Chronology for E. Nelson
  12. DOCID\_00383613
  13. DOCID\_00386378
  14. DOCID\_00432523
  15. DOCID\_00432524
  16. CTRL\_00062082
  17. DOCID\_00432525
-

18. Misc Chittick Device Documents
  19. DOCID\_00074182
  20. DOCID\_00074098
  21. DOCID\_00074789
  22. DOCID\_00074413
  23. DOCID\_00074416
  24. DOCID\_00074399
  25. DOCID\_00079194
  26. DOCID\_00078688
  27. DOCID\_00078737
  28. DOCID\_00078637
  29. DOCID\_00078610
  30. DOCID\_00078621
  31. DOCID\_00078635
  32. DOCID\_00078604
  33. DOCID\_00078518
  34. DOCID\_00078558
  35. DOCID\_00078468
  36. DOCID\_00078508
  37. DOCID\_00078509
  38. DOCID\_00078401
  39. DOCID\_00078402
  40. DOCID\_00078406
  41. DOCID\_00078434
  42. DOCID\_00078438
  43. DOCID\_00078393
  44. DOCID\_00078386
  45. DOCID\_00078388
  46. DOCID\_00078390
  47. DOCID\_00078381
  48. DOCID\_00078320
  49. DOCID\_00078343
  50. DOCID\_00078264
  51. DOCID\_00078191
  52. DOCID\_00078193
  53. DOCID\_00078214
  54. DOCID\_00078185
  55. DOCID\_00078188
  56. DOCID\_00078112
-

57. DOCID\_00078109
  58. DOCID\_00078080
  59. DOCID\_00077527
  60. DOCID\_00077001
  61. DOCID\_00085946
  62. DOCID\_00087434
  63. DOCID\_00087270
  64. CH\_EstateSDT\_0002042
  65. CH\_EstateSDT\_0002570
  66. CH\_EstateSDT\_0024321
  67. CH\_EstateSDT\_0024416
  68. CH\_EstateSDT\_0024417
  69. CH\_EstateSDT\_0024418
  70. CH\_EstateSDT\_0024419
  71. CH\_EstateSDT\_0024420
  72. CH\_EstateSDT\_0024421
  73. CH\_EstateSDT\_0024422
  74. CH\_EstateSDT\_0024425
  75. CH\_EstateSDT\_0024426
  76. CH\_EstateSDT\_0024427
  77. CH\_EstateSDT\_0024428
  78. CH\_EstateSDT\_0024430
  79. CH\_EstateSDT\_0024432
  80. CH\_EstateSDT\_0024434
  81. CH\_EstateSDT\_0024435
  82. CH\_EstateSDT\_0024436
  83. CH\_EstateSDT\_0024437
  84. CH\_EstateSDT\_0025071
  85. CH\_EstateSDT\_0025541
  86. CH\_EstateSDT\_0026610
  87. CH\_EstateSDT\_0027935
  88. CH\_EstateSDT\_0027939
  89. CH\_EstateSDT\_0028079
  90. CH\_EstateSDT\_0028081
  91. CH\_EstateSDT\_0028082
  92. CH\_EstateSDT\_0028087
  93. CH\_EstateSDT\_0028091
  94. CH\_EstateSDT\_0028092
  95. CH\_EstateSDT\_0028093
-

96. CH\_EstateSDT\_0028094
  97. CH\_EstateSDT\_0028095
  98. CH\_EstateSDT\_0028096
  99. CH\_EstateSDT\_0028097
  100. CH\_EstateSDT\_0028098
  101. CH\_EstateSDT\_0028106
  102. CH\_EstateSDT\_0028107
  103. CH\_EstateSDT\_0028114
  104. CH\_EstateSDT\_0028117
  105. CH\_EstateSDT\_0028120
  106. CH\_EstateSDT\_0039964
  107. CH\_EstateSDT\_0040401
  108. CH\_EstateSDT\_0040837
  109. CH\_EstateSDT\_0064769
  110. CH\_EstateSDT\_0065302
  111. CH\_EstateSDT\_0067593
  112. CH\_EstateSDT\_0072252
  113. CH\_EstateSDT\_0072253
  114. CH\_EstateSDT\_0072254
  115. CH\_REC\_CHI\_0006446
  116. CH\_REC\_C HI\_0017000
  117. CH\_REC\_C HI\_0017980
  118. CH\_REC\_C HI\_0018966
  119. CH\_REC\_C HI\_0021542
  120. CH\_REC\_CHI\_0021613
  121. CH\_REC\_CHI\_0021702
  122. CH\_REC\_CHI\_0042251
  123. CH\_REC\_CHI\_0042883
  124. CH\_REC\_C HI\_0048926
  125. CH\_REC\_CHI\_0051093
  126. CH\_REC\_CHI\_0051478
  127. CH\_REC\_CHI\_0054845
  128. CH\_REC\_C HI\_0054885
  129. CH\_REC\_C HI\_0054945
  130. CH\_REC\_C HI\_0054998
  131. CH\_REC\_C HI\_0055078
  132. CH\_REC\_C HI\_0068678
  133. CH\_REC\_MEN\_0026584
  134. CH\_REC\_MEN\_0027591
-

135. CH\_EstateSDT\_0039287
  136. DOCID\_00038876
  137. DOCID\_00038934
  138. DOCID\_00040808
  139. DOCID\_00043908
  140. DOCID\_00044223
  141. DOCID\_00044252
  142. DOCID\_00086937
  143. DOCID\_00078839
  144. BC\_000296
  145. CH\_0000915
  146. CH\_0002080
  147. CH\_REC\_CHI\_0009504
  148. CH\_REC\_CHI\_0009542
  149. CH\_REC\_CHI\_0060228
  150. CH\_REC\_CHI\_0062356
  151. CH\_REC\_CHI\_0065965
  152. CH\_REC\_CHI\_0067611
  153. CH\_REC\_CHI\_0068720
  154. CH\_REC\_CHI\_0084775
  155. CH\_REC\_CHI\_0095659
  156. CH\_REC\_MEN\_0025912
  157. CH\_REC\_MEN\_0026580
  158. CH\_REC\_MEN\_0026584
  159. CH\_REC\_MEN\_0026600
  160. CH\_REC\_MEN\_0027195
  161. CH\_REC\_MEN\_0027591
  162. DIC0005403
  163. DIC0005418
  164. DIC0006068
  165. DIC0006079
  166. DIC0006221
  167. DIC0006242
  168. DIC0006261
  169. DIC0006528
  170. DIC0006602
  171. DIC0006615
  172. DIC0006625
  173. DIC0006656
-

174. DIC0006673
  175. DIC0006707
  176. DIC0006803
  177. DIC0007075
  178. DIC0007135
  179. DIC0007598
  180. DIC0007630
  181. DIC0008036
  182. DP000190-244
  183. BC\_000003
  184. BC\_000208
  185. BC\_000296
  186. BC\_000754
  187. BC\_001979
  188. BC\_002000
  189. BC\_002982
  190. CH\_0000637
  191. CH\_0000708
  192. CH\_0001015
  193. CH\_0001113
  194. CH\_0002080
  195. CH\_0004241
  196. CH\_0006602-6605
  197. CH\_0009806
  198. CH\_EstateSDT\_0002326
  199. CH\_EstateSDT\_0002570
  200. CH\_EstateSDT\_0027935
  201. CH\_EstateSDT\_0028085
  202. CH\_EstateSDT\_0028086
  203. CH\_EstateSDT\_0028087
  204. CH\_EstateSDT\_0028090
  205. CH\_EstateSDT\_0028091
  206. CH\_EstateSDT\_0028106
  207. CH\_EstateSDT\_0039964
  208. CH\_EstateSDT\_0040401
  209. CH\_EstateSDT\_0040837
  210. CH\_EstateSDT\_0065302
  211. CH\_EstateSDT0028084
  212. DIC0000965
-

John E. DeWulf, Esq.  
Marvin C. Ruth, Esq.  
*Re: Davis v. Clark Hill*  
April 4, 2019  
Page 11

213. DIC0002491  
214. DIC0005387  
215. DIC0005403  
216. DIC0005405  
217. DIC0005410  
218. DIC0005412  
219. DIC0005413  
220. DIC0005414  
221. DIC0005418  
222. DIC0005439  
223. DIC0005444  
224. DIC0005570  
225. DIC0005689  
226. DIC0005700  
227. DIC0005823  
228. DIC0005849  
229. DIC0005902  
230. DIC0006068  
231. DIC0006079  
232. DIC0006111  
233. DIC0006175  
234. DIC0006179  
235. DIC0006182  
236. DIC0006203  
237. DIC0006221  
238. DIC0006242  
239. DIC0006261  
240. DIC0006302-6304  
241. DIC0006308  
242. DIC0006420  
243. DIC0006435  
244. DIC0006463  
245. DIC0006528  
246. DIC0006600-6604  
247. DIC0006615  
248. DIC0006625  
249. DIC0006627  
250. DIC0006633  
251. DIC0006656

---

- 252. DIC0006673
  - 253. DIC0006679-6681
  - 254. DIC0006691
  - 255. DIC0006702-6706
  - 256. DIC0006707-6710
  - 257. DIC0006729
  - 258. DIC0006733-6737
  - 259. DIC0006738
  - 260. DIC0006759
  - 261. DIC0006803
  - 262. DIC0006822
  - 263. DIC0006901
  - 264. DIC0006904
  - 265. DIC0006958
  - 266. DIC0006968
  - 267. DIC0007075
  - 268. DIC0007085
  - 269. DIC0007125
  - 270. DIC0007135
  - 271. DIC0007145
  - 272. DIC0007165-7168
  - 273. DIC0007341
  - 274. DIC0007521
  - 275. DIC0008036
  - 276. DIC0008607
  - 277. DIC0008660
  - 278. DIC0009149
  - 279. DIC0010755
  - 280. DIC0010791
  - 281. DIC0010830
  - 282. DOCID\_00017178
  - 283. DOCID\_00017206
  - 284. DOCID\_00019226
  - 285. DOCID\_00030170
  - 286. DOCID\_00030177
  - 287. DOCID\_00033018
  - 288. DOCID\_00044699
  - 289. DOCID\_00044736
  - 290. DOCID\_00044785
-

John E. DeWulf, Esq.  
Marvin C. Ruth, Esq.  
*Re: Davis v. Clark Hill*  
April 4, 2019  
Page 13

291. DOCID\_00044787  
292. DOCID\_00044808  
293. DOCID\_00044967  
294. DOCID\_00044968  
295. DOCID\_00046170  
296. DOCID\_00049186  
297. DOCID\_00049396  
298. DOCID\_00049465  
299. DOCID\_00049595  
300. DOCID\_00049870  
301. DOCID\_00049977  
302. DOCID\_00058805  
303. DOCID\_00061118  
304. DOCID\_00063731  
305. DOCID\_00063842  
306. DOCID\_00069048  
307. DOCID\_00074080  
308. DOCID\_00074097  
309. DOCID\_00074172  
310. DOCID\_00074182  
311. DOCID\_00074222  
312. DOCID\_00074228  
313. DOCID\_00074229  
314. DOCID\_00074233  
315. DOCID\_00074248  
316. DOCID\_00074251  
317. DOCID\_00075186  
318. DOCID\_00075439  
319. DOCID\_00075465  
320. DOCID\_00078185  
321. DOCID\_00470840  
322. DP000046  
323. DP000101  
324. DP000190  
325. DP0000296-340  
326. RECEIVER\_000001  
327. RECEIVER\_000044  
328. RECEIVER\_000093  
329. RECEIVER\_000136

---

John E. DeWulf, Esq.  
Marvin C. Ruth, Esq.  
*Re: Davis v. Clark Hill*  
April 4, 2019  
Page 14

330. R-RFP-Respons.000014

331. R-RFP-Response000911

### **QUALIFICATIONS OF EXAMINER:**

I have enclosed a copy of my curriculum vitae which outlines my qualifications to perform this analysis (*Exhibit "A"*). I have also attached my Testimony List and Fee Schedule (*Exhibits "B" and "C"*).

### **LIMITATIONS:**

The observations/opinions provided herein are based on my training and experience as well as my review of the information listed in the Sources of Information section of this report. I did not conduct a face-to-face evaluation of Mr. Chittick prior to his death, nor have I conducted any collateral interviews. As such, my opinions are thereby limited.

### **FORENSIC OPINIONS:**

**Note: This report includes multiple footnote citations. The citations are not intended to be all inclusive/exhaustive. Rather, they are intended to highlight salient examples of a given point.**

As previously stated, the instant record review was requested in order to provide my psychological impression(s) pertaining to the relevant behavior of Denny Chittick and factors that may have influenced such behavior. Specifically, you asked to me to address the level of influence, if any, Scott Menaged had over Denny Chittick's decision-making and conduct on or about January 2014 through May 2014.

Available records suggest that Mr. Chittick was a highly competitive and driven man who placed tremendous value on money and equated the accumulation of wealth as a primary marker of success.<sup>5</sup> Notwithstanding his apparent focus on financial achievement, by many accounts, Mr. Chittick was not lavish in his spending habits.<sup>6</sup> To the contrary, he was relatively frugal. Although

---

<sup>5</sup> CH\_REC\_CHI\_0074014

<sup>6</sup> D. Beauchamp deposition, 202:13-16 and 206:06-07;  
CH\_EstateSDT\_0039964; CH\_EstateSDT\_0040401;

he had numerous personal and professional associates, Mr. Chittick seems to have been guarded interpersonally and to have had few trusted relationships.<sup>7</sup> It appears that Mr. Chittick was deeply devoted to his wife prior to discovering [REDACTED] in 2009, and remained deeply devoted to his children until the time of his death.<sup>8</sup> In fact, despite his wife's [REDACTED], Mr. Chittick postponed divorce for three more years as he believed this to be in the best interest of his children.<sup>9</sup>

Mr. Chittick began doing business with Scott Menaged in approximately 2007.<sup>10</sup> For the first several years of their relationship, Mr. Menaged demonstrated the capacity to fully execute and fulfill his professional obligation(s) to Mr. Chittick.<sup>11</sup> Mr. Menaged appears to have sought, obtained, and nurtured Mr. Chittick's trust. Although it is unclear precisely when Mr. Menaged began to violate that trust, available records suggest that Mr. Chittick first became aware of any wrongdoing by Scott Menaged sometime in the fall of 2012.<sup>12</sup> At that time, and despite the disturbing nature of his discovery, Mr. Chittick apparently chose to address the problem with Mr. Menaged privately and elected to withhold the information from his counsel and his investors. Moreover, it appears that rather than limit the scope of his business with Mr. Menaged in response to his discovery, Mr. Chittick expanded the amount and number of loans provided to Menaged exponentially.<sup>13</sup> Mr. Chittick's collective business dealings with Menaged put him in violation of representations and/or commitments made to his investors. Over the next

---

CH\_EstateSDT\_0040837; CH\_EstateSDT\_0065302

<sup>7</sup> R. Dupper deposition, 17:5-15; B. Luchtel deposition, 67:17-68:6; D. Davis deposition, 17:1-3; D. Davis deposition, 30:25.

<sup>8</sup> CH\_EstateSDT\_0027935; B. Luchtel deposition, 36:15-16.

<sup>9</sup> CH\_REC\_CHI\_0095659

<sup>10</sup> DIC0007135

<sup>11</sup> DIC0007135

<sup>12</sup> CH\_REC\_CHI\_0009504; CH\_REC\_CHI\_0009542

<sup>13</sup> Counsel has represented to me that the balance of loans made by DenSco to Mr. Menaged between the fall of 2012 and fall of 2013 grew from less than \$5 million to approximately \$25.5 million. In November 2013 when Mr. Menaged revealed more detail about the double-lien issue to Mr. Chittick, Mr. Chittick loaned Mr. Menaged another \$3 million before the end of the year. I anticipate receipt of documentation of these figures will be forthcoming.

12-14 months, Mr. Chittick continued to withhold information about the problems with Mr. Menaged from critical vested parties. Unfortunately, Denny Chittick remained inextricably intertwined with Scott Menaged for the remainder of his life.<sup>14</sup>

Specifically, as it pertains to the January to April 2014 time period in question, I have several noteworthy observations. Those observations include, but are not limited to:

- On January 7, 2014, Denny Chittick sent an e-mail message to David Beauchamp that purported to explain the scope of Mr. Menaged's misuse of DenSco's funds.<sup>15</sup>
- However, Mr. Chittick's January 7, 2014 email contained inaccuracies that suggest he was deliberately deceiving Mr. Beauchamp. For example, Mr. Chittick wrote, in part, "...I have never had problem with payment or issue that hasn't been resolved."<sup>16</sup>
- A January 7, 2014 email from Mr. Chittick to Mr. Beauchamp also referenced a series of issues with DenSco's lien positions. In this email, Mr. Chittick also outlined a "plan to fix" the problem that he and Mr. Menaged crafted and had already begun to implement.<sup>17</sup>
- On January 9, 2014, Mr. Chittick and Mr. Menaged met with David Beauchamp. During this meeting, Mr. Chittick and Mr. Menaged broadly explained the nature of the problem with the liens and cited Mr. Menaged's personal difficulties (e.g., wife's cancer, cousin's mishandling of funds) as the explanation for their predicament.<sup>18</sup>
- With respect to their aforementioned explanation, it is now clear that the personal difficulties Mr. Menaged put forth were fiction.<sup>19</sup> That said, there is no evidence to suggest that Mr. Chittick was aware of

---

<sup>14</sup> Transcript of Recorded Conversation between Chittick and Menaged

<sup>15</sup> DIC0007135

<sup>16</sup> DIC0007135

<sup>17</sup> DIC0007135

<sup>18</sup> DIC0005403

<sup>19</sup> Menaged 2004 Testimony

Mr. Menaged's deception in January 2014. In fact, it is unclear if Mr. Chittick ever seriously doubted the veracity of Menaged's story.

- After the January 9, 2014 meeting, Mr. Chittick and Mr. Menaged, along with their respective counsel, engaged in a lengthy negotiation in order to document the terms of Mr. Chittick and Mr. Menaged's proposed solution.<sup>20</sup> Note: This was ultimately memorialized on April 16, 2014.<sup>21</sup>
- During the course of the January-April 2014 negotiations, Mr. Chittick repeatedly acquiesced to Mr. Menaged's attempts to manipulate the agreement in his own interest.<sup>22</sup>
- During the course of the January-April 2014 negotiations, Mr. Beauchamp repeatedly advised Mr. Chittick against Mr. Menaged's revisions and insisted that he protect DenSco's interests and investors.<sup>23</sup>
- Also during the course of the January-April 2014 negotiations, and despite David Beauchamp's explicit advice to the contrary, Mr. Chittick persisted in sharing information with Mr. Menaged.<sup>24</sup>
- During this same time period, Scott Menaged repeatedly made significant unfulfilled promises to Mr. Chittick about potential solutions to their financial woes.<sup>25</sup>

---

<sup>20</sup> DIC0006242; DIC0006068; DIC0006528; DIC0006079;  
DIC0006615; DIC0006602; DIC0007598; DIC0007630

<sup>21</sup> DIC0008036

<sup>22</sup> DIC00006242; DIC0006261; DIC0006221; DIC0005418;  
DIC0006673; CH\_0002080; DIC0006707

<sup>23</sup> DIC0006625; DIC0006707; DIC0006803

<sup>24</sup> CH\_REC\_MEN\_0031108; CH\_REC\_MEN\_0027195;  
CH\_REC\_MEN\_0026580; CH\_0000915

<sup>25</sup> CH\_REC\_CHI\_0060228; DIC0007075; CH\_REC\_MEN\_0014382;  
CH\_REC\_CHI\_0068720; CH\_REC\_CHI\_0062356; DIC0007135;  
CH\_REC\_CHI\_0065965; CH\_REC\_MEN\_0025912

- As of April 2014, Mr. Menaged was indebted to Mr. Chittick/DenSco for almost \$40 million.<sup>26</sup>
- Mr. Beauchamp continually advised Mr. Chittick about his disclosure obligations before and after the April 16, 2014 memorialization.<sup>27</sup>
- Despite the gravity of the position Mr. Menaged put him in, Mr. Chittick appears to have remained steadfast in his trust in, and support of, Mr. Menaged.
- In an effort to conceal the seriousness of the problems created by Mr. Menaged, Mr. Chittick intentionally misled (by omission and/or commission) his closest associates, including his accountant, investors, family and friends.<sup>28</sup>
- It appears as if Mr. Chittick disliked lawyers (and legal fees). Throughout Mr. Beauchamp's representation of Mr. Chittick, Mr. Chittick routinely made disparaging comments about Mr. Beauchamp professionally, as well as the legal profession generally.<sup>29</sup>
- According to David Beauchamp's testimony, as of May 2014, Mr. Chittick was unwilling to finalize preparation of documents to inform DenSco's investors of the Menaged-associated problems.<sup>30</sup>
- According to David Beauchamp's testimony, Mr. Chittick would not agree to update the investors as Mr. Beauchamp advised.<sup>31</sup>

---

<sup>26</sup> DIC0008036

<sup>27</sup> DIC0006673; DIC0006707; DIC0006803; DIC0006656

<sup>28</sup> RECIEVER\_002570; 2013 Tax Return & Work Papers; DIC0007135;  
S. Heuer deposition, 45

<sup>29</sup> CH\_REC\_MED\_0026584; CH\_REC\_MEN\_0026600;  
CH\_REC\_CHI\_0067611; CH\_REC\_CHI\_0084775

<sup>30</sup> D. Beauchamp deposition, 279:13-14; D. Beauchamp deposition,  
408:12-21

<sup>31</sup> D. Beauchamp deposition, 164:1-14

- According to David Beauchamp's testimony, he terminated representation of Mr. Chittick in May 2014.<sup>32</sup>
- Between January 2013 and June 2016, Mr. Menaged obtained approximately 2,712 loans from DenSco. Of those, only 96 involved actual property transactions. The remaining 2,712 were fraudulent/phantom properties.<sup>33</sup>
- Not only did Mr. Menaged utilize DenSco funds for personal luxury (trips to Las Vegas, gambling, cars, etc.), he also used the fraudulent loans to pay back prior DenSco loans in order to conceal the embezzlement.<sup>34</sup>
- Over the course of their relationship, Mr. Menaged defrauded Mr. Chittick/DenSco out of at least \$34 million.<sup>35</sup>
- DenSco was not Scott Menaged's only victim. Mr. Menaged was indicted for crimes committed against a number of entities, including but not limited to, banks and financial institutions.<sup>36</sup>
- Scott Menaged is currently serving a 17-year sentence with the Federal Bureau of Prisons.

By all outward appearances, Denny Chittick was an intelligent, driven, successful businessman. He seems to have cared deeply about the perception of others and worked hard to portray himself as having full command of his personal and professional lives. However, in Mr. Chittick's case, there was a disconnect between external appearance and internal reality. Although many people thought they knew Mr. Chittick, and he had many positive acquaintances, he appears to have had few intimate personal relationships. Mr. Chittick married his first love, Ranasha, in September 2000. Unfortunately, he appears to have been devastated by his wife's [REDACTED]. Ranasha was one of the few people who Mr. Chittick "let in" and the

---

<sup>32</sup> D. Beauchamp deposition, 121:22-122:1

<sup>33</sup> Menaged Plea Agreement

<sup>34</sup> Menaged Plea Agreement

<sup>35</sup> Menaged Plea Agreement

<sup>36</sup> 2017-10-20 Menaged Judgment In a Criminal Case

demise of their relationship seems to have had an indelible impact. Unfortunately for Mr. Chittick, one of the only other people he appears to have placed his full faith in was Scott Menaged.

It is not uncommon for bright, well-educated people to fall prey to financial crime. In fact, financial predators engage a wide range of victims. In their effort to identify and cultivate a potential target, offenders typically seek to establish a trusting relationship. The preliminary demonstration of credibility becomes the foundation upon which the fraud can be built. The victim's trust is reinforced by the "reward" of initial follow-through. Once trust is established, the loyalty of the victim is a conduit for exploitation. In Mr. Chittick's case it seems his vulnerability was, in part, borne of a need to avoid failure, not only in the eyes of others, but also to himself. To this end, Mr. Chittick appears to have employed the most pervasive and effective of defense mechanisms – denial.

Although in retrospect it may seem counterintuitive, Mr. Chittick's decision to "double down" on his attachment to Mr. Menaged's false narrative, is consistent with a typology of victims of financial crime. It is not uncommon for vulnerable parties, especially those whose conduct is incongruent with their self-perception, to cling to their course no matter how problematic. In the face of a reality that is too much to bear, people often engage in seemingly irrational decisions to avoid confronting the truth. While in hindsight a better course of action may seem obvious, for the individual at a given period in time, internal and external psychological mechanisms can eclipse logic and reason. Mr. Chittick's behavior, prior, during and subsequent to the time period in question, reveals a pattern of enduring and intensifying attachment to his relationship with Mr. Menaged. Mr. Chittick's decision-making demonstrates his capacity to essentially discount information that interfered with his tightly held belief that Scott Menaged would not only rectify the problems he caused, but would be a central figure in his (Mr. Chittick's) future success.

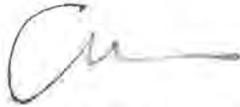
In sum, based on the totality of information available to me, it is my opinion to a reasonable degree of psychological probability that, on or about January 2014 to May 2014 Scott Menaged had substantial influence over Denny Chittick's decision-making and resultant conduct.

---

John E. DeWulf, Esq.  
Marvin C. Ruth, Esq.  
*Re: Davis v. Clark Hill*  
April 4, 2019  
Page 21

My opinions are based on the information listed at the beginning of this report. I reserve the right to supplement and/or modify my opinions as additional information becomes available. To this end, please forward any additional records/discovery to my office. Please do not hesitate to contact me at 480.250.4601, if I can be of any further assistance.

Respectfully submitted,



Erin M. Nelson, Psy.D.  
Forensic and Clinical Psychologist

Enclosures: Curriculum Vitae: Erin M. Nelson, Psy.D. (*Exhibit "A"*)  
Court Testimony List: Erin M. Nelson, Psy.D. (*Exhibit "B"*)  
Fee Schedule: Erin M. Nelson, Psy.D. (*Exhibit "C"*)

---

***EXHIBIT "A"***

## **ERIN M. NELSON, PSY.D.**

(Updated: January 2019)

**Contact Information:** 2415 East Camelback Road, Suite 700  
Phoenix, Arizona 85016  
P: 480.250.4601  
E: [drerinmn@gmail.com](mailto:drerinmn@gmail.com)  
W: [www.nelsonforensicpsychology.com](http://www.nelsonforensicpsychology.com)

**Licensure:** Arizona – License #3697  
California – License #PSY25135  
New Mexico – License #1367

**Professional & Clinical Positions:** Forensic and Clinical Psychologist  
Erin M. Nelson, Psy.D.  
Phoenix, Arizona  
January 2005 - Present

Forensic and Clinical Psychologist  
Steven Pitt & Associates  
Scottsdale, Arizona & Century City, California  
January 2005 – June 2018

Director, Preparation for Practice Course  
Texas Christian University & University of North Texas  
Health Sciences Center School of Medicine  
Fort Worth, Texas  
May 2017 - Present

Director, Psychological & Behavioral Science Curriculum  
Texas Christian University & University of North Texas  
Health Sciences Center School of Medicine  
Fort Worth, Texas  
May 2017 - Present

Director, Behavioral and Social Sciences Curriculum  
University of Arizona College of Medicine – Phoenix  
November 2010 – January 2018

Director, School Training  
Threat Assessment Group, Inc. (TAG)  
Newport Beach, California  
June 2011 – Present

**Teaching Appointments:** Associate Professor, Medical Education  
Texas Christian University/University of North Texas  
Health Sciences Center School of Medicine  
May 2017 - Present

Associate Professor, Psychiatry  
The University of Arizona College of Medicine – Phoenix  
July 2016 – Present

Associate Professor, Bioethics and Medical Humanism  
The University of Arizona College of Medicine – Phoenix  
July 2016 - Present

Clinical Assistant Professor, Psychiatry  
Louisiana State University School of Medicine – New Orleans  
July 2003 – Present

**Consulting  
Positions:**

Phoenix Police Department  
Phoenix, Arizona  
November 2008 - Present

Park Dietz & Associates (PD&A), and  
Threat Assessment Group, Inc. (TAG)  
Newport Beach, California  
April 2002 – Present

**Committee  
Appointments:**

Chair, Admissions Committee  
Texas Christian University & University of North Texas  
Health Sciences Center School of Medicine  
Fort Worth, Texas  
November 2017 - Present

Executive Team – Curricular Evaluation  
University of Arizona College of Medicine - Phoenix  
May 2015 – January 2018

First Responder Traumatic Incident  
Support and Response Task Force  
City of Phoenix  
November 2014 – Present

Chair, Theme and Topic Management Team  
University of Arizona College of Medicine - Phoenix  
June 2013 – December 2017

Curriculum Committee  
University of Arizona College of Medicine - Phoenix  
December 2012 – December 2017

Admissions Committee - Selection Subcommittee  
University of Arizona College of Medicine - Phoenix  
June 2011 – December 2017

**Education:**

Doctor of Psychology, Clinical Psychology  
Arizona School of Professional Psychology/Argosy  
Phoenix, Arizona  
July, 2003

Master of Arts, Clinical Psychology  
Arizona School of Professional Psychology/Argosy  
Phoenix, Arizona  
June, 2000

Master of Arts, Clinical Psychology  
Sam Houston State University, Huntsville, Texas  
December, 1996

Bachelor of Arts, Psychology  
Arizona State University, Tempe, Arizona  
May, 1992

**Honors:**

Honoree: Arizona Foothills Magazine; Women who  
Move the Valley; January 2009  
Certificate of Merit: American Psychological Association  
Division 18, Psychologists in Public Service;  
May 2002  
Outstanding Advocacy Award: Argosy University;  
May 2002  
Magna Cum Laude Graduate, Arizona State University;  
May 1992

**Professional  
Affiliations:**

American Psychological Association  
Division 18: Psychologists in Public Service  
Division 41: American Psychology-Law Society  
Arizona Psychological Association  
California Psychological Association

**Past  
Professional  
and Clinical  
Positions:**

Director, Special Projects  
Steven Pitt & Associates  
Forensic and General Psychiatry  
December 1993 – August 2003

Associate Clinical Psychologist, III  
Texas Department of Criminal Justice, Institutional Division  
University of Texas Medical Branch  
Huntsville, Texas  
April 1997 - June 1998

Clinical Case Manager  
Community Partnership for Behavioral Health Care  
Phoenix, Arizona 85029  
October 1992 - August 1994

**Past  
Teaching  
Appointments:**

Assistant Professor, Psychiatry  
The University of Arizona College of Medicine – Phoenix  
October 2011 – July 2016

Assistant Professor, Bioethics and Medical Humanism  
The University of Arizona College of Medicine – Phoenix  
April 2014 – July 2016

Clinical Assistant Professor  
Clinical Psychology Program, College of Health Sciences  
Midwestern University School of Medicine  
August 2008 – February 2011

Associate Adjunct Faculty  
Arizona School of Professional Psychology  
Phoenix, Arizona  
August 1999 - August 2000

Graduate Teaching Assistant  
Arizona School of Professional Psychology  
Phoenix, Arizona  
April 2000 - July 2000

**Past  
Consulting  
Positions:**

Baseline Serial Killer Task Force  
Phoenix Police Department  
Phoenix, Arizona  
July 2006 – December 2006

Phoenix Police Department - Homicide Division  
Phoenix, Arizona  
July 2003 – November 2008

Arizona Response Crisis Team  
Arizona Department of Public Safety  
Phoenix, Arizona  
June 2002 – January 2005

Threat Assessment Group, Inc.  
Newport Beach, California  
Research Director, Columbine Psychiatric Autopsy Project  
April 2001 – 2002

Joel A. Dvoskin, Ph.D., A.B.P.P. (Forensic)  
Forensic and General Psychology  
Tucson, Arizona  
August 1998 – October 2003

Centers for Disease Control and Prevention  
Macro International  
Calverton, Maryland  
Youth Risk Behavior Survey  
Time-limited research: February - April 1997

**Training:**

Professional Program in Neuropsychological Assessment  
University of California Berkeley  
Behavioral Health Sciences Extension  
Berkeley, California  
April 2013 - May 2015

Postdoctoral Fellow  
Steven Pitt & Associates  
Forensic and General Psychiatry  
Scottsdale, Arizona  
August 2003 – January 2005

Psychology Intern  
Louisiana State University Health Sciences Center  
School of Medicine – New Orleans  
Department of Psychiatry, Division of Psychology  
New Orleans, Louisiana  
July 2002 – June 2003

Psychology Intern  
United States Department of Justice  
Federal Bureau of Prisons  
Federal Correctional Institution and Federal Prison Camp  
Phoenix, Arizona  
September 2000 - July 2001

Psychology Intern  
Maricopa Integrated Health System  
Maricopa Medical Center  
Inpatient Psychiatric Annex  
Phoenix, Arizona  
September 1999 - July 2000

Counselor Intern  
Texas Department of Criminal Justice  
Institutional Division  
University of Texas Medical Branch  
Wynne Unit, Huntsville, Texas  
August 1996 - December 1996

**Research  
Positions:**

Graduate Research Assistant  
Sam Houston State University  
Department of Psychology, Huntsville, Texas  
Forensic Research Grant  
Master's Thesis: Bale, E.M. (1996) Reliability of Criteria Based  
Content Analysis as Applied to Alleged Cases of Child Sexual  
Abuse.  
July 1995 - December 1996

Graduate Assistant  
Sam Houston State University  
Division of Health and Kinesiology, Huntsville, Texas  
Grant funded by the Texas Commission on Alcohol and Drug  
Abuse (TCADA)  
July 1995 - December 1996

**Past:  
Committee  
Appointments:**

Eastern Region Designated Representative  
Internal Audit/Review Board  
Texas Department of Criminal Justice, Institutional Division  
University of Texas Medical Branch - Correctional Managed Care  
June 1997 - June 1998

Unit Post-Trauma Support Team, Crisis Response Division  
Texas Department of Criminal Justice, Institutional Division  
University of Texas Medical Branch - Correctional Managed Care  
June 1997 - June 1998

**Presentations:**

Nelson, E.M. & Pitt, S.E.: Forensic Files – Behavioral Sciences  
and the Law. University of Arizona College of Medicine - Phoenix  
Mini-Medical School Community Lecture Series, Phoenix,  
Arizona, May 2016

Nelson, E.M.: The Art & Science of Human Behavior. Arizona Association of Certified Fraud Examiners, AZ ACFE Spring Conference, Phoenix, Arizona, April 2016

Manriquez, M., Mendez, M.D., Nelson, E.M., Venegas, V., Page, A.S.: Screening for Sex Trafficking: Using Standardized Patients to Teach Residents and Students During Ob-Gyn Objective Standardized Clinical Examination (OSCE) Sessions. The Big and Not So Easy, Today's Challenges in Medical Education – 2016 Council on Resident Education in Obstetrics and Gynecology, Association of Professors of Gynecology and Obstetrics; New Orleans, Louisiana, March 2016

Nelson, L.R., Nelson, E.M. & Barcellona, D.S.: Integration of Basic Science with Behavioral Science and Ethics Material in the Preclinical Curriculum covering Sexuality, Gender Identity and Reproduction. Sex and Gender Medical Education Summit – Mayo Clinic School of Continuous Professional Development; Rochester, Minnesota, October 2015

Hartmark-Hill, J., Nelson, E.M. & Gardner, A.: Interprofessional Integration and the Program for Narrative Medicine and Medical Humanities at the University of Arizona College of Medicine – Phoenix. Association for Behavioral Science in Medical Education – IPECP: Linking the Arts and Sciences to Promote Patient-Centered Care; Minneapolis, Minnesota, October 2015

Nelson, E.M. & Standley, E.S.: Art in Medicine: Structured Observation and Patient Care. Association for Behavioral Science in Medical Education – IPECP: Linking the Arts and Sciences to Promote Patient-Centered Care; Minneapolis, Minnesota, October 2015

Pitt, S.E. & Nelson, E.M.: Mass Shooters and Mental Illness: Fact vs. Fiction. Arizona Osteopathic Medical Association, 34<sup>th</sup> Annual Fall Seminar - Back to Basics; Tucson, Arizona, November 2014  
Nelson, E.M., Hartmark-Hill, J., Lundy, M., Sell, M., Shepherd, T,

Bonifas, R., Coplan, B., Babock, E. & Sayles, J. Cultural Sensitivity, Communication and the Interprofessional Healthcare Team: An Inter-Institutional Collaboration. Association for Behavioral Science in Medical Education – The Behavioral Science of Interprofessional Education: Confronting Issues of Hierarchy and Power; Newport Beach, California, October, 2014

Nelson, E.M. & Dvoskin, J.A.: Campus Violence Prevention. College and University Professional Association for Human Resources 2014 Conference; Prescott, Arizona, June 2014

Nelson, E.M.: A Transportation Safety Culture – Why Aren't We There Yet? Arizona Department of Public Safety, Arizona Department of Transportation Strategic Highway Safety Summit. Phoenix, Arizona, November 2013

Restifo, K., Nelson, E.M., Dietz, P., & Nicholson, C.: Threat Assessment in the Medical School Environment – What is Being Done, What Should be Done, What Can be Done. AAMC Western Regional Conference, University of California School of Medicine; Irvine, California, May 2013

Nelson, E.M.: Promising Practices in Threat Management. Tennessee Department of Education, School Safety Summit; Nashville, Tennessee, January 2013

Nelson, E.M.: Violence Prevention at School. Tennessee School Personnel Officer's Association; Nashville, Tennessee, October 2012

Nelson, E.M.: Keeping Schools Safe. Tennessee School Plant Managers Association; Murfreesboro, Tennessee, June 2012

Nelson, E.M.: Postvention Lessons from the Columbine Tragedy. State of Tennessee, Safe Schools Conference; Nashville, Tennessee, April 2012

Nelson, E.M.: Supporting a Safe and Respectful School – A Program to Train Supervisors, Managers, and Administrators. Threat Assessment Group, Inc. & The Tennessee Department of Education, Office of School Safety; Nashville, Tennessee, February 2012

Pitt, S.E., Nelson, E.M.: Child Abduction and Murder: What Happens After the Arrest? Arizona Missing Persons Association; Glendale, Arizona, November 2011

Dvoskin, J.A. & Nelson, E.M.: Assessing Risk for Violence. Arizona Psychological Association 2011 Annual Conference: Together Through Challenge and Change; Scottsdale/Fountain Hills, Arizona, October 2011

Nelson, E.M.: Supporting a Safe and Respectful School – A Program to Train Supervisors, Managers, and Administrators. Threat Assessment Group, Inc. & The Tennessee Department of Education, Office of School Safety; Knoxville, Tennessee, August 2011; Jackson, Tennessee, August 2011; Nashville, Tennessee, September 2011

Nelson, E.M. & Culbertson, K.: Clinicians and the Court. Arizona Psychological Association 2010 Annual Conference: Advancing the Profession of Psychology – Diversity, Relevancy and Collaboration; Tucson, Arizona, October 2010

Nelson, E.M.: Psychology and the Law: Expert Consultation in Criminal Cases. Pima County Bar Association; Tucson, Arizona, May 2010

Pitt, S.E. & Nelson, E.M.: Information Gathering: The Forensic Psychiatric Evaluation and Beyond...Strategies to Maximize Success. Forensic Trends: Psychiatric and Behavioral Issues; Las Vegas, Nevada, May 2010

Pitt, S.E. & Nelson, E.M.: Media and Forensic Psychiatry: Practical Considerations. Forensic Trends: Psychiatric and Behavioral Issues; Las Vegas, Nevada, May 2010

Pitt, S.E. & Nelson, E.M.: The Forensic Psychiatric Evaluation: Civil and Criminal Case Applications. Arizona Paralegal Association; Phoenix, Arizona, May 2010

Nelson, E.M & Pitt, S.E.: Forensic Psychiatric and Psychological Expert Consultation in Criminal Cases. Maricopa County Bar Association. Phoenix, Arizona, March 2010

Pitt, S.E. & Nelson, E.M.: Behind Closed Doors: Understanding the Human Side of Hoarding. Petsmart® Charities Feline Forum; Chicago, Illinois, September 2009

Stefan, S., Joyce, M., Dvoskin, J.A., Nelson, E.M. & Pitt, S.E.: Right to Refuse Medication Hearings. National Association for Rights Protection and Advocacy Conference; Phoenix, Arizona, September 2009

Pitt, S.E. & Spiers, E.M.: Difficult Physician Behavior: The Role of the Forensic Psychiatric Evaluation. Arizona Health Care Lawyers Association; Phoenix, Arizona, May 2009

Pitt, S.E., Spiers, E.M. & Hayes, J.: Back to Basics: The Independent Forensic Evaluation. Office of the Arizona Attorney General; Phoenix, Arizona, March 2009

Pitt, S.E., Spiers, E.M. & Hayes, J.: Back to Basics: The Art of Interviewing. Arizona Psychiatric Society 2007 Spring Scientific Conference; Scottsdale, Arizona, April 2007

Pitt, S.E., Hayes, J. & Spiers, E.M.: Links Between Animal Cruelty and Violence Toward People. Arizona Humane Society, Law Enforcement Animal Protection Program; Phoenix, Arizona, March 2007

Pitt, S.E., Dietz, P.E., Dvoskin, J.A. & Spiers, E.M.: The Importance of Video Recording Forensic Evaluations. American Academy of Psychiatry and the Law, 35<sup>th</sup> Annual Meeting; Scottsdale, Arizona, October 2004

Spiers, E.M.: Understanding Psychological Evaluations. Arizona Bar Association Annual Conference; Scottsdale, Arizona, June 2004

Spiers, E.M., Dvoskin, J.A., Pitt, S.E., Dietz, P.E. & Walker, R.P.: Columbine: Understanding Why – Implications for Psychologists. American Psychology-Law Society Annual Conference; Scottsdale, Arizona, March, 2004

Spiers, E.M.: Introduction to Forensic Mental Health. Louisiana State University School of Medicine – New Orleans; New Orleans, Louisiana, January, 2004

Pitt, S.E., Dietz, P.E., Dvoskin, J.A., Spiers, E.M., Walker, R.P., & Kurtis, B.: Columbine: Understanding Why. American Academy of Psychiatry and the Law, 34<sup>th</sup> Annual Meeting; San Antonio, Texas, October, 2003

Spiers, E.M.: Psychological Autopsy: Methods, Procedures, and Indications. Louisiana State University Health Sciences Center, Grand Rounds; New Orleans, Louisiana, October, 2003

Spiers, E.M.: The Columbine Psychiatric Autopsy – A Videotape Presentation. The New Orleans Adolescent Hospital; New Orleans, Louisiana, June 2003

Pitt, S.E., Spiers, E.M. & Dvoskin, J.A.: What has been learned from Columbine: The signs that were missed and how this can be avoided in our own backyards. Mental Health Association of Arizona, Arizona Department of Health Services – Division of Behavioral Health. 15<sup>th</sup> Annual Seeds of Success Symposium; Phoenix, Arizona, October 2002

Pitt, S.E. & Spiers, E.M.: Trauma and Crisis Response: Expectations and Interventions. Arizona Coalition for Victim Services, Arizona Response Crisis Team (ARCT); Phoenix, Arizona, June 2002

Pitt, S.E. & Spiers, E.M.: Trauma and Crisis Response: Expectations and Interventions. Arizona Coalition for Victim Services, Arizona Response Crisis Team (ARCT); Phoenix, Arizona, April 2002

Spiers, E.M.: Mass Media and Interpersonal Violence: Influence and Implications. Midwestern University College of Medicine; Glendale, Arizona, March 2002

Pitt, S.E. & Spiers, E.M.: Dangerousness and Firearms: Assessing the Risk for Violence in Teens and Adults. Midwestern University College of Medicine; Glendale, Arizona, November, 2000

Pitt, S.E. & Spiers, E.M.: Assessing the Risk for Domestic Violence. Arizona School of Professional Psychology - Survey of Forensic Psychology; Phoenix, Arizona, November, 2000

Dvoskin, J.A. & Spiers, E.M.: Violence and Mental Illness. Vernon State Hospital; Denton, Texas, November, 2000

Dvoskin, J.A. & Spiers, E.M.: Preventing Suicide in Adult Prisons. Georgia Department of Corrections; Atlanta, Georgia, October, 2000

Pitt, S.E. & Spiers, E.M.: Necrophilia and Necrosadism: Identifying and Assessing the Offender. Mesa Community College, Department of Mortuary Science; Mesa, Arizona, October, 2000

Spiers, E.M.: Youth and Violence: Juvenile Firesetting. Arizona State University Department of Criminal Justice; Tempe, Arizona, April, 2000

Spiers, E.M.: The Psychologist's Role in Corrections. Peoria Unified School District, Cactus High School, Elective Law; Glendale, Arizona, February, 1999

Pitt, S.E. & Spiers, E.M.: Searching for Mental Illness in Firesetters. Maricopa County Attorney's Office Arson Investigation Seminar; Mesa, Arizona, February, 1999

Pitt, S.E. & Spiers, E.M.: Toward an Understanding of Infant Murder. Northern New Jersey Maternal Child Health Consortium Hot Topics in Obstetrics and Pediatrics V; West Orange, New Jersey, November, 1998

Spiers, E.M.: Toward an Understanding of Serial Murder. Mesa Community College, Department of Criminal Justice; Mesa, Arizona, October, 1998

Spiers, E.M.: Career Directions in the field of Psychology. Paradise Valley Unified School District, North Canyon High School, Advanced Psychology; Paradise Valley, Arizona, September, 1998

Bale, E.M.: The Clinical Assessment of Feigned versus Actual Mental Illness. Texas Department of Criminal Justice/University of Texas Medical Branch, Eastern Regional Continuing Education Seminar; Huntsville, Texas, October, 1997

Bale, E.M.: Suicide Risk Assessment and Prevention: Texas Department of Criminal Justice/University of Texas Medical Branch. Bi-monthly training of new employees and correctional officers; October 1997 - June 1998

Pitt, S.E. & Bale, E.M.: Neonaticide, Infanticide, and Filicide: Two Case Reports and Review of the Literature. Good Samaritan Regional Medical Center, Department of Psychiatry, Grand Rounds Presentation; Phoenix, Arizona, May, 1995

Pitt S.E. & Bale, E.M.: Women who Murder Their Children. American College of Neuropsychiatrists' Mid-year Meeting and Scientific Seminar; Phoenix, Arizona, April, 1995

Pitt, S.E. & Bale, E.M.: Post-Traumatic Stress Disorder and DSM-IV: For Better or For Worse? Arizona Trial Lawyers Association; Medical Experts Speak: A Melange of Riveting Medical Topics; Phoenix, Arizona, December, 1993

Pitt, S.E. & Bale, E.M.: The Diagnosis and Treatment of Depression for the Family Practitioner. Phoenix General Hospital and Medical Center; Phoenix, Arizona, September, 1993

Pitt, S.E. & Bale, E.M.: Confidentiality and Privilege: Are you Protecting Your Patient's Rights? 71<sup>st</sup> Annual Arizona State Osteopathic Medical Association Convention; Phoenix, Arizona, April, 1993

Pitt, S.E. & Bale, E.M.: Preparing for Courtroom Testimony. 71<sup>st</sup> Annual Arizona State Osteopathic Medical Association Convention; Phoenix, Arizona, April, 1993

**Publications:**

Pitt, S.E., Nelson, E.M., Chapman, B. & Lamoreux, I. (2018) Handling Suspects' Claims of Insanity During Interrogation. In Police/Law Enforcement, 42(9), 66-70

Kane, A.W., Nelson, E.M., Dvoskin, J.A., & Pitt, S.E. (2012) Evaluation for Personal Injury Claims. In R. Roesch & P.A. Zapf (Eds.). Forensic assessments in criminal and civil law: A handbook for lawyers. NY: Oxford University Press.

Dvoskin, J.A., Pitt, S.E., Dietz, P.E., Spiers, E.M. & Walker, R.P. (2008) Making America's Schools Safer www.TeachSafeSchools.Org

Dvoskin, J.A., Spiers, E.M. & Brodsky, S.L. (2007) Correctional Psychology: Law, Ethics, & Practice. In A.M. Goldstein (Ed): Forensic Psychology: Emerging Topics and Expanding Roles. New York: Wiley

Spiers, E.M., Pitt, S.E., & Dvoskin, J.A. (2006) Psychiatric Intake Screening. In Pisis, Michael (Ed): Clinical Practice in Correctional Medicine, Second Edition. Philadelphia: Elsevier Health Sciences

Dvoskin, J.A. & Spiers, E.M. (2004) On the Role of Correctional Officers in Prison Mental Health Care. Psychiatric Quarterly.

Dvoskin, J.A. & Spiers, E.M. (2003) Commentary on Munetz, M.R., Galon, P.A., & Frese III, F.J. The Ethics of Mandatory Community Treatment. Journal of the American Academy of Psychiatry and Law, 31(2), 184-188.

Glancy, G.D., Spiers, E.M., Pitt, S.E., & Dvoskin, J.A. (2003) Commentary on Chen Y-H, Arria A.M., & Anthony J.C. Firesetting in adolescence and being aggressive, shy, and rejected by peers: New epidemiologic evidence from a national sample survey. Models and correlates of firesetting behavior. Journal of the American Academy of Psychiatry and Law.

Dvoskin, J.A., Spiers, E.M., Metzner, J.L., & Pitt, S.E. (2003) The Structure of Correctional Mental Health Services. In Rosner, R. (ed.), Principles and Practice of Forensic Psychiatry, Second Edition. London: Arnold Publishing.

Spiers, E.M., Dvoskin, J.A., & Pitt, S.E. (2002) Mental health professionals as institutional consultants and problem-solvers. In Fagan, T, and Ax, B (Eds) Correctional Mental Health Handbook Lanham, MD: American Correctional Association.

Pitt, S.E., Spiers, E.M., Dietz, P.E., & Dvoskin, J.A. (1999) Preserving the integrity of the interview: The value of videotape. Journal of Forensic Sciences, 44 (6), 1287-1291.

Pitt, S.E. & Bale, E.M. (1995) Neonaticide, Infanticide, and Filicide: A Review of the Literature. The Bulletin of the American Academy of Psychiatry and the Law, 23(3), 375-386.

Pitt, S.E. & Bale, E.M. (1993) Neonaticide: Mothers Who Kill their Newborn - A Case Report and Preliminary Review of the Literature. AOMA Digest, 8, 6-7, 16

**EXHIBIT "B"**

DATE	CASE CAPTION	COURT	CIV/CRM	PROCEEDING	RETAINED BY
5/24/18	WILSON V. DILLARDS	UNITED STATES DISTRICT COURT - ARIZONA	CIVIL	HEARING	CAROLINE LARSEN, ESQ.
9/26/17	MORGAN V. CHAO	UNITED STATES DISTRICT COURT - ARIZONA	CIVIL	DEPOSITION	KRISSY MORRISON, ESQ.
9/11/17	SALAZ V. ARIZONA	PIMA COUNTY SUPERIOR	CIVIL	DEPOSITION	JENNIFER SANDERS, ESQ.
5/19/17	RIALL V. VALLEY ENT	MARICOPA COUNTY SUPERIOR	CIVIL	DEPOSITION	CHRIS HOLDEN, ESQ.
5/10/17	MICHACA V. FOREST RIVER	SAN BERARDINO SUPERIOR	CIVIL	DEPOSITION	PETER SCHNIATMAN, ESQ.
6/23/16	GILLEN V. ARIZONA	UNITED STATES DISTRICT COURT - ARIZONA	CIVIL	DEPOSITION	MARTIN BIHN, ESQ.
6/8/16	CUSHING V. LIFETIME FITNESS	UNITED STATES DISTRICT COURT - ARIZONA	CIVIL	DEPOSITION	ERICA SPURLOCK, ESQ.
1/26/16	COX V. STATE OF ARIZONA	MARICOPA COUNTY SUPERIOR	CIVIL	DEPOSITION	JAMES BOWEN, ESQ.

***EXHIBIT "C"***



**ERIN M. NELSON, PSY.D.**  
**FEE SCHEDULE**

P: 480.250.4601

E: [drerinmn@gmail.com](mailto:drerinmn@gmail.com)

\$425.00 per hour for all work (e.g., telephone calls, record review, psychological evaluation/testing, analysis of test data, collateral interview(s), research, consultation, correspondence, report writing, travel, preparation for deposition/hearing/trial and testimony). Psychological test scoring fees and transcription fees are billed separately. Out of state travel is based on a 10-hour day with airfare and lodging expenses billed at cost.

\$185.00 per hour for preparation of database/chronology (with prior authorization).

Administrative surcharge: A 10% administrative surcharge is added to invoices to cover the costs of administrative support, telephones, copying, storage, and other office expenses that are not itemized on invoices. Only exceptional charges (e.g., research resources, high volume copying, courier services) are itemized.

Cancellation policy: Cancellations made less than 48 hours in advance will result in a full-day (8.0 hour) charge.