

DIRECT EXAMINATION

BY MS. SANCHEZ:

Q Ms. Brown, what is your profession?

A I am family a law attorney.

Q And how do you know Ashley Benefield?

A Ashley was my client.

Q Is she your client or was she your client?

A I represented her in the divorce and the
pending injunction hearing with her husband.

Imperial Court Reporting (941) 260-9000

1 Q And do you remain her attorney at this point?

2 A That's up to be debated, I guess.

3 Q Okay. How long has your relationship been with
4 Ms. Benefield?

5 A About a year.

6 Q Okay. And in the course of your interaction
7 with her, did she discuss with you any concerns about her
8 husband?

9 A Yes. She was in fear of her life. He was
10 abusive towards their daughter and was very controlling
11 and abusive towards her.

12 Q And in your interaction with her and what she
13 was describing to you, did you develop a plan to secure
14 her safety?

15 A Yes, I did. We had a -- we had a hearing
16 scheduled for an injunction for her daughter that we were
17 actually going to be modifying to include her. I was
18 actually probably going to be more as a witness.

19 I brought in Attorney Kimberly Kuhn who was
20 going to actually represent her in that injunction, which
21 was scheduled for I believe the Wednesday following the
22 Sunday shooting.

23 I actually -- I rented a car, a van
24 specifically. I had it set up so that she would come to
25 my office under the pretense that she was there to

1 sign-off to have the injunction dropped.

2 Reality was she was coming to sign the retainer
3 agreement to have Ms. Kuhn represent her and -- for
4 substitution of counsel. And we were going to move her
5 at that point in the car that I had rented.

6 My husband, who is the -- he is the -- he's the
7 chief deputy of (inaudible) at MacDill Air Force Base.
8 He's former CIA. He actually was taking the day off and
9 he was actually going to do the driving.

10 Mr. Benefield was known to track Ashley's
11 vehicle and follow her. So he was actually going to
12 drive her to make sure that she wasn't followed in the
13 vehicle that I had purchased. I also (inaudible) earlier
14 in the week on that Friday before.

15 So that was, I believe, the 25th of September.
16 I purchased a burner phone, which I then met up with
17 Ashley's mother, Alicia Byers, at a gas station and gave
18 to her hidden in a tampon box. I had programmed into
19 that phone my phone number, Dr. Barbara Russell and Kim
20 Kuhn's phone numbers, but under alias names.

21 Q And where was she -- where was she supposed to
22 stay?

23 A Dr. Russell secured her a hotel room in St.
24 Petersburg that was actually listed under her husband's
25 name as well as mine so that Ashley would not be able to

1 be located.

2 Q Okay.

3 A The goal was for her to be there until the
4 hearing on that upcoming -- I believe it was Wednesday
5 for the injunction.

6 Q And that was supposed to start when?

7 A Monday.

8 Q So from Monday to Wednesday?

9 A Yes, ma'am.

10 Q And this shooting happened on a Saturday; is
11 that right?

12 A It happened Sunday night and we were moving her
13 Monday.

14 Q Okay. My apologies. And I understand that
15 Ms. -- you've extended a job to Ms. Benefield should she
16 be released?

17 A Should she be released, I am willing to hire
18 her part time for as long as she wants to work for me or
19 until she finds a job that she is more inclined to take.
20 But yes, I am more than happy to hire her.

21 Q And how long have you been an attorney?

22 A 15 years.

23 MS. SANCHEZ: All right. I don't have anything
24 further for Ms. Brown.

25 THE COURT: Okay. Ms. O'Donnell, do you have

1 anything you'd like to ask?

2 MS. O'DONNELL: I do.

3 CROSS-EXAMINATION

4 BY MS. O'DONNELL:

5 Q So when you were getting the safety plan
6 together, were you aware that Ashley and the victim were
7 packing up to move to Maryland together?

8 A I was aware that that was the perception, but
9 that wasn't the reality.

10 Q You were aware that the victim was over at her
11 house numerous times?

12 A I was aware. I had received communications
13 from Ashley, e-mails that actually stated that he was
14 becoming very aggressive and very upset because she
15 wouldn't let him over to her house.

16 Q But she did want him over to her house. She
17 indicated that to you, right?

18 A Yes, but it wasn't -- it was -- it was coerced
19 into it.

20 Q Okay. And how did she say she was coerced into
21 it?

22 A He would -- he would say if you don't allow me
23 to come to your house, then I'll just take the daughter.

24 Q Okay. So -- and you're aware that the night of
25 the murder that Emerson the daughter was at the house,

1 correct?

2 A She was not at the house at the time of the
3 shooting.

4 Q Correct, but right before that she was.

5 A Hours before that.

6 Q And Alicia's mother took her to the park?

7 A Correct.

8 Q Were you aware that there was a U-Haul out
9 front?

10 A I was.

11 Q And were you also aware that there were bits of
12 property of Ashley's and Doug's both in that U-Haul?

13 A I was.

14 Q You mentioned that Doug had trapped her.

15 You're aware that his version of that was that she was
16 having an affair and he hired a private investigator to
17 track her movement?

18 A I'm aware that he made several allegations that
19 were not correct.

20 MS. O'DONNELL: Okay. I have no more
21 questions.

22 MS. SANCHEZ: I have no more follow up.

23 THE COURT: Okay. All right. Who would you
24 like to call next?

25 MS. SANCHEZ: Dr. Barbara Russell.