

IN THE CIRCUIT COURT FOR THE NINETEENTH JUDICIAL CIRCUIT
LAKE COUNTY, ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS

v.

MARNI YANG

GENERAL NO. 09 CF 926

PEOPLE'S MOTION TO ISSUE A SUBPOENA DUCES TECUM UPON
"WORDS MATTER PUBLISHING"

Now comes Michael G. Nerheim States Attorney Lake County Illinois, by and through his assistant Jason R. Humke and hereby requests leave of court to issue a subpoena *duces tecum* upon the company "Words Matter Publishing" LLC, and in support of said motion states as follows:

1. On October 1, 2019 the Defendant filed a post-conviction petition (the "Petition") and attached 55 exhibits consisting of expert reports and statements from various proffered witnesses.
2. Among these proffered witnesses, the Defendant has enclosed statements from Emily Yang, Brandon Yang, Larry Merar, Jessie Delgado, and Francine Merar.
3. After filing her Petition, the Defendant provided the State with DNA discovery in compliance with Illinois Supreme Court Rule 417.
4. Upon review of this discovery material as well as the exhibits attached to the Petition, the People have discovered that nearly all the proffered defense experts who provided reports for this Petition work for "Words Matter Publishing LLC."

This is also reflected on the company's website, <https://wmpjusticereview.com/the-wmp-team/> (last accessed February 24, 2020).

5. According to this website, the CEO of "Words Matter Publishing LLC" is Tammy Koelling. This name is also found within nearly every expert report enclosed with the Petition as attached exhibits (See, Petition, Exhibits 4, 10, 16, 26, 40, 41, and 44). From these references in the exhibits to the Petition, it appears that Tammy Koelling was the client whom these various expert reports were prepared for. Several of the expert reports attached to the Petition also reference that the materials they reviewed in preparing their reports were provided to them directly by this Tammy Koelling. (See Petition, Exhibit 4, Page 3 of 39, Exhibit 10, and Exhibit 44, Page 4 of 23).
6. The Defendant and Tammy Koelling also have a relationship in that they were both incarcerated together in the Illinois Department of Corrections until 2016 while Tammy Koelling was serving a sentence for First Degree Murder under the name Tammy S. Fyke.
7. The People therefore contend that Words Matter Publishing LLC essentially works for the Defendant and that the materials in the possession and control of this company should also be considered as being in the possession or control of the Defendant.
8. Additionally, from review of this website it appears that Words Matter Publishing has a financial relationship with the non-expert proffered witnesses in this case. Specifically it appears that this company has provided financial compensation or

other inducements to the Defendant or her children for multiple book deals and media contracts.

9. The People contend that the financial inducements to these witnesses by Words Matter Publishing would relate to the bias, interest, or motive of these witnesses and would be a proper topic to explore when examining these witnesses' credibility should the claims involving these witnesses survive to a third stage evidentiary hearing.
10. Therefore, the People request leave of court to issue a subpoena *duces tecum* upon Words Matter Publishing for all business records related to contracts, financial arrangements, inducements, or other compensation provided to the Defendant, Emily Yang, Brandon Yang, Larry Merar, Jessie Delgado, and Francine Merar.
11. The People also request leave of court to issue a subpoena *duces tecum* upon Words Matter Publishing L.L.C. for all materials listed in the People's Omnibus Motion for Discovery, should the Defendant contend these materials are not within her direct possession or control.

WHEREFORE, the People respectfully request that the court grant the People's Motion to issue a subpoena *duces tecum*.

Respectfully submitted,
MICHAEL G. NERHEIM
LAKE COUNTY STATE'S ATTORNEY

By:



JASON R. HUMKE
Assistant State's Attorney