

February 19, 1998

James Crist
Steinhagen and Crist
5200 Willson Road, Suite 314
Minneapolis, MN 55424

RE: Dunlap v. Chubb Life Insurance Company of America

Dear Mr. Crist,

I have reviewed multiple items related to the above styled case, including an autopsy report, a letter addressed to a Mr. Sonneysyn from Dr. Daniel Davis, a curriculum vitae of Daniel Davis, M.D., a case supplement of the Minneapolis Police Department related to the aforementioned case, photographs taken during the autopsy of the decedent Anne Dunlap, an affidavit of Sergeant David Voss, as well as scene photographs. I additionally received a video tape which I have not viewed at the time of the preparation of this letter.

It is my understanding that the decedent was found in the trunk of a car which was located in a parking lot of a business. The decedent had sustained multiple stab wounds.

The autopsy report is thorough regarding injuries, articulate, and emblematic of the good reputation of the medical examiner's office in Minneapolis.

As I have related verbally to you, I have several observations regarding this case. First, the stomach contents are not determinate of a time of death. Attempting to ascribe a precise time of death based upon the appearance of stomach contents is not in keeping with good forensic practice. An article that was written by Jaffe in the American Journal of Forensic Medicine and Pathology details some reasons that relying upon stomach contents to define a time of death implies a false sense of accuracy. He makes the statement, in the abstract of the article as follows: "Generally, using stomach contents as a guide to time of death involves an unacceptable degree of imprecision and is thus liable to mislead the investigator and the court". (Stomach Contents and the Time of Death, American Journal of Forensic Medicine and Pathology, 10(1):37-41, 1989.) This belief has indeed been borne out in my experience. There is a tremendous diversity in emptying times of stomachs among individuals, and variation within a particular individual given certain circumstances such as stress factors. I have seen recognizable stomach contents within the stomach days after an individual had eaten anything (while hospitalized with an endotracheal tube in place). Such cases reflect an adynamic state of the intestine due to the tremendous stress of the underlying illness. Consequently, one may say what a person had for a last meal, if the stomach contents are recognizable, but a precise time of death cannot be assigned. In the present case, there is no validity to ascription of a time of death to a thirty minute window of the afternoon, as the death could have occurred sometime during the evening. Such factors as the size of a meal, the potential stress that the individual experienced, and other factors all need to be taken into consideration in the recognition of the imprecision of assigning the time of death based upon stomach contents.

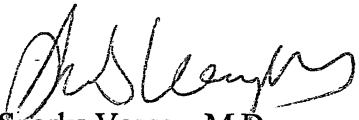
Secondly, I do not believe that the decedent was stabbed in the back of the vehicle. I have examined numerous scenes in which people have died as a result of penetrating or perforating injuries. The blood distribution in the car is inconsistent with arterial spurting as would occur with a transection of a carotid artery, or any significant size arterial vessel. Further, the small drops of what appears to be blood on the floor of a garage in the pictures that I have examined are inconsistent, in my opinion, with arterial bleeding.

We have discussed the potential aging of blood spots. As I have related verbally to you, I am unaware of any accepted technique for aging dried blood, in terms of how long that blood has been on a particular surface. Such work may exist, but I have not seen it in our literature, and am extremely skeptical regarding the ability of anyone, regardless of technique, to be able to say within a two to twelve hour window of when blood was deposited.

In summary, the time of death in this case, in my opinion, cannot be based upon stomach contents. The stomach contents only indicate what the individual had for her last meal. Additionally, it is my opinion, there is not evidence of arterial blood spurting within the trunk of the car. Consequently, it is my opinion that the fatal stab wounds were incurred in some location other than the trunk of the car.

If I can be of any further assistance, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sparks Veasey'.

Sparks Veasey, M.D.
Forensic Pathologist
Director, Autopsy Service