

The CD is labelled with the Mendel Law Firm and dated 6/26/2015, the same day it was mailed and the same day they filed their no evidence motion.

Two of the .wav files are dated February 27, 2015
One is dated March 21, 2011 and one is dated April 22, 2011

All of the email .msg files show a modified date of March 18, 2015

The first message to contain a video (VIDEO0002.3gp) (Carole to Anita) is BRUNSTING5822 dated May 23, 2011

Then BRUNSTING5823 dated May 25, 2011 (Carole to Amy, Anita & herself) VIDEO0009.3gp

BRUNSTING5824 dated May 25, 2011 (Carole to Amy, Anita & herself) VIDEO0010.3gp

BRUNSTING5824 dated May 25, 2011 (Carole to Amy, Anita & herself) VIDEO0011.3gp

A receipt dated March 17, 2011 (Brunsting004570) shows one ICD-PX312 digital voice recorder purchased at Best Buy in Houston

The same Bates Document bears a 2nd receipt from Radio Shack for a 4200223 3' 1/8' M-M PATCH CABLE

Apparently Tino was reimbursed for the purchase from the Mom/Carole Account.

The Sony ICD-PX312 digital voice recorder has a 72 hour battery life and a USB AC power adaptor AC-U501AD.

It has a built in 2GB memory and an SD expansion slot up to 16GB which is a lot of MP3 recording time.

It's capable of voice activation and could have been left connected to the phone in listening mode 24/7

https://docs.sony.com/release/specs/ICDPX312D_mksp.pdf

1. Recorder bought by Tino March 17, 2011
2. Recordings known March 21, 2011 and April 22, 2011
3. The .wav files dated 2/27/2015 were both created and changed on that date.
That would imply that they were extracted from another recording media.

4. All of the email .msg files show a modified date of March 18, 2015
5. All of the emails containing attached video's are dated May 23 & 25, 2011

What can be presumed from what we have:

The voice recorder was purchased March 17, 2011 and used to intercept electronic communications on Nelva's phone line between March 21 and April 22, 2011
Carole made video recordings of Carl on her Android and sent them to herself, Amy and Anita May 23 & 25, 2011

Someone was playing with these files in February and March of 2015 but waited until late June 2015 to disseminate them.

In February and March 2015 Candy's original federal petition, injunction and masters report were filed with her amended complaint in the Probate Court. Candy filed application for the Courts approval of a distribution and Anita and Carole objected. Carl tendered his resignation and nominated Candace. Defendants filed a motion to compel disclosures (They got some nerve!)

1. Receipt for recorder paid from Mom/Carole account.
2. Candy email telling Carole to have mom change her passwords because Anita is stalking her email and banking.
3. Anita had Nelva's email password December 31, 2007?
4. Email exhibits attached to Candy's wiretap brief (Dkt 62-3) contained communications between Anita, Amy, Carole and Candy that were not disclosed under discovery and reveal a plot to get guardianship over Carl Brunsting.
5. The November 17, 2010 email from Freed (Dkt 62-3 exhibit C) is an admission of Candace involvement in trying to get Nelva declared incompetent.
6. These recordings indicate, among other things, that Anita and Amy and their counsel had been withholding information from discovery.
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