

APPENDIX A
REFERENCES TO DALE OR LIA SCHADE IN THE AFFIDAVIT

Incident	Date (as Reported in Aff't)	Reference in Affidavit	Supporting Evidence Upon Which Means Allegedly Relied	Schades' Response
Personal/Business Relationship with Williams				
“Lia Schade has a close personal relationship with Williams and has received cash gifts and favors from Williams.”		Aff't at 7.	Opp. Exh. F at 248 (Means interview with Andalon).	<ul style="list-style-type: none"> 1. No evidence of “cash gifts.” 2. SBSD surreptitiously recorded a conversation between J. McCammon and Williams on 10/13/99 in which Williams stated that he and Lia “had some disagreements” and “think a lot different.” Williams explained that Lia had expressed concerns to Williams about Williams and Dale Schade’s relationship. Reply Exh. ZZZ at 358 (Investigative Report Prepared by Means); Reply (J. McCammon Decl.) ¶ 8. 3. Andalon reported the “close personal relationship” on 1/6/99. No evidence of contact between Lia Schade and Williams after 2/26/99 when an entity controlled by Williams issued a \$60 check to her. Reply Exh. NNNN at 454-55 (Swopes Memo re evidence recovered from trash). The last reported trip with Williams involving Lia occurred in 7/98. Opp. Exh. F at 193 (Hermreck interview with Andalon).
“Williams has developed a business and personal relationship with Robert Dale Schade and Lia Zanesco Schade.”		Aff't at 14.		

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<p>“Dale and Lia Schade had open access to the Williams property and have visited the residence while Williams is at home and away.”</p>		<p>Aff't at 14.</p>	<p>Opp. Exh. F at 172, 173 (Birchim interview with Andalon)</p>	<p>The Aff't conceals that the evidence supporting this statement was stale. Andalon reported this on 3/25/98. Opp. Exh. F at 172, 173.</p> <p>As of 7/98, Hermreck was filing reports every few days regarding Andalon's observations. Opp. Exh. F at 186.1-218. By 10/98, Hermreck filed such reports nearly every day until the warrants were executed. Opp. Exh. F at 220-272, 289-305, 323, 329, 335-339, 344-345, 369-373, 380-387, 390-92, 412-13, 428, 432-34, 443-56, 464-76, 483-86, 495-98, 505, 520-21, 543-49. <i>See also</i> Aff't at 9 (“Hermreck has contact with [Andalon] on a daily basis”). Andalon's observations about the mundane comings-and-goings of suspects to and from the Williams residence appear to have been meticulously recorded. The only observations mentioning Dale or Lia Schade during that period were:</p> <ul style="list-style-type: none"> (1) <u>7/12/98</u>: Williams and the Schades' trip to Europe. (2) <u>4/19/99</u>: Williams told Andalon that Dale Schade would be checking on the house and possibly spending the night while Williams would be away. (3) <u>7/30/99</u>: Williams called D. Schade and asked Schade when he would be ready for “the trip to Arizona.”

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"[Andalon] indicated that Dale Schade would come to the Williams residence or Williams would contact Dale Schade, by telephone or in person, on a daily basis during Schade's tenure as the Commander of the Santa Ynez Valley Sheriff's Substation."		Aff't at 14.	Opp. Exh. F at 172, 173 (Birchim interview with Andalon) ("Dale is at David's house all the time." . . . "Dale started coming to David's house three years ago."); Reply Exh. AAA at 33:2-3 (Birchim Depo.) (reporting Andalon told him that "Dale [Schade] comes [to Williams's] house a lot during the day . . . drinks and goes or stays.")	The Aff't conceals that the evidence supporting this statement was stale. It does not state that Schade ceased being Commander of the Substation in May 1998 (Mot. Exh. X at 19:4-14 (D. Schade Depo.); Reply Exh. LLL at 163:15-164:2 (D. Schade Depo.)) – about 19 months before the warrant was sought. Similarly, the Aff't also does not reveal that Andalon reported D. Schade's frequent visits on 3/25/98. Opp. Exh. F at 172, 173.
"[Julie] McCammon said that Williams stopped by the Santa Ynez Substation periodically to visit with [Dale] Schade."		Aff't at 21.		Stale evidence. Aff't does not reveal that Schade ceased working at the Santa Ynez Substation in May 1998. Mot. Exh. X at 19:4-14 (D. Schade Depo.); Reply Exh. LLL at 163:15-164:2 (D. Schade Depo.).
"[Andalon] told [Means] she believes [Dale] Schade has supported Williams' suspicious activities by using Schade's Law Enforcement influence. . . . [Andalon] believes . . . that Schade would protect Williams from other Deputies in the Santa Ynez Valley."		Aff't at 15.	Opp. Exh. F at 248 (Means interview with Andalon) (Dale Schade served "as an information tool for law enforcement activities.")	

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Williams's Generosity				
"Your affiant discovered that Williams paid for a recent trip to Europe for [Dale] Schade and his wife."	none reported	Aff't at 7, 14, 56.	Opp. Exh. F at 193 (Hermreck interview with Andalon).	Characterizing that trip as "recent" is misleading. Andalon reported the trip on 7/12/98. Opp. Exh. F at 193.
"Your affiant discovered that Williams has given cash gifts to [Dale] Schade and provided him with a credit card."	none reported	Aff't at 7.	Opp. Exh. F at 173 (Birchim interview with Andalon) (Williams gave Dale and Lia Schade credit cards for Christmas).	(1) No evidence of "cash gifts."
"[Andalon] told your affiant that she had seen Williams provide credit cards to the Schades. . . . Your affiant has discovered receipts and documents [in the] Schades' discarded trash showing use of credit cards in the name of Williams and Williams' companies. Your affiant believes a number of American Express cards, which Williams pays, have been given . . . Dale and Lia Schade."		Aff't at 32	Opp. Exh. F at 173 (Birchim interview with Andalon).	Andalon reported the credit card gift on 3/25/98. Aff't does not indicate when Means discovered the receipts.

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Packages				
<p>Non-Specific Packages Allegations</p> <p>“[Andalon] told [Means] that Dale Schade, while employed with the Sheriff’s Department, picked up or delivered packages for Williams once or twice a month. [Andalon] indicated that Schade’s participation in the package delivering and retrieval was not constant but occasional.”</p> <p>Andalon represented that “Schade has delivered and escorted other suspicious packages for Williams many times. On several occasions Schade has met Williams at the residence and assisted him in loading suspicious packages.”</p>	<p>Aff’t at 14.</p> <p>Aff’t at 15.</p>		<p>Opp. Exh. F at 248 (1/6/99 Means interview with Andalon); Reply Exh. DDD (Palera Depo.) at 14:1-20; Reply at 12.</p> <p>Opp. Exh. F at 248 (1/6/99 Means interview with Andalon)</p>	<p>1. Andalon did not say “once or twice a month.” Means’s report indicates she said: “[Dale Schade] has been at the residence on numerous occasions and has helped [Williams] move ‘special packages.’” Opp. Exh. F at 248. Ambiguous whether this sentence means that Schade moved packages “numerous times” or whether it just means that Schade has been at the residence numerous times and had occasionally moved packages.</p> <p>2. Andalon’s accounts were stale. Means’s interview with Andalon occurred on 1/6/99 (and in that interview, she was recounting to him everything she had ever observed regarding Williams going back to 1996); Andalon spoke with Palera before 3/98.</p> <p>3. In a 3/3/99 internal briefing, Means reported that “Schade’s trips to [Williams’s] house are fairly infrequent.” Opp. Exh. F at 280.</p>

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Andalon represented that “[o]n one occasion . . . [Dale Schade came to Williams’s residence and] loaded a heavy ice chest” onto his vehicle and would not allow Andalon to touch the chest.	undated	Aff't at 15	Opp. Exh. F at 186.2 (6/18/98 Cintron interview with Andalon).	This undated incident with the ice chest was reported by Andalon on 6/18/98 and she represented that the incident occurred on 5/31/98. Opp. Exh. F at 186.2. The Aff't also omitted that Schade loaded the ice chest on the morning after Williams hosted a party to celebrate Dale and Lia Schade’s anniversary. The ice chest had been delivered to the house on the day before the anniversary party. Opp. Exh. F at 186.2
Dale Schade collected a “special package” from Williams’ residence and took it to Arizona where he met Williams.	late March or early April 1998	Aff't at 15	Opp. Exh. F at 173 (Birchim interview with Andalon).	Birchim’s interview notes indicate that Andalon made this representation on 3/25/98 and that she had stated that this had occurred “last year.” Thus, Andalon represented that Dale collected the “special package” sometime in 1997, not in March or April of 1998.
Means discovered a guest card and bill from The Phoenician resort in Phoenix, AZ in the Schades’ trash. The guest name on both documents was “M/M Clyde Cessna,” a party of two, and the room was billed to a credit card issued to Williams. The arrival date was 3/29/98 and the departure date was 4/1/98. Means telephoned the Phoenician and learned that Williams had stayed there during the same period.	3/29/98 to 4/1/98	Aff't at 15.		

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“[Andalon] told [Means] about an occasion in March 1998, when Williams exchanged a duffel bag with Paul at Williams’ residence. Paul loaded the duffel bag into his vehicle. Williams then contacted Schade via a cellular telephone that also had radio capabilities. Williams was overheard asking Schade if it was safe for Paul to leave. Schade was overheard telling Williams everything was ready and it was safe for Paul to leave.”	3/98	Aff't at 16.		

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1996 Traffic Accident				
<p>In July 1996, Williams called Daniel and Julie McCammon (SBSD officers) and told them he had been involved in a car accident that day, that he had left the scene of the accident, and wanted Daniel McCammon to talk to the investigating officer to tell him that Williams is “a good guy.” Daniel McCammon refused to do so. The investigation of the accident revealed that Williams had been driving in excess of 115 mph and had been under the influence of alcohol. Julie McCammon later asked Schade whether Schade knew Williams was involved in an accident. Schade responded that he had “taken care of Williams.” Williams later pled nolo contendere to significantly reduced charges regarding the accident. Julie McCammon told Means she knows that Schade and the Deputy DA Bullard (the attorney responsible for prosecuting the case) “are close personal friends.”</p>	7/28/96	Aff't at 19-21.	Reply Exh. DDDD at 25:17-19, 27:4-10, 27:25-28:12 (J. McCammon Depo.).	Schade and Bullard are not “close personal friends.” Opp. (Bullard Decl.) ¶ 2 (“I had very little contact with [D. Schade]. We were not friends.”).

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“[Means] knows through years of employment within the [SBSD] that . . . Bullard is a close associate and personal friend of Dale Schade. Your affiant believes that Schade used his professional and personal association with . . . Bullard to influence the prosecution of Williams for the accident. Your affiant bases this belief on the information from [Julie] McCammon, and the fact that . . . Bullard . . . has a reputation of strict prosecution regarding alcohol-related accidents.”		Aff't at 22.	Means based his belief that Bullard and Schade were friends on what McCammon told him, that he had seen them “in conversation,” and that Sam Gross had told him that they were friends. Reply Exh. DDDD at 36:1-18, 38:8-13 (J. McCammon Depo.); Reply Exh. BBB at 391-92 (Means Depo.)	
Schade obtained a \$10,000 mortgage loan from Vandenberg Federal Credit Union on April 3, 1996. He received a full reconveyance of the property securing the loan on August 28, 1996 – about 5 months after receiving the loan and one month after the accident.		Aff't at 22-23.		