

\$25,000. I charged \$15,000 up front and another \$10,000 for a trial fee.

Page 24, first paragraph: *Continuance; Little chance at trial.*

Inman wanted the continuance and the basis was that she was going through chemo and was essentially too sick to testify. On the issue of success at trial, I am sure I gave a frank analysis of Gaines' chances for a not guilty verdict at trial. I actually asked the jury for probation on one case and 10 years on the other.

Page 24, second paragraph: *Deal with the District Attorney.*

The "deal" with the district attorney is addressed above and it was entered into after consultation not only with the client, but with Inman and Adams. The "deal" was also agreed to with the District Attorney on the Thursday or possibly even the Friday before trial.

Page 24, second paragraph: *If Gaines pleads, he will get probation.*

False. Gaines was never promised probation.

Page 24, second paragraph: *Cheyenne Minick made the opening statement.*

False. I made the opening statement. The trial record, which the attorney on this writ has presumably reviewed, should reflect that.

Page 24, third paragraph: *Johnstone's testimony.*

Johnstone *did* testify before the jury. What happened was during the Rule 702(b) hearing, Johnstone made some statements about Gaines not feeling remorse. Those statements are actually detailed in the fact section of the writ. That testimony gave me great pause. I considered not calling him. I ultimately did call him, but not because Inman pleaded with me that it is Gaines' only chance. I also did not force her to hire Dr. Johnstone.

Pages 24-25: *Discussion of opening statement.*

I gave the opening statement, not Minick. The trial record should show both that fact and what I said.

Pages 25-26: *Cross-examinations.*

Again, the trial record will show the cross-examinations. Gaines had pled guilty. It would