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NOTICE OF CLAIM LETTER

February 9, 2012

VIA FACSIMILE
AND FIRST CLASS MAIL

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**Re: My Client: Leanna Smith, mother of CR and JS; and
Darrell Smith, father of JS
Date of Loss: August 15, 2011 (Discovery of misconduct)
Claim: Racketeering (A.R.S. §§13-2301, 2310, 2311 and 13-
2314 – 18 U.S.C. § 1962) and related
State tort and Federal Civil Rights claims**

Dear State of Arizona, Director Clarence Carter, Laura Pederson, Tammy Hamilton-MacAlpine, Bonnie Brown, David Fink, Laura Gonzales, Dr Katrina Buwalda, Buwalda Psychological Services, Kristi and Brent Mueller, Marina Greco, Childhelp Children Center of Arizona, Kathryn Coffman, Brenda Bursch and UCLA:

I represent Leanna Smith, the mother of CR, who is now an adult, but at all relevant times was a minor, the mother of JS, a minor and Darrell Smith the father of JS, regarding their claims against the above for Racketeering pursuant to A.R.S. §§13-2301, 2310, 2311 and 13-2314, and 18 U.S.C. § 1962 and related State tort and Federal civil rights claims for conspiring to and manipulating, coaching and brainwashing CR and JS while in CPS care, custody and control. These claims are based upon the following.

FACTS

CR was taken into custody by Arizona Child Protective Services ("CPS") on September 3, 2008 at the requests of Dr. White, Dr. Rekate and Dr. Alfano at St. Josephs Hospital and Dr. Elton, Dr Albuquerque and Dr. Oppenheim at Banner Desert Hospital, based on allegations of suspected Munchausen Syndrome by Proxy (Factitious Disorder by Proxy)(referred to collectively as "MSBP"). The hospitals and CPS consulted Dr. Coffman, who was supervised by Dr. White to pursue MSBP against Leanna. These allegations drove the case although the Juvenile Court never found that Leanna had done anything medically to CR or that she had MSBP. The Juvenile Court ultimately denied DES's petition to terminate Leanna interest in CR and dismissed the dependency petition.

Before DES sought termination, the Juvenile Court had approved reunification of CR with Leanna. The day before Leanna was being reunified with CR; Dr. Elton accused Leanna of putting air in CR's shunt causing it to fail. As a

result, DES used the allegations of MSBP to terminate visitation between Leanna and CR. CPS then pursued termination of Leanna's parental rights. Dr. Elton recanted his position, however, CPS decided to go forward with termination even though no evidence could ever be rationally presented (anything other than raw speculation) that Leanna did anything to cause the shunt to fail.

Prior to this stage in the events, Leanna served a Notice of Claim on DES and its CPS employees Tammy Hamilton-MacAlpine (case worker), Bonnie Brown (CPS Supervisor) and Laura Pederson (CPS Investigator) that she would be filing a complaint against them and the doctors and hospitals to pursue the wrongful taking of CR. This notice of claim was served on or about September 19, 2009. Leanna filed a complaint on March 22, 2010, which was removed to the United States District Court of Arizona, Case No. 10-cv-01632-DGC and which is currently pending.

Brown, MacAlpine, Pederson, Fink, Torres, Greco, Buwalda, Foster Mother and Foster Father, Gonzales, Coffman and Brenda Bursch referred to collectively as "Racketeers") actively, knowingly, intentionally and with malice conspired together and agreed to work together to falsely assert MSBP against Leanna and to brainwash and manipulate CR to get her to agree with them that Leanna had caused her medical injury because of MSBP and later that her mother had physically and sexually abused her and JS. The purpose was to manipulate CR as much as possible to assure success by DES in the Juvenile Court litigation and to terminate Leanna's parental rights in CR and JS. This was also done to limit or eliminate Leanna's claims against the Racketeers and the medical Defendants in the Civil Rights case for wrongfully taking CR from Plaintiffs custody and control.

After Dr. Elton recanted, DES retained Dr. Brenda Bursch to provide expert testimony that Leanna was mentally ill, had MSBP and therefore was dangerous to CR and JS. The Racketeers thereafter meet and conspired to use Dr. Bursch's report to change CR's mind about what had happened to her medically and to get her to believe her medical condition was caused by her mother's MSBP.

The Racketeers started by prohibiting Leanna from bringing JS (CR's Sister), Cordell (CR's Brother) and Darrell (whom she thought of as "Dad") to supervised visits with CR and prohibited Leanna from praying with and discussing religion with CR. They, through the Foster Family, then exposed CR to movies, music, dress, makeup and profanity that they knew would not be approved by Leanna and that would be enticing to a teenager. As a result of these efforts, CR began to disagree with her mother's values, began to swear and became angry because she could not see JS, Darrell and Cordell at visits with Leanna. She blamed her mother for this and was never informed by CPS and the Racketeers that they had prohibited them from visiting.

The Racketeers' then influenced CR to believe that her mother was lying to her about Leanna's and Darrell's religious beliefs. They influenced CR into believing Smith and Darrell were really Muslims, rather than Christians and that Darrell had other wives. They also influence CR into believing that Leanna's litigation in the District Court against the doctors and hospitals would result in her not being able to become a nurse and that if she went home to her mother she would just do what her mother wanted and could not act independently of her. As a result of this manipulation, CR told Smith that she did not want to come home but wanted to continue to have a relationship with her mother and family. All this while DES was intending to pursue termination rather than reunification.

At the very point where CR indicated she wanted to remain in foster care until 18, but still have a relationship with Leanna and her family, and at the moment CR become angry with her mother and felt her mother was lying to her about why Darrell was not at visits and that her mother was lying to her about her religious beliefs, the Racketeer's had CR read the book "Sickened" and read Dr. Bursch's Report accusing Leanna of having mental illnesses and alleging that Leanna caused CR's medical problems as a child because of her MSBP.

"Sickened" is the story of a girl who lost her childhood because her mother had poisoned her as a result of having MSBP. Upon finishing reading the book "Sickened," with Greco, her therapist and Foster Mother, CR related to the child in the book and from that point on believed that Leanna had drugged her causing the unexplained comas she had as a child. After reading "Sickened" and Bursch's report, CR thereafter believed her mother is mentally ill, has MSBP, was trying to hurt her and deprived her of her childhood. Before the matter was ever heard by the Juvenile Court, the Racketeers had effectively destroyed the relationship CR had with Leanna to the point where CR does not want to have anything to do with her mother.

The Racketeers did not wait to litigate the MSBP issues before the Juvenile Court but did so in CR's mind long before the matter came to trial. The Racketeers used Bursch's report and testimony to take JS into CPS custody, even though no medical problems ever existed with JS. The Racketeers manipulated CR to bring allegations of physical abuse against Leanna to justify retention of custody of JS and placing JS in the same foster home as CR. Thereafter, they continued to manipulate CR to obtain false allegations of physical abuse against Darrell and physical abuse and sexual abuse allegations against Leanna.

The Racketeers knew that CR had become "enmeshed" with Foster Mother and used this relationship to manipulate CR and to obtain false allegations of abuse by having Foster Mother and Father attend counseling sessions with Greco and CR and Greco and the Foster Mother reading and interpreting Bursch's report with her as well as reading with her and interpreting the book "Sickened."

The existence and nature of the scheme to defraud is shown by the following. On 2/19/2010, Greco at the direction of and with the consent of Brown and MacAlpine, had a conversation with Brenda Bursch regarding therapy for CR. This was done before Bursch had prepared her report or interviewed CR or Leanna. In that conversation, Bursch offered Greco various interventions Greco could use with CR as victim on MSBP and suggested Greco integrate old medical records into CR's treatment to help her "re-think past events" and to entertain a different view of her medical treatment than she then had which they believed came from her mother.

On 4/23/10, Dr. Bursch interviewed CR. At the conclusion of the interview, Dr. Bursch recommended CR read the book "Sickened, The True Story of a Lost Childhood" by Julie Gregory. Upon information and belief, Dr. Bursch had an off the record conversation with CR about her mother causing her unexplained coma's and causing her medical conditions she had in the past and recommended she read this book.

On 4/28/2010 Marina Greco, Katrina Buwalda, Bonnie Brown, Tammy Hamilton-MacAlpine and the Foster Mother discussed by e-mail whether they should stop what they were doing in therapy with CR. They were proud of CR that she no longer trusted or believed her mother and were concerned about whether they should continue further. It was agreed they should continue to answer CR's questions she was having about her mother. Greco informed the above that after her visit with CR where she expressed her anger with her mother that she was lying to her, that she had purchased the book "Sickened" that was recommended by Dr. Bursch for CR to read and would give it to her to read. She then gave the book to CR to read.

Bursch's report was completed by May 9, 2010. Upon information and belief, at about this same time, CR was provided Bursch's Report regarding Leanna by MacAlpine and CR read this report and the medical timeline contained therein with the Foster Mother and Greco.

On 5/13/2010, CR and Foster Mother completed the recommended reading of the book "Sickened." CR identified herself with the child character in the book and at this point, believed that her mother drugged her to cause her comas. CR expressed concern about JS remaining in the home and it was at this point she stated she had memories of physical abuse of JS.

The above actions constitute a scheme or artifice to defraud Leanna and Darrell of custody of CR and/or JS and to damage or eliminate Leanna's claims against the Civil Rights case Defendants by manipulating CR into believing her mother had MSBP, her mother tried to kill her, that CR needed to protect JS and take JS out of her mother's home and to make false allegations of abuse (including sexual abuse) to assure termination of Leanna and Darrell's parental rights in CR and JS.

Leanna parental interest in CR and JS constitutes a property interest that Defendants knowingly and intentionally schemed to deprive Leanna and Darrell of by having CR not want to have anything to do with them and manufacturing false allegations of physical and sexual abuse to present to the Juvenile Court and to have Leanna and Darrell prosecuted criminally. The acts set forth above constitute a pattern of racketeering activity that took place from January of 2010 and is ongoing to the present.

Greco was placed on 90 days probation with Child Help, starting 3/1/2010, following a Complaint made to the Arizona Board of Behavioral Health Examiners regarding Greco telling a young girl she was counseling that it would be in her best interest if Greco adapted her. Greco quit Child Help and CR and JS were then assigned to Southwest Network Counselor Laura Gonzales who continued to manipulate CR and JS in accordance with the scheme set out by the Racketeers.

The Racketeers presented and used the false allegations of abuse before the Juvenile Court to seek termination of Plaintiffs parental interest in CR and JS. The Court denied DES's petition to terminate Leanna's parental rights in CR and dismissed the dependency petition filed by CPS. However, the Juvenile Court terminated Leanna and Darrell's parental rights in JS based on the false allegations of abuse involving JS and that matter is up on appeal. The ruling by the Juvenile Court was based upon fraudulent information intentionally provided to the Court by the Racketeers. Leanna was subject to multiple criminal investigations as each new allegation of abuse comes from CR. The Racketeers aggressively sought criminal prosecution of Leanna and Darrell based on the false allegations of abuse. No criminal prosecution took place and all cases have been closed by the police.

The Racketeers drove a wedge between Leanna and Darrell and CR. CR feels her mother is mentally ill, caused her medical condition she experienced as a child, has MSBP and has indicated she does not want to have anything to do with her Mother. Even though the Court ruled in Leanna's favor, Leanna does not know where her daughter is and is not able to contact her to reestablish their relationship.

Further, the Racketeers collectively constituted an enterprise, as defined in 18 USC s 1961 (4) to wit, an association which has been engaged in and the activities of which affect interstate commerce. Based on the above, the Racketeers have witnessed tampered and retaliated against a witness and exploited them under 18 USC 1962(c). The tampered and exploited witnesses were CR and JS.

UCLA entered into a contract with the State of Arizona, DES to provide services regarding MSBP. Pursuant to this Contract, Bursch was to provide the services. Bursch and UCLA contractually agreed to abide by all laws in the State of Arizona and agreed to indemnify DES for any injuries or damages resulting from Bursch's conduct.

DEMAND

To resolve this matter pursuant to A.R.S.12-821.01, Leanna requests payment of **SEVENTY FIVE MILLION DOLLARS** and Leanna is entitled to treble damages on this number and attorney's fees and costs. Darrell, request the payment of **THIRTY-FIVE MILLION DOLLARS** trebled and his attorney's fees and costs. Further that Racketeers be terminated and that the State of Arizona, DES and CPS having no dealings (employment or contractually) with these individuals and entities.

Your prompt attention to this matter is needed.

Very truly yours,

Keith M. Knowlton