

**THE THIRTY-SIXTH ANNUAL  
IOWA MIDDLE SCHOOL  
MOCK TRIAL TOURNAMENT  
2019**

**STATE OF IOWA**

**Vs.**

**COCO “PIBB” ST. CLAIR**

**A program of  
The Iowa State Bar Association  
Center for Law & Civic Education**

**In cooperation with the  
Young Lawyer’s Division  
Of The Iowa State Bar Association  
With generous financial support from  
The Iowa State Bar Foundation**

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MOCK TRIAL TOURNAMENT  
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**STATE OF IOWA**

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Original Case Materials Developed by

The Iowa State Bar Association Center for Law & Civic Education  
625 East Court Avenue  
Des Moines, Iowa 50309  
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*Many thanks to the Nebraska Bar Foundation  
and the Nebraska Mock Trial Program  
for the inspiration for this case.  
The author acknowledges that the original idea for the topic  
came from the 2016 Nebraska High School materials.  
This work represents wholesale revision of that problem.*

## **BRIEF CASE SUMMARY:**

The Stratford Players is a community theater program located in Stratford, Iowa\* and housed in the Beatty Wiese Center for the Performing Arts. On the afternoon of July 11, 2019, during a dress rehearsal of an original play, *Burr*, one of the actors, Pepper Albertson, the Co-Director of the BW Center, was shot and killed. The shooting occurred in a scene depicting the famous duel between Alexander Hamilton and Aaron Burr. Albertson, portraying the lead character, Aaron Burr, was killed by a lead ball shot from the pistol of her Co-Director, Pibb St. Clair, who was portraying the role of Alexander Hamilton. The shooting occurred in general view of cast, crew and a special guest, celebrated New York City and Los Angeles producer Greer Guffman. Was the shooting a tragic accident or is there sufficient evidence and testimony to support a charge of premeditated murder?

The stage is set! The spotlight is on! The curtain rises! ACTION!

*This Summary of Facts is provided for background purposes only and may not to be used as evidence in the case.*

\*Stratford is a real place located in Hamilton County, Iowa. The town includes numerous streets named after famous poets, playwrights and dramatists. However, other than using the name and location of Stratford, all events described herein are completely fictitious. Any resemblance to actual people, places or events is purely coincidental.

## **IMPORTANT NOTE:**

*The Middle School Mock Trial problem this year involves an incident of gun violence (albeit in an unusual situation and using an antique weapon). We understand that many schools in Iowa have policies in place restricting the use and/or discussion of weapons on school grounds. **Under no circumstances are teams to bring a weapon (real or fake) on to school grounds. We strongly encourage teams to consult with school and district administrators about the proper method to approach this topic.** We believe that the content of these case materials may provide an excellent starting point for a discussion about gun safety.*

**IN THE DISTRICT COURT OF  
HAMILTON COUNTY, IOWA**

**CASE NO. 19-CR-36-19**

**STATE OF IOWA**

**PLAINTIFF**

**VS.**

**PRE-TRIAL ORDER**

**COCO "PIBB" ST. CLAIR**

**DEFENDANT**

\* \* \* \* \*

On this the 23<sup>rd</sup> day of August, 2019, the above-captioned matter came before the undersigned judge for pretrial conference. The parties, appearing through their counsel, indicated their agreement to the terms of this Order. The terms of this Order shall not be altered, except by this Court upon a showing of good cause.

**I. Statement of Case**

The State of Iowa charged the Defendant, Coco "Pibb" St. Clair, with Murder.

**II. Pretrial Rulings**

Because the parties have stipulated to the cause of death of the victim, the judge has sustained the Defendant's objection to showing photos of the victim's body and injuries on the grounds that those photos would be unnecessarily cumulative of the testimony of Deputy Don/na Blaine and that, as a result of their gruesome nature, those photos would be substantially more prejudicial than probative.

**III. Stipulations of the Parties**

The parties have entered into the following stipulations, which shall not be contradicted or challenged:

1. The signatures on the witness statements are authentic and signed under oath by each witness.
2. The jury charges are accurate in all respects. No objections to the jury charges may be raised.
3. The indictment is valid. The Defendant may not challenge the indictment as deficient.
4. All exhibits included in the case are authentic and accurate in all respects, No objections to the authenticity of the exhibits will be entertained. Due to limitations of Mock Trial, all the physical evidence is accurately portrayed through the exhibits provided.
5. No objections for any reason will be entertained to the admissibility of the Autopsy Report (Exhibit 1). Either party may introduce and offer the Autopsy Report through the testimony

of an appropriate witness. The Autopsy Report will be admitted into evidence without objection.

6. All searches of property and persons were done with lawful authority and within the bounds of the Constitution. The constitutional validity of any search of any property or person may not be challenged or called into question during the trial of the case. The chain of custody of evidence collected during the investigation is not in dispute.
7. The Defendant, Coco "Pibb" St. Clair, was properly advised of *Miranda* warnings upon arrest. *Miranda* warnings were not legally required prior to any other interview of Pibb St. Clair or any other witness. The validity of any interview based on *Miranda* may not be challenged or called into question during the trial of the case.
8. Deputy Don/na Blaine and the Hamilton County Sheriff officers interviewed all likely witnesses. Only those with information relevant and valuable to the investigation are specifically identified in Deputy Blaine's affidavit. No other witness interviewed provided any relevant or valuable information.
9. The testimony of the officers, the coroner and any other member of the Hamilton County Sheriff Department is in concurrence with and cumulative of that of Deputy Don/na Blaine and is, therefore, unnecessary. The failure of a party to call a witness other than those listed in the Case Materials may not be raised or challenged.
10. Exhibit #2 (Floor Plan), is a fair and accurate representation of the facility known as the Beatty Wiese Center for the Performing Arts in Stratford, Iowa. All witnesses personally familiar with the property agree that the rendering is fair and accurate.
11. In accord with Iowa Mock Trial rules and customs, student witnesses may portray their characters in any manner consistent with the case materials. However, the Court WILL NOT recognize any request to designate witnesses in this problem as "hostile." As such, questioning of witnesses on direct and cross examination must proceed in the usual acceptable format. (i.e. open-ended questions on direct and closed-ended questions on cross).

#### **IV. Witnesses Scheduled to Appear**

The following witnesses are scheduled to appear in the above captioned matter:

*For the Plaintiff (State of Iowa)*

**Deputy Don/na Blaine**, Hamilton County Sheriff's Department

**Greer Guffman**, Theatrical Producer with offices in NYC and LA

**Shawn Schuyler**, Technical Director, Beatty Wiese Center for the Performing Arts

*For the Defense*

**Coco "Pibb" St. Clair**, Defendant, Co-Director BW Center

**Terry Pendleton**, Actor and Volunteer, Stratford Players

**Ricki/y Savage**, Actor and Volunteer, Stratford Players

#### **V. Exhibits Available**

The following exhibits are available for use by parties during the presentation of this trial. Exhibits have been pre-marked and should be referred to by their appropriate exhibit number:

1. Autopsy Report of Pepper Albertson
2. Floor Plan of Beatty Wiese Center for the Performing Arts
3. Photos of Dueling Pistols Recovered from Scene
4. Email Exchange Between Greer Guffman and Pibb St. Clair
5. Text Message Exchange Between Greer Guffman and Pibb St. Clair
6. Poster Advertising *Burr*

IT IS SO ORDERED, on this 26<sup>th</sup> day of August, 2019.

/s/ Christina Thompson

The Honorable Presiding Judge

IN THE IOWA DISTRICT COURT FOR HAMILTON COUNTY

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STATE OF IOWA,	)	
	)	
Plaintiff,	)	CRIMINAL LAW NO. <u>19-CR-36-19</u>
	)	
v.	)	
	)	
COCO "PIBB" ST. CLAIR,	)	TRIAL INFORMATION
	)	
Defendant	)	

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COMES NOW the Hamilton County Attorney's Office and, in the name and by the authority of the State of Iowa, accuses the Defendant of the crime of the following:

COUNT I: Murder in the First Degree, in violation of Iowa Code Section 707.2, based upon the allegations that the Defendant in this County, Iowa, on or about the 11<sup>th</sup> day of July, 2019, did:

Cause the death of Pepper Albertson, a human being, by shooting her with a deadly weapon, intending or knowing that s/he would cause the death of Pepper Albertson, and acting with premeditation.

A TRUE INFORMATION: Hamilton County Attorney's Office

By: Aaron Jones  
(Signature)

APPROVAL AND ORDER FOR ARRAIGNMENT

This information and the Minutes of Evidence accompanying it have been examined by me and found to contain sufficient evidence, if unexplained, to warrant a conviction by trial jury. The witnesses are listed in the Minutes of Evidence. The filing of this information is approved by me on the 23<sup>rd</sup> day of August, 2019.

IT IS HEREBY ORDERED that arraignment in this matter be scheduled. There is no preliminary hearing after filing this information.

Christina Thompson  
JUDGE

IN THE IOWA DISTRICT COURT FOR HAMILTON COUNTY

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STATE OF IOWA,	)	
	)	
Plaintiff,	)	CRIMINAL LAW NO. <u>19-CR-36-19</u>
	)	
v.	)	
	)	
COCO "PIBB" ST. CLAIR,	)	DEFENDANT'S WRITTEN NOTICE OF
	)	NOT GUILTY PLEA
Defendant	)	

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COMES NOW, the Defendant and for his/her Written Notice of Not Guilty Plea, and states as follows:

After having been fully advised of my right to plead guilty, not guilty, former conviction, and former acquittal, I hereby enter a plea of Not Guilty to the charge of Murder in the First Degree, in violation of Iowa Code Section 707.2.

Pibb St. Clair  
DEFENDANT

## IOWA CODE

### CHAPTER 702 DEFINITIONS

#### **702.11 Forcible felony.**

1. A “*forcible felony*” is any felonious child endangerment, assault, murder, sexual abuse, kidnapping, robbery, human trafficking, arson in the first degree, or burglary in the first degree.

### CHAPTER 707 HOMICIDE AND RELATED CRIMES

#### **707.1 MURDER DEFINED.**

A person who kills another person with malice aforethought either express or implied commits murder.

#### **707.2 MURDER IN THE FIRST DEGREE.**

A person commits murder in the first degree when the person commits murder under any of the following circumstances:

1. The person willfully, deliberately, and with premeditation kills another person.
2. The person kills another person while participating in a forcible felony.
3. The person kills another person while escaping or attempting to escape from lawful custody.
4. The person intentionally kills a peace officer, correctional officer, public employee, or hostage while the person is imprisoned in a correctional institution under the jurisdiction of the Iowa department of corrections, or in a city or county jail.
5. The person kills a child while committing child endangerment under section 726.6, subsection 1, paragraph “*b*”, or while committing assault under section 708.1 upon the child, and the death occurs under circumstances manifesting an extreme indifference to life.
6. The person kills another person while participating in an act of terrorism as defined in section 708A.1.

Murder in the first degree is a class “A” felony.

# **JURY INSTRUCTIONS**

## **PRELIMINARY INSTRUCTIONS**

It is your duty as a juror to decide this case by applying these jury instructions to the facts as you determine them. You must follow these jury instructions. They are the rules you should use to decide this case.

It is your duty to determine what the facts are in the case by determining what actually happened. Determine the facts only from the evidence produced in court. When I say “evidence”, I mean the testimony of witnesses and the exhibits introduced in court. You should not guess about any fact. You must not be influenced by sympathy or prejudice. You must not be concerned with any opinion that you feel I have about the facts. You, as jurors, are the sole judges of what happened.

You must consider all these instructions. Do not pick out one instruction, or part of one, and ignore others. As you determine the facts, however, you may find that some instructions no longer apply. You must then consider the instructions that do apply, together with the facts as you have determined them.

In their opening statements and closing arguments, the lawyers have talked to you about the law and the evidence. What the lawyers said is not evidence, but it may help you to understand the law and the evidence.

The lawyers are permitted to stipulate that certain facts exist. This means that both sides agree those facts do exist and are part of the evidence. If a fact is stipulated, then you can assume that fact to be true and do not consider any evidence that contradicts that fact.

You are to determine what the facts in this case are from the evidence produced in court. If the court sustained an objection to a lawyer’s question, you must disregard it and any answer given. Any testimony stricken from the court record must not be considered.

The State has the burden of proving the defendant guilty beyond a reasonable doubt. In civil cases, it is only necessary to prove that a fact is more likely true than not true, or that its truth is highly probable. In criminal cases such as this, the State’s proof must be more powerful than that. It must be beyond a reasonable doubt.

Proof beyond a reasonable doubt is proof that leaves you firmly convinced of the defendant’s guilt. There are very few things in this world that we know with absolute certainty, and in criminal cases the law does not require proof that overcomes every doubt. If, based on your consideration of the evidence, you are firmly convinced that the defendant is guilty of the crime charged, you must find the defendant guilty. If, on the other hand, you think there is a real possibility that the defendant is not guilty, you must give the defendant the benefit of the doubt and find the defendant not guilty.

You must decide whether or not the State has proven the defendant guilty beyond a reasonable doubt. The law does not require a defendant to prove innocence. You must start with the

presumption that the defendant is innocent. The State must then prove the defendant guilty beyond a reasonable doubt. This means that the State must prove each element of the charges beyond a reasonable doubt. If you conclude that the State has not met its burden of proof beyond a reasonable doubt with respect to a particular charge, then you must find the defendant not guilty of that charge.

You must decide whether the defendant is guilty or not guilty by determining what the facts in the case are and applying these jury instructions. You must not consider the possible punishment when deciding on guilt; punishment is left to the judge.

If you find that the plaintiff, the State of Iowa, has lost, destroyed, or failed to preserve evidence whose contents or quality are important to the issues in this case, then you should weigh the explanation, if any, given for the loss or unavailability of the evidence. If you find that any such explanation is inadequate then you may infer that the evidence is against the State's interest, which may create a reasonable doubt about the defendant's guilt.

The State must prove guilt beyond a reasonable doubt with its own evidence. You must not conclude that the defendant is likely to be guilty because the defendant did not testify. The defendant is not required to testify. The decision on whether or not to testify is left to the defendant acting with the advice of an attorney. You must not let this choice affect your deliberations in any way.

The defendant is not required to produce evidence of any kind. The decision on whether to produce any evidence is left to the defendant acting with the advice of an attorney. The defendant's failure to produce any evidence is not evidence of guilt.

Before you may convict the defendant of the charged crimes, you must find that the State proved beyond a reasonable doubt that the defendant committed a voluntary act. A voluntary act means a bodily movement performed consciously and as a result of effort and determination. You must consider all the evidence in deciding whether the defendant committed the act voluntarily.

In determining the evidence, you must decide whether to believe the witnesses and their testimony. As you do this, you should consider the testimony in light of all the other evidence in the case. This means you may consider such things as the witnesses' ability and opportunity to observe, their manner and memory while testifying, any motive or prejudice they might have, and any inconsistent statements they may have made.

The State has charged the defendant with certain crimes. A charge is not evidence against the defendant. You must not think that the defendant is guilty just because of a charge. The defendant has pled "not guilty". This plea of "not guilty" means that the State must prove each element of the charges beyond a reasonable doubt.

Evidence may be direct or circumstantial. Direct evidence is the testimony of a witness who saw, heard, or otherwise observed an event. Circumstantial evidence is the proof of a fact or facts from which you may find another fact. The law makes no distinction between direct and circumstantial evidence. It is for you to determine the importance to be given to the evidence, regardless of whether it is direct or circumstantial.

A witness may give an opinion on a subject upon which the witness has become an expert because of education, study, or experience. You should consider the opinion of an expert and the reasons, if any, given for it. However, you are not bound by any expert opinion. Give the expert opinion the importance that you believe it deserves.

Evidence of other acts of the defendant has been admitted in this case. You must not consider this evidence to prove the defendant's character or that the defendant acted in conformity with that character. You may, however, consider that evidence only as it relates to the defendant's motive, opportunity, intent, preparation, plan, knowledge, identity, or absence of mistake or accident.

You must evaluate the defendant's testimony the same way as any witness' testimony.

The State need not prove motive, but you may consider motive or lack of motive in reaching your verdict.

## **CLOSING INSTRUCTIONS**

Now that all the evidence has been presented, it is my duty under the law to give you the instructions that apply in this case. The instructions contain all rules of the law that are to be applied by you and all the rules by which you are to weigh the evidence and determine the facts at issue in deciding this case and reaching a verdict. You must consider the instructions as a whole. All the testimony and evidence that is proper for you to consider has been introduced in this case. You should not consider any matter of fact or of law except that which has been given to you during the trial of this case.

It is your responsibility as jurors to determine the facts from the evidence, to follow the rules of law as stated in these instructions, and to reach a fair and impartial verdict of guilty or not guilty based upon the evidence, as you have sworn you would do. You must not use any method of chance in arriving at a verdict, but must base your verdict on the judgment of each juror.

### **(2) Elements of the Charges:**

In this matter, the Defendant has been charged with the crime of Murder, under Iowa Code Section 707.

To this charge, the Defendant has entered a plea of not guilty.

I will now define the elements for this charge:

#### **Murder – Iowa Code Section 707:**

The Defendant is charged with Murder. The State must prove beyond a reasonable doubt that the Defendant killed another person with malice aforethought.

Malice is hatred, ill-will, or hostility towards another person. It is the intentional doing of a wrongful act without just cause or excuse and with an intent to inflict an injury or under

circumstances such that the law will infer an evil intent.

Malice aforethought does not require that the malice exists for any particular time before the act is committed, but malice must exist in the mind of the Defendant just before and at the time of the act is committed. Therefore, there must be a combination of the previous evil intent and the act.

Malice aforethought may be express or inferred. These terms, “express” and “inferred” do not mean different kinds of malice but merely the manner in which malice may be shown to exist. That is, either by direct evidence or by inference from the facts and circumstances that are proved. Express malice is shown when a person speaks words that express hatred or ill-will for another or when the person prepared beforehand to do the act that was later accomplished; for example, lying in wait for a person or any other acts of preparation showing that the deed was in the Defendant’s mind would be express malice.

Malice may be inferred from conduct showing a total disregard for human life. Inferred malice may also arise when the deed is done with a deadly weapon. A deadly weapon is any article, instrument, or substance which is likely to cause death or great bodily harm. Whether an instrument has been used as a deadly weapon depends on the facts and circumstances of each case.

In this case, the State has alleged that the murder involved the intentional killing of Pepper Albertson. Therefore, in order to prove the Defendant guilty of Murder, the State must prove the following:

The Defendant took the life of Pepper Albertson with malice aforethought.

If, after considering all of the evidence, you conclude that the State has proven beyond a reasonable doubt that the Defendant committed the crime of murder in violation of Iowa Code Section 707, you must return a verdict of guilty as to this charge on the jury verdict form. If, on the other hand, you conclude that the State has failed to meet its burden of proving beyond a reasonable doubt that the Defendant committed the crime of murder in violation of State Code Section 707, you must return a verdict of not guilty as to this charge on the jury verdict form.

**Verdict Instructions:**

After you have retired to consider your verdict, a member of the jury is selected as your foreperson and then you begin your deliberations. The foreperson is to maintain orderly deliberations but should have no greater influence on the deliberations than any other member of the jury. Your verdict must be unanimous. When you have agreed on a verdict, your foreperson will sign the verdict form, and you will, as a body, return the verdict form in open court.

**Verdict Form:**

The verdict form approved by the Court is attached hereto.

IN THE IOWA DISTRICT COURT FOR HAMILTON COUNTY

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STATE OF IOWA,	)	
	)	
Plaintiff,	)	CRIMINAL LAW NO. <u>19-CR-36-19</u>
	)	
v.	)	
	)	
COCO "PIBB" ST. CLAIR,	)	
	)	
Defendant	)	

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**JURY VERDICT FORM**

We, the jury, empaneled and sworn in the above-entitled cause, do, upon our oaths, find as follows:

As to **COUNT I** for **Murder in the First Degree**, Iowa Code Section 707, we the jury find the Defendant:

\_\_\_\_\_ Guilty

\_\_\_\_\_ Not Guilty

\_\_\_\_\_  
Foreperson

## Statement of Don/na Blaine

1 My name is Don/na Blaine. I'm 29 years old and serve as a Deputy with the Hamilton  
2 County Sheriff Department. I reside in Webster City, Iowa. Prior to my service as a Hamilton  
3 County Deputy Sheriff, I served as an officer at the Fort Dodge Correctional Facility prison and  
4 as a reserve police officer in Fort Dodge. I attended Cyclone Community College and hold an  
5 Associate Degree in Criminal Justice.

6 I not only investigated the incident at the Beatty Wiese Center for the Performing Arts  
7 (or the BW as the locals call it) on Thursday, July 11, 2019, I was also present and witnessed the  
8 shooting.

9 Let's not make this thing complicated. Everyone saw Pibb St. Clair shoot Pepper  
10 Albertson. Everyone I interviewed knew of the "creative differences" and constant bickering  
11 between the two. Everyone knew that Greer Guffman, a bigtime New York City producer,  
12 would be present at the rehearsal and was prepared to offer St. Clair and Albertson a significant  
13 payment for their work. Despite the obvious nature of the situation, I conducted a complete  
14 investigation. I am a professional, and even though I was present and witnessed the shooting, I  
15 do not believe that I have a conflict. I believe that it makes me the most qualified person to  
16 investigate because I have first-hand knowledge of what happened. Each of the witnesses  
17 interviewed who saw the incident tells the same story. Pibb St. Clair pointed a weapon at  
18 Pepper Albertson and pulled the trigger. Albertson died as a result of that gunshot wound.  
19 Means, motive, opportunity, case closed.

20 Even though this is an open and shut case, I take my investigations very seriously and I  
21 want to fill in some of the gaps for you. On Thursday, July 11, 2019, I was assigned to provide  
22 transport and security to a visiting dignitary to Hamilton county. The Sheriff's office frequently  
23 extends this courtesy to special guests visiting the area. We are a small community and we want  
24 to show our respect and prevent any negative publicity – obviously, this incident certainly  
25 won't help our community reputation.

26 I was informed that a famous New York City theater producer, Greer Guffman, was  
27 scheduled to arrive around Noon on July 11. I was assigned to meet the private jet carrying  
28 Guffman at the regional airport in Webster City and transport the producer to a meeting and

29 dress rehearsal of an original play in Stratford. Guffman's plane arrived on schedule. We had a  
30 pleasant conversation during the 25-minute drive to Stratford. When we arrived at the BW, I  
31 escorted Guffman into the facility, did a quick risk assessment, and asked where we might find  
32 Pibb St. Clair and Pepper Albertson. I was informed that they were backstage in St. Clair's  
33 office.

34 As I escorted Guffman to the rear of the stage, we both heard loud, insistent voices  
35 coming from the office. Clearly there was a disagreement of some sort taking place, but I could  
36 not hear any distinct words so I can't tell you what the voices were fighting about. As I knocked  
37 on the door, the shouting died down. I introduced Guffman to the occupants of the office – St.  
38 Clair and Albertson – and offered to stay just in case there were any further altercations.  
39 Guffman politely told me that was not necessary. I stayed out in the hallway while the three  
40 conducted a short meeting. I assume that the conversation involved details to purchase the  
41 work in question and potential employment for St. Clair and Albertson, but I couldn't hear  
42 anything through the door and their voices were quiet. I'm a professional. I am not going to  
43 lower myself to listen at a keyhole unless I'm on a stake-out or other assignment that warrants  
44 such action. However, I was able to put together the substance of the conversation based on  
45 both snippets of overheard discussion throughout the day and on my subsequent interviews  
46 with witnesses and the defendant after the incident.

47 The meeting lasted from roughly 1 p.m. until 1:30. The dress rehearsal was scheduled to  
48 start at 3:30. Before the play, I offered to drive Guffman on a tour of Stratford, but s/he indicated  
49 that s/he would rather find a quiet place to make a few phone calls and do some work before  
50 the play began. Since the BW was in frenetic mode in preparation for the big event, I suggested  
51 Schneider's Deli across the street from the BW. Anytime I'm in Stratford, I head to Schneider's.  
52 Their pickles are extra pickley. I sat at an adjacent table while Guffman made calls and  
53 reviewed documents until the time of the performance.

54 At approximately 3 p.m., we headed back to the BW and took seats in the audience. A  
55 chair in the middle of the 5<sup>th</sup> row had been reserved for Guffman. I'm not exactly sure why this  
56 was necessary as we were basically the only people in the audience for this rehearsal. I  
57 positioned myself in the row behind Guffman and two seats to the left. That way I could

58 maintain a line of sight to the stage, the rest of the theater and to my charge, ready to provide  
59 any needed security service.

60 I have to admit that the play was actually very good. Now, I've not actually seen too  
61 many drama plays – a few in high school and one class trip to Des Moines to see a musical at  
62 the Civic Center, but this one was right up there. I couldn't really follow the plot, but some of  
63 the lines were catchy and the movement on stage was well paced. I kept a close watch for  
64 anyone entering or exiting the theater. I did notice some activity in the wings (is that what they  
65 call the sides of the stage?) that seemed a little distracting, but nothing to raise my concern or  
66 the threat level of the situation.

67 Midway through the play, there was the duel scene between the characters Hamilton  
68 and Burr. I remember from my U.S. History class in high school that this occurred somewhere  
69 near New York City and resulted in Hamilton's death, so I was real interested to see how the  
70 play treated the event. The scene began with the actors stepping off rowboats to the shore. Each  
71 of the main characters was accompanied by a "second." There was also an actor on the stage  
72 standing with a box – which I later saw contained the dueling pistols. There was some back and  
73 forth between the actors and then each dramatically selected a pistol from the offered case. They  
74 counted off their paces and turned to face each other. The Hamilton character raised a pistol,  
75 took aim and fired. The pistol shot sounded authentic. Then people started screaming and I  
76 ascertained that this was not a planned part of the play. My first responder training kicked in.

77 My immediate reaction was to protect the person I was guarding. I leapt over the seats  
78 and pushed Guffman to the floor, covering him/her with my body. I then keyed my mic and  
79 told dispatch that there was an active shooter situation at the BW in Stratford and that back-up  
80 was needed. When there were no further shots, I rose to investigate the source of the  
81 disturbance. I saw a body lying on stage with both Pibb and another actor huddled over it. I  
82 jumped to the stage to find the victim, Pepper Albertson, in a pool of blood with a single  
83 gunshot wound to the chest. There was no blood pumping from the wound and I could detect  
84 no pulse from either the victim's neck or chest. I again keyed the mic to request an ambulance  
85 and to notify the comm to send out a forensics team to process the scene.

86           At that point, I took control of the situation. I requested that everyone who was on stage  
87 or who was back-stage and saw the incident to go to the Rehearsal Room located off of the  
88 lobby, while everyone else present in the theater should remain in the lobby area itself until one  
89 of my colleagues had a chance to speak with them.

90           An additional deputy, Torey Cuellar, arrived pretty quickly. I requested that she take  
91 statements from anyone in the lobby who witnessed the incident. Approximately 10 minutes  
92 after Officer Cuellar arrived, an EMT squad arrived to care for the deceased. Pepper Albertson  
93 was officially declared dead at 5:20 p.m. When the crime scene team arrived a little later, the  
94 body was transported to Webster City Memorial Hospital. The forensics techs began their work  
95 and along with Greer Guffman, I proceeded to the Rehearsal area to conduct interviews with  
96 those most closely familiar with the situation.

97           I made a quick cull of those who clearly had nothing to contribute to what I myself had  
98 witnessed, but asked Pibb St. Clair, Shawn Schuyler (the Technical Director), Terry Pendleton  
99 (an actor on stage at the time), and Ricki/y Savage (an actor who was backstage watching the  
100 play) to remain. Along with Greer Guffman, these four had the most to contribute to my  
101 understanding of what had transpired.

102           I first spoke with Shawn Schuyler. Schuyler identified her/himself as the Stage Manager.  
103 Since the Director of the play, Pibb St. Clair, was also an actor, Schuyler assumed responsibility  
104 for running things behind the scenes. As technical manager, Schuyler told me that s/he was in  
105 charge of all props used on the set, including two dueling pistols. I retrieved the weapons from  
106 the techs and asked Schuyler to identify them. S/he indicated that these were in fact Wogdon &  
107 Barton flintlock smoothbore dueling pistols used in the production. S/he told me that they were  
108 authentic reproductions of the actual weapons used by Hamilton and Burr in the duel of 1804.  
109 Schuyler indicated that s/he was responsible for maintaining and loading the weapons for use  
110 on stage, but that s/he had not placed live ammunition in either pistol. S/he indicated that s/he  
111 had loaded both with black powder and a cotton wad only – essentially creating a blank that  
112 would sound authentic but that would fire only a harmless cotton ball. One of the pistols had  
113 clearly been recently fired while the other had not. Further investigation determined that the  
114 unfired pistol was indeed loaded only with powder and cotton.

115           During my questioning of Schuyler, s/he reported that the decedent and the accused co-  
116 wrote the play and several other plays as well. Schuyler reported that their relationship was a  
117 stormy one. When I mentioned that I had overheard a bit of an argument earlier that afternoon,  
118 Schuyler indicated that was not unusual at all and quite tame by comparison to the normal  
119 rows these two would have. Apparently, St. Clair and Albertson argued constantly and loudly  
120 about everything related to the production, but that the worst of the arguments recently seemed  
121 to focus on Greer Guffman and the potential sale of the rights to the play and consulting  
122 opportunities for them both. According to Schuyler, St. Clair wanted to do a deal with Guffman,  
123 while Albertson adamantly refused. Since they were listed as co-authors of the play, they both  
124 had to agree or the deal could not go through – which gave St. Clair a perfect motive. If  
125 Albertson was dead, she would not be able to object to the sale of the rights.

126           I next spoke with Terry Pendleton, an actor who was on stage at the time of the  
127 shooting. Pendleton’s character was the one who presented the weapons to the actors on stage.  
128 S/he was also the closest to the scene. Immediately after the pistol was fired, Pendleton said that  
129 s/he knew something was terribly wrong. S/he rushed to provide aid and comfort to Albertson  
130 who lay on the stage, bleeding profusely. S/he claims to have heard the deceased say something  
131 before succumbing to the throes of death. S/he reported that Albertson uttered “Not the way” or  
132 “Not my life” or something similar.

133           I interviewed Ricki/y Savage who indicated that s/he had been backstage viewing the  
134 play from the wings at the time of the incident. I almost dismissed Savage – a lot of people had  
135 seen the shooting were not able to add any information beyond “I saw the shooting.” However,  
136 when I asked Savage what role s/he played in the production, I received a rather cagey answer.  
137 After a lot of hemming and hawing, I ascertained that Savage had been recently dismissed from  
138 the role of Hamilton in the production and sneaked back in to watch the performance. I  
139 inquired further about Savage’s presence backstage and was told that Savage had simply  
140 returned to retrieve a few personal belongings left at the theater – backstage and in the Props  
141 room. Further questioning revealed that Savage had been using the props room as a “crash  
142 pad” on occasion and had a key to this room. Savage denied being in the props area at all that  
143 day. Savage described her/his interaction with St. Clair earlier that day as “civil, not violent at

144 all." S/he indicated to me that St. Clair merely wanted to "go in a different direction" with the  
145 role of Hamilton and that St. Clair her/himself would be taking the role. Savage told me that  
146 s/he had no indication ahead of time that s/he would be relieved of her/his role until the  
147 discussion earlier in the day. S/he was confused and frustrated because s/he had sunk so much  
148 time and effort into the play – lines, cues, blocking, etc. – and that the firing came without  
149 warning. As s/he recounted this to me, I could see that s/he was getting more and more visibly  
150 agitated. I did my best to calm the witness down. Savage did say that when s/he returned to the  
151 theater before the rehearsal performance began, s/he did notice St. Clair over by the props table,  
152 apparently looking at or handling one or both of the dueling pistols. But Savage declared that  
153 despite her/his current ill will toward St. Clair, s/he just could not conceive of Pibb actually  
154 plotting to kill her/his partner.

155 I next interviewed the producer from New York, Greer Guffman. Guffman was quite  
156 upset – mostly, it seemed, for being delayed in leaving Iowa for an engagement later that  
157 evening in Los Angeles. S/he did settle down once s/he realized the gravity of what had  
158 occurred and the role that I must undertake to serve and protect. Guffman indicated that in  
159 addition to actually witnessing the shooting (from one row in front of me), s/he had exchanged  
160 emails and text messages with both St. Clair and Albertson over a period of 3 or 4 months and  
161 had visited Iowa in May to discuss terms of a deal to purchase the rights to the play and to offer  
162 both authors a consulting fee and possible employment. S/he did indicate that while St. Clair  
163 was completely sold on the idea, Albertson required more convincing. In private messages  
164 between Guffman and St. Clair, Pibb indicated confidence that Pepper could be convinced to  
165 see the virtue of the deal. Guffman indicated that the whole purpose of this current visit was to  
166 formalize the agreement. Guffman was "surprised and dismayed" (Guffman's words, not mine)  
167 that in the conversation in the office prior to the performance, Albertson did not appear to have  
168 changed her mind about the deal. Guffman did say that the meeting concluded with Albertson  
169 agreeing to at least reconsider. Guffman agreed to forward to me any copies of correspondence  
170 that s/he could locate between her/himself and St. Clair and/or Albertson.

171 Finally, I interviewed Pibb St. Clair. St. Clair did appear to still be in a state of shock. I  
172 offered to conduct the questioning at a later time at the Sheriff's office, but St. Clair indicated

173 that s/he just wanted to get the whole thing over with. St. Clair freely admitted to tension with  
174 the deceased. St. Clair told me that was just the way they normally worked. This type of  
175 “creative tension” produced a better product on stage. St. Clair indicated that the prospect of a  
176 deal with Guffman added to the normal tension leading up to the premier performance, but  
177 that the added stress and strain would certainly not lead St. Clair to do anything untoward to  
178 creative partner Albertson. At this point, St. Clair expressed belief that my investigation would  
179 conclude that the incident was an accident. St. Clair seemed wholly unaware of being the prime  
180 suspect in a homicide investigation.

181 St. Clair claimed no prior knowledge that the dueling pistol used in the play was loaded  
182 with live ammunition and denied intentionally aiming and firing directly at the deceased. St.  
183 Clair claimed to be heart-broken over the tragic consequences and wished that s/he had never  
184 stepped into the role of Hamilton.

185 I subsequently interviewed St. Clair a second time, on July 19, after receiving copies of  
186 communication from Greer Guffman. I repeatedly asked St. Clair to explain portions of the texts  
187 and emails, but St. Clair’s answers were always the same – that I was reading far too much into  
188 the text and that without context it was easy to misconstrue what was actually being said. You  
189 know, text and context are not things that I’m generally asked to figure out.

190 I reviewed the autopsy report as part of my investigation. It basically said exactly what I  
191 already knew: Pepper Albertson died of a gunshot wound to the chest on July 11, 2019 at the  
192 Beatty Wiese Center for the Performing Arts in Stratford, Iowa.

193 The crime scene team did not turn up anything out of the ordinary during their work,  
194 except one small thing. The lead investigator, Anjie Shutts, indicated that she found evidence of  
195 adhesive residue on the bottom of the grip of the dueling pistol that fired the deadly shot. She  
196 also reported that she had recovered a small orange adhesive dot close to where St. Clair was  
197 standing on stage during the duel scene. She indicated that there were various tape markings  
198 on the stage in addition to the orange dot. She just assumed that all of it was part of the  
199 production but wanted to fill me in on the unique orange dot and the residue on the pistol grip.

200           Based upon my thorough investigation, I believed that there was reason to believe that  
201 this incident was no accident. After consulting with the Sheriff and the County Attorney's  
202 office, I took Pibb St. Clair into custody.

203           Listen, I'm a county deputy. My job is to preserve the peace and protect the public.  
204 When something bad happens, I'm supposed to get who did it. I've done my job here. It's all  
205 pretty clear – I saw the defendant take a gun, aim it at the victim and pull the trigger. Pepper  
206 Albertson died as a result of that gun shot. Clearly there is means, motive and opportunity; an  
207 open and shut case.

## Statement of Greer Guffman

1 My name is Greer Guffman. I'm 53 years old and maintain residences in both New York  
2 City and Los Angeles, as well as a cozy little beach cottage in St. Kitts. I'm a producer of  
3 Broadway shows and Hollywood movies, with a few television projects thrown in here and  
4 there. As a producer, I travel extensively, meeting with investors and identifying talent and  
5 promising ideas for the stage and screen. I'm usually working on multiple projects  
6 simultaneously. It is not uncommon for me to have a dozen or so ideas in development.

7 I discovered *Burr* through some posts and threads in social media – I think my first  
8 exposure was in a chat group about offshoots of Hamilton. (The most famous, of course, being  
9 Spamilton – currently touring the U.S.) I was surprised to find that the authors were two  
10 obscure playwrights in some backwater town in Iowa. The description seemed to be a very low-  
11 budget production to be performed by a community theater company. The writers teased a few  
12 clever lines from the play – and I was intrigued.

13 I contacted the authors first via email and then followed that up with a phone call. I  
14 asked if I could read a copy of the working script. A PDF version was emailed to me that same  
15 afternoon. Let's be frank, the play was just gawd-awful. But I really liked the idea and thought  
16 it had some development potential in the right hands. To prevent a lawsuit over intellectual  
17 property, my firm was prepared to make an offer for the rights of the play. I drew up a standard  
18 creative services contract – offering a fair price for the script and throwing in a little extra  
19 payment to the creative team. We negotiated between phone, text and email for a little while  
20 before I offered to fly to Iowa to visit them in person. In my business, face to face is always best  
21 – and usually seals the deal.

22 I felt that the offer was sufficiently generous. I even sweetened the pot by hiring both as  
23 "consultants" – fly them out to NYC a few times, show them the sights, wine and dine – you  
24 know, do the whole Bright Lights, Big City thing on them. I honestly never anticipated any  
25 reluctance.

26 Pibb St. Clair, the primary author of the work was enthusiastic to say the least. Pibb was  
27 ready to sign on the dotted as soon as possible. Pepper Albertson, the other half of the writing  
28 team, however, seemed suspicious of our motives from the outset – but really, where's the

29 harm? They'd be given some credit; they'd be listed as consultants; they'd be paid (very well for  
30 Stratford, Iowa!); they'd get to travel – and when it was all said and done with, they'd return to  
31 the boondocks a little richer, a little wiser, a little more experienced, and with some great stories  
32 to tell the local yokels.

33 I first flew to Des Moines in early May (commercial, ugh!) to meet with Pibb and Pepper.  
34 They made sure to give me the full Iowa experience. We walked through the Downtown  
35 Farmer's Market – they had even arranged for this bizarre flash mob scene where a whole  
36 bunch of people appeared in t-shirts designed like dominoes. Then they lined up, snaking down  
37 the main drag of the market. Pibb told me to gently shove the person in front of me – and  
38 wouldn't you know it, they all toppled in turn, just like real dominoes! One of the craziest  
39 things I've ever seen! (And gave me an idea for a weird half hour TV series highlighting crazy  
40 local stunts.) We also had lunch at an amazing restaurant – by that I mean actual NYC/LA  
41 quality – who knew! Of course, I met the chef, Abhay Nadipuram, who described his vision for  
42 local farm to table with a global fare. He apparently has been nominated multiple times for  
43 James Beard awards. I really would not be surprised if this dude ended up on Top Chef. (In fact,  
44 I mentioned him to my buddies Tom Colicchio and Padma Lakshmi when I saw them at a  
45 benefit in NYC a week or so later.)

46 Anyway, I thought the meeting went fairly well. Of course, I had hoped to close the deal  
47 quickly, but met with some resistance. Pibb St. Clair seemed very enthusiastic and receptive.  
48 The only thing Pibb asked was to be hired on as a creative consultant with a multi-year  
49 guaranteed contract. Clearly s/he had done some research and knew how to play the game to  
50 leverage a little more cash out the deal. I really thought that we were all on the same page, but  
51 then the quiet one, Pepper Albertson, started to express her misgivings. Pepper expressed  
52 concerns about artistic expression and commercialization and the potential of turning the “work  
53 of art” into a laughingstock. I reassured her that I had no evil intentions. I honestly thought at  
54 that point that her reluctance was merely a bargaining ploy. (It happens more often than you'd  
55 think!)

56 Pepper said, “Our manuscripts are not about to be made a mockery in some sleazy  
57 Wednesday night sitcom!” It's always the same with these artsy types. They would rather

58 dabble around making peanuts in a playhouse than making it huge on the big screen. I didn't  
59 understand it and neither did Pibb. Pibb was the reasonable one. Pepper said that she had heard  
60 enough and wasn't interested in fame and fortune because it would "be like selling my soul."  
61 Pepper stormed out of the restaurant – again, I figured part of the act to leverage more money.  
62 Ultimately, it almost always come down to money. I told Pibb that I would keep the offer open  
63 and was even willing to negotiate further if necessary. Pibb promised to apply some gentle  
64 pressure on Pepper and get her to agree.

65 I stayed in touch with them over the next couple of months. Each time, Pibb indicated  
66 that we were "close" to a deal. I knew that the play was scheduled to begin in mid-July, so the  
67 window of opportunity would be closing soon. I could tell that Pibb was getting a bit more  
68 desperate – almost like Pibb needed the cash and wanted to find a way to make it big.

69 During the negotiation with Pibb, I received a couple of strange emails from Pepper. It  
70 was clear to me that she had a change of heart and was ready to deal. I saw that as a promising  
71 sign. She did have some stipulations, however, on how the production would go and where the  
72 money would flow. I had no problem donating to a few local charities if that's what it would  
73 take. I had my lawyers word a few things in the contract that appeared to give Pepper and Pibb  
74 some measure of creative control, but really would allow them to opine – the final decisions, of  
75 course, would remain with the producers, directors and creative team when and if the deal  
76 actually went into production.

77 The negotiation with Pibb and Pepper by text and email was a bit strange if you ask me.  
78 Here I thought that I was negotiating in good faith with both of them; that they were sharing  
79 information back and forth between them. Obviously, there was something fishy going on. I'm  
80 not sure what kind of game they were playing with me – or with each other. All I wanted was a  
81 chance to pitch their ideas to a more professional outfit.

82 Pibb assured me that s/he would have the situation fully resolved before the premier of  
83 the play. I recall that Pibb's email to me said that either Pepper would sign off on the agreement  
84 or that Pibb would go to "Plan B," which stood for "bang" – with an LOL.) In retrospect, Pibb  
85 did seem increasingly desperate in tone via text and email. Just because you put LOL on the end  
86 of something, it does not mean that you're actually "laughing out loud."

87           However, since the deal was looking more promising, I agreed to attend the opening  
88 performance of Burr in Stratford, Iowa in July. I mentioned to both Pibb and Pepper that we  
89 could finalize the deal after the show.

90           Unfortunately, a conflict arose for the date of opening night. I asked if there might be a  
91 dress rehearsal or another performance that I might attend. Pibb immediately agreed to  
92 schedule something to fit my schedule. We settled on Thursday, July 11 since I would be flying  
93 by private jet from New York to California for a fund-raising gala later that evening and could  
94 easily stop mid-way in Iowa.

95           I flew into a little regional airport somewhere close to Stratford around Noon. I was met  
96 by a very nice, if somewhat overzealous deputy who offered to drive me around during my  
97 stay and show me the sights. Honestly, I really didn't want to see the sights – I just wanted to  
98 finalize the deal and get on my way to L.A. but since I was an honored guest in such a small  
99 town, I put up with it.

100           On arrival to the theater in Stratford, the deputy escorted me to Pibb St. Clair's office  
101 backstage. As we approached, I could hear snatches of heated conversation – argument you  
102 might say. Pibb and Pepper were screaming at each other. I heard someone scream "Over my  
103 dead body, you will" followed closely by another voice "That can be arranged." At that point,  
104 the deputy knocked on the door and the voices silenced. When I entered, both Pepper and Pibb  
105 looked agitated, but they greeted me warmly. I thought it best to wait until after the  
106 performance to have the conversation about finalizing the deal.

107           I met with the cast and crew and took the obligatory tour of the theater – both front of  
108 the house and backstage. I will say that I was impressed that a community this small can  
109 support this kind of cultural scene. The theater itself is very nicely designed – it has a kind of  
110 old-school, vaudeville kind of vibe to it. (I could see some potential for a new show – something  
111 akin to Glee but set in a backwater little town.) The building was also well taken care of,  
112 showing how much pride the town had in their theater.

113           During the tour, Pibb did point out the props room and the props table. S/he took  
114 particular pride in showing me the authentic replica dueling pistols that s/he had obtained for  
115 the show. S/he went on and on about the demonstrations they had for firing the real things and

116 how these pistols would add an air of authenticity to the performances. So I know for sure that  
117 Pibb was familiar with the weapons.

118         After meeting with them, I cleared out to give the cast some time to prepare for the dress  
119 rehearsal. The deputy recommended this little deli close by. It sure wasn't a NYC nosh, but it  
120 wasn't bad – and allowed some time to catch up on a few calls and read through some materials  
121 for another project. I really would recommend their pickles. For some reason, their pickles are  
122 extra pickley.

123         A few minutes before showtime, we headed back over to the theater. I found that my  
124 requested seat (middle seat, 5<sup>th</sup> row) had been roped off and a RESERVED sign affixed. That  
125 made me both smirk and smile – that they would go to that much trouble, but that the rest of  
126 the theater was empty! Iowa, huh?!

127         I settled in to watch the performance. It really wasn't much better than I figured from  
128 reading the original script. I was surprised, however, to see that both Pepper and Pibb figured  
129 prominently in the play. Pepper portrayed Burr – not bad for an amateur performance; Pibb  
130 was in the role of Hamilton – a little shaky on the lines and a little overdramatic in some parts.  
131 Again, I reminded myself that this was community theater.

132         A fair bit into the play, it was time for the big showdown between Hamilton and Burr. I  
133 was interested to see how the creative geniuses would handle that famous duel. I was certainly  
134 not prepared for what I witnessed. One moment, the actors are choosing weapons – a little ham  
135 handedly on the part of Hamilton, I mean just choose a pistol would ya? – then counting off  
136 their paces; then turning to face each other, and then BANG! Literally, BANG. The next thing I  
137 knew, I was thrown to the floor by the deputy and told to remain there until the scene was  
138 secured. I heard the deputy call in something about an active shooter on the premises. I sure  
139 wasn't going to go anywhere!

140         Eventually I was told that it was safe to rise and was escorted to the Rehearsal Room to  
141 await questioning. I still was confused about what had happened, but I did see Burr, or I guess  
142 Pepper Albertson, lying in a pool of blood on the stage as I was hustled out.

143         I described to the deputy all that I saw – which was admittedly not much – but also  
144 described my on-going negotiations with Pibb and Pepper over the rights and payment for their

145 play. This seemed to capture her/his attention. At the end of the conversation, I offered to  
146 forward any emails or text messages that I might have saved to the Sheriff's office.

147 I was shaken by the events, but I still needed to get to L.A. for other business. The  
148 deputy found a ride for me to the airport with a very nice volunteer. I boarded the private jet  
149 and flew to L.A. I admit that I needed a few cocktails to calm my nerves after witnessing that  
150 incident. I arrived late to the party in L.A. but was able to salvage a few deals at the after-  
151 parties. You know, it's true, whatever doesn't kill you makes an awfully good story! I'm  
152 convinced that my retelling of the Hamilton-Burr duel in Iowa bought me some sympathy –  
153 and a few new investors.

154 On reflection, I'm just a little suspicious that this would happen on one of only two trips  
155 I've ever made to Iowa. Heck, before this situation, I didn't even know there was such a place!  
156 The fact that I was there and the fact that this was the first, and only, time that Pibb played the  
157 role of Hamilton ... I do believe in coincidence, but this just strains the imagination. I've got a  
158 bad feeling about this.

159 Look, I'm a people person. It's part of my job – really, it's how I do what I do. As a  
160 producer, I've got to relate to people; all kinds of people. I'm always on the lookout for talent  
161 and on the lookout for ways to finance that talent. The way I read Pibb is that s/he was going to  
162 make this deal happen no matter what. Do I think Pibb had it in her/him to kill for this  
163 opportunity? You bet I do. I've seen people in my line of work do some pretty crazy things in  
164 an effort to make it big. If Pibb thought that this was her/his last real chance, I do believe Pibb  
165 may have resorted to murder. And, of course, no ordinary murder would do for someone who  
166 styles her/himself as an artiste. No, the whole scenario just seems too well scripted and thought  
167 out. Definitely the work of someone with a writing and theatrical background and a flair for the  
168 dramatic.

## Statement of Shawn Schuyler

1 My name is Shawn Schuyler. I'm 28 years old and employed by the Stratford Players.  
2 We are housed in the Beatty Wiese Center for the Performing Arts in Stratford, Iowa. I serve  
3 variously as tech director, stage manager, props manager, assistant director, and general  
4 factotum. We're a small theater company. It's not unusual for us to take on multiple roles.  
5 There are only 3 full-time paid staff for the company: Pibb St. Clair, Pepper Albertson, and me.  
6 Pepper deals with the business side of things, Pibb is the creative one, and I take care of the  
7 technical stuff. Obviously, there are many more people involved in the company – we have  
8 actors, crew, ushers, box office, etc, but those are show specific. Quite a few come to us either  
9 from the ISU Theater Department, the community college or are long-time arts enthusiasts from  
10 the area.

11 The *Burr* show was setting up to be a typical Pibb/Pepper Production. Everyone knew  
12 that Pibb was the real creative genius behind it all. Pepper's real role was to keep Pibb  
13 grounded – to be the voice of reason during Pibb's many fanciful detours. Pibb was always  
14 focused on ART, Pepper kept her eyes on the art of the possible, and the budget.

15 Now Pibb and Pepper have a rather tempestuous relationship. For this show, they really  
16 seemed to be at each other's throat. Pibb always claimed to need the chaos and conflict to spur  
17 to greater creative heights. Me? I think Pibb just likes yelling and carrying on! But typically, as  
18 we get further into rehearsals and closer to showtime, Pibb and Pepper seem to come to, not an  
19 agreement, but more of a truce. They seem to pull together for the good of the show and present  
20 a united front on all things creative. It's a strange process, but it seems to work for them.

21 However, the specter of this Broadway producer coming to see the show had everyone a  
22 bit more on edge than normal. Even the actor "extras" could feel the heat. Pibb was in a tizzy  
23 over this potential deal with a real, live big-time producer. Pepper tried to adjust expectations.  
24 From a bystander position, I really couldn't tell if it was real, hype or just another one of Pibb's  
25 grandiose schemes. That's why I was surprised when Pibb started planning for this Guffman's  
26 arrival. I guess this was actually going to happen! As I said, a "normal" Pibb/Pepper show  
27 involved a constant stream of griping and sniping. But in this case, rather than getting better, it  
28 seemed to get worse. Pibb especially seemed to put her/his anger into overdrive. There was a

29 constant barrage of “Guffman this” or “Guffman that” – it took me awhile to realize who or  
30 what Guffman was, but once I found out, it started to make a little more sense. That served to  
31 add a lot more pressure to an already maxed out situation. I never imagined bloodshed but  
32 something bad was destined to happen!

33         Pepper usually took a lot of Pibb’s antics and yelling and tried to calm Pibb down. This  
34 time though, once Pibb got on a Guffman rant, Pepper responded in kind – disparaging this  
35 mythical Guffman, calling Pibb a sell out and a sucker, and on and on. Clearly Pepper was not  
36 of the same mindset as Pibb on this deal.

37         Then, the morning of the dress rehearsal planned especially for Guffman, Pibb up and  
38 throws a huge wrench into the machine. In all of my years in working with Pibb (*Burr* would  
39 have been my 18<sup>th</sup> show, so almost 5 years), I have never seen Pibb “tread the boards” as they  
40 say. Pepper has frequently taken on acting roles, but Pibb has always preferred to remain  
41 behind the scene and contribute creative vision from the director’s chair. But the morning of this  
42 show, Pibb goes and fires one of the lead actors and, then says that Pibb is going to do the role  
43 her/himself! What a cluster!! Normally we have a separate prop master and stage manager, but  
44 since finances were tight on this one and we were dealing with antique reproduction guns, we  
45 weren’t using a volunteer prop master and I was having to do props and stage managing,  
46 which means before the show I had to load the guns, log all the props in and out before and  
47 after the show, make sure all the actors were where they were supposed to be and when, and  
48 give cues to the lighting and sound techs. Now I also had to take notes for Pibb on blocking and  
49 performance issues since Pibb wasn’t going to be watching the show. Given my experience, I  
50 was confident that I could pull this off. It just meant added stress and strain. And, I sure would  
51 have liked more time to prepare.

52         I have always loved being part of the theater. At an early age, my parents sent me to  
53 Summer theater camps in Des Moines and then as I got older, I even interned with the Berkshire  
54 Theater Group. As much as I would love to be on the stage, the thought of being in front of that  
55 many people scares the bejimmies out of me. So I have gravitated towards the behind the  
56 scenes aspect of the theater: set design, lighting, props, stage management, etc. When I  
57 graduated from high school and began my college education at Southern Iowa University, I

58 took on a part time job as the Director of Creative Performance at an exclusive summer camp in  
59 eastern Iowa: Camp Morningstar. I learned how to best organize all of the myriad  
60 responsibilities that go into the backstage aspect of performance art. The camp director, Leslie  
61 Knopf, taught me a lot about organization and time management. It was Leslie's  
62 recommendation that got me this full-time gig with Pibb and Pepper at the BW about 5 years  
63 ago.

64 My biggest challenge in planning a Pibb/Pepper production is always props and set  
65 design. They tend to write historic pieces that ask the audience to transport themselves to a  
66 different time and place. It's my job to help make that happen through stage imagery. I'm  
67 always on the watch for authentic props – whether it's an old gas station sign for background or  
68 period furniture or whatever, I want the audience to feel the vibe through the set and the props.  
69 The local college theater departments do a fantastic job imagining and constructing the sets. I  
70 focus on the smaller, but I think more important, prop details. I dread some wannabe historian  
71 criticizing the production because the correct furniture was not used, or the wrong type of  
72 fountain pen, or even inaccurate clothing. So once Pibb and Pepper have a solid working draft  
73 of a script, I begin to scour supply companies, the internet and even local antique stores for  
74 historically accurate props.

75 This production was going to strain even my creativity! Iowa did not exactly play a large  
76 role in the actual life of Aaron Burr. I know that Pibb was really trying to find some sort of  
77 connection in order to make the play more relevant (I think Pibb finally concocted some sort of  
78 tall tale about Burr meeting with the leaders of the Ioway tribe to possibly purchase land??), but  
79 by and large, there were not going to be very many historically accurate props to be found to  
80 represent that time period.

81 My fall back was always Schnurr Prop Supply Company – a regional leader in  
82 supplying props and other necessities to local theater companies. They have an extensive  
83 warehouse in Minneapolis. I frequently make road trips with a U-Haul to find needed items for  
84 a show.

85 The big prop hurdle for this show was the duel scene. Most people don't know anything  
86 about Aaron Burr – other than perhaps that fateful duel with Alexander Hamilton (and maybe

87 that great TV ad for milk from the 1990's). So, it was important to make that scene as  
88 memorable and as accurate as possible. Unfortunately, the only "dueling pistols" that Schnurr  
89 Supply had available were not appropriate. I got the pair they had as a filler until I could find  
90 something better. But these fill in's looked like nothing more than children's squirt guns, with  
91 garish orange grips and a design that look more like an Old West revolver. These just would not  
92 do.

93         So I began my quest to find better dueling pistols. Fortunately, over the years I have  
94 developed a rather long list of prop contacts – people collect the weirdest stuff! (One recent  
95 show I needed both an antique baby doll and, in another scene, an old duck decoy – I found  
96 someone who collected both ducks and dolls over by Dubuque. That's what I call one-stop prop  
97 shopping!) Anyway, I remembered the show we did on Jesse James and how we needed an  
98 authentic looking gun for the train robberies. I had come across an antique weapons collector,  
99 Bill Boyd. On a whim, I decided to call him about dueling pistols. I figured that he might put  
100 me on the right track, or perhaps even call a few contacts in the antique weapons realm. Bingo!  
101 It turns out that Boyd had a set of authentic replica dueling pistols from that time period. In  
102 fact, the pistols were the same make and model as the actual pistols used by Burr and Hamilton!  
103 (Wogdon & Barton flintlock smoothbore dueling pistols.)

104         Now, I knew it might be too much to ask to borrow those weapons for the play, but I  
105 definitely wanted the cast to get a look at the real deal and get a feel for history. Boyd agreed to  
106 do a demonstration for the cast out at his farm near Iowa City.

107         We arranged for a meeting with Boyd in June to chat with her/him and get a  
108 demonstration and history lesson. Both Pepper and Pibb were present during the tutorial. Boyd  
109 said that many people who have black powder pistols will load them with paper or cotton was  
110 instead of lead shot and fire them off on the Fourth of July and such. They still make a very loud  
111 noise when fired but are completely safe because they're shooting "blanks." Boyd showed us all  
112 how to load and handle the pistols, including Pibb and Pepper. He explained that dueling  
113 pistols worked with a flint lock mechanism. He carefully showed us how to handle the powder  
114 and how to stuff the paper and cotton wads down the barrels. He even let us practice shooting  
115 them off several time. It was really fun! After Bill felt comfortable that we knew what we were

116 doing, he even let us fire off the guns loaded with actual lead shot. It was interesting that there  
117 was no real way to tell just by looking at a pistol whether it's loaded with real shot or a blank.  
118 Boyd said the only way to know for sure was to be the one who loaded it ... or shot it.

119         It turned out that Boyd was a big history of dueling fan and had lots of information on  
120 the Code Duello and proper dueling etiquette. Pibb, of course, had tons of questions about the  
121 process and about the history-mystery of whether Hamilton intentionally "threw away" his first  
122 shot in the duel with Burr. Boyd explained that there actually was a concept called Delope  
123 where duelists aim away from their target and discharge the weapon – thus satisfying the  
124 principle of the duel (saving face) but not actually trying to harm the other person. Apparently,  
125 there's this great debate as to whether Hamilton was doing that or not. Anyway, the upshot of  
126 all of this was that Boyd agreed to let us use his actual pistols in the performance! He gave me  
127 both pistols, the presentation case and a supply of powder and cotton wadding to use. He  
128 warned us to "always be safe. Even though you may be using cotton wad in the pistols, you  
129 should never aim them directly at each other on stage. When the firearm is in your hands, you  
130 are the one and only person who is responsible for what happens with that weapon."

131         When we returned to the theater, I noticed that we had accidentally taken a box of Boyd's  
132 extra lead shot along with the powder and wadding. Pibb helped me carry the pistols and  
133 supplies into the props room and was the one who first noticed the lead shot. I knew that we  
134 would definitely not be using the lead, so I tucked it away in the back of the props room where  
135 no one was likely to stumble on it. I knew where it was and Pibb knew where I hid the box as  
136 well. To my knowledge no one other than Pibb and I knew there was lead shot in the prop  
137 room, and only Pibb and Pepper had access to the prop room without my supervision. Pibb  
138 and Pepper had master keys that opened all the doors in the BW Center and there are only 2  
139 keys to the props room – mine and an extra I keep in the control room.

140         I keep the props room locked at all times except to access specific items needed for a  
141 particular production. We've acquired quite the collection of props over the years. The room  
142 has begun to look like Fibber McGee's closet – or for those who aren't familiar with old-time  
143 radio, how about Hogwarts' Room of Requirement?

144 I have noticed that from time to time, things have been moved around in the props  
145 room. Even though it looks haphazard, I'm pretty good at remembering where I put certain  
146 items. I've come in occasionally to find a lamp or a table or a costume out of place. Or things  
147 normally heaped on a sofa piled on the floor. I did ask Pibb and Pepper if they had been in the  
148 props room without my knowledge. Pibb admitted that s/he went in on occasion while writing  
149 to seek inspiration. Seeing actual costumes, and furniture sometimes gives her/him a mental  
150 jolt. Pepper said that she never went in there without me – she considered it my domain, and  
151 that it would be rude to trespass. She definitely did ask for items, but never went in on her own.

152 On the morning of the dress rehearsal, one of the actors asked me to retrieve a different  
153 belt for his costume. I went into the room and noticed a few more items out of place. I really  
154 didn't think anything of it since that was after Pibb had announced that s/he would be taking on  
155 the role of Hamilton. I figured that Pibb was trying on costumes or familiarizing her/himself  
156 with the props to be used during the play.

157 On the day of the dress rehearsal, things were chaotic. It was confirmed that the bigtime  
158 producer, Guffman, would be there. And then with the dismissal of one of the lead actors,  
159 things really spun out of control. I did my best to calm people down, reminding them that after  
160 all this was just a dress rehearsal and that if things went awry, we would have a chance to fix  
161 them before opening night. Normally reminding everyone that a bad dress is a great sign for a  
162 good opening calms everyone down, but not this time. When Pibb heard me say that to a couple  
163 of people backstage, Pibb just about blew a gasket and yelled that this was the most important  
164 performance of any of our lives. That our future depended on impressing Guffman and that we  
165 had better bring our A game. Pibb looked right at me and said "everyone can be replaced." I got  
166 the message.

167 Pibb wanted Hamilton played a certain way. Poor Ricki/y Savage could never live up to  
168 Pibb's vision for the role. Ricki/y became the focal point for a lot of anger during rehearsals  
169 leading up to the big dress rehearsal. To be fair, Savage was adequate - knew all the lines and  
170 delivered them functionally. Pibb was right though, there didn't seem to be any spark in that  
171 portrayal.

172           When I first heard that Pibb had fired Savage, I figured it was just one last ploy to try to  
173 motivate Ricki/y. I assumed that Pibb would bring Savage back and consider it all a verbal kick  
174 in the pants. I felt bad for Savage, but you know, that’s show business.

175           The last thing that I did before I went back to the booth before the start of the rehearsal  
176 was to do a last check of the props. All small props used in the show were taken from the Props  
177 room and placed on tables immediately backstage for quick and easy access. The dueling pistols  
178 were in their spot in the presentation box. I had loaded them after the rehearsal the evening  
179 before with blanks to save time the next day and locked them in the props room with all of the  
180 other equipment. Only Pibb and Albertson could have gotten in.

181           On my way to the booth, I overheard two people arguing. It was clearly Pibb and  
182 Pepper going at it. I don’t recall specifics of what they were yelling. I’m so accustomed to  
183 hearing them fight that I just try to tune it all out for my own sanity.

184           Once I sat down in the booth, the dress rehearsal began. I was impressed. Things were  
185 going very well. The actors were hitting their marks, the lines delivered in forceful and  
186 dramatic fashion, the lighting and set were all working, even Pibb, who had just taken on the  
187 role of Hamilton that morning, was doing a decent job. I suppose it helps that Pibb wrote the  
188 dialogue! I even checked a couple of times to see if Guffman was enjoying the show. Guffman  
189 seemed attentive and engaged. All good! And then the duel scene ... The light focused on the  
190 actors in “Weehawken” on a misty morning (dry ice!). Terry Pendleton delivered her/his line  
191 perfectly, Pibb seemed to get a little overdramatic in selecting a pistol, then the paces, the turn,  
192 the shot – and literally all heck broke loose. The BANG was followed by screams and yelling  
193 and mayhem and blood. Lots of blood. Fortunately, Deputy Blaine was on the scene and took  
194 control. I tore my head set off and ran toward the stage but I saw it was too late. Pepper was  
195 already dead.

196           After that things were kind of a blur. I was told to go to the Rehearsal Room to wait to  
197 be interviewed. I can’t remember if I talked with anyone while there. I just know that I tried to  
198 answer all of the deputy’s questions when it was my turn.

199           I told Deputy Blaine of the many arguments between Pibb and Pepper. I recounted one  
200 particular recent exchange: Pepper yelled, “There’s no way I’m going to sell out to some Big

201 City shyster." Pibb replied with "It's not a sell-out, it's a step up. This is our big break" and  
202 Pepper countered with, "Well. If it's a break it will be over my dead body" To which Pibb  
203 shouted, "That can be arranged." Pepper then told Pibb, "Oh go to hell." To which Pibb ended,  
204 "Yeah. I'll meet you there!"

205         Again, it was not unusual for there to be these outbursts during rehearsals, rewrites, etc.  
206 I don't know how much stock to put into verbal threats or insults, but since you asked, yeah,  
207 I've heard them argue frequently, I've heard threats and accusations, and recently I did hear  
208 Pibb threaten Pepper with bodily harm. But, as I said, this was pretty much par for the course.

209         A few weeks ago, I overheard a phone call. I don't usually eavesdrop, but sometimes  
210 people are loud and you just can't help hearing what is happening, and this caught my  
211 attention. Pibb asked, "What do you think the best way is to kill someone?" I didn't stick  
212 around for any more of the conversation. I later walked by Pibb's laptop and saw that s/he had  
213 Googled "20 Best Ways to Commit Homicide Undetected." Now you tell me if that's not  
214 suspicious!

215         Like every other theater company, we apply adhesive to the stage to mark or "block"  
216 scenes – cues for where someone is supposed to stand or where props or scene structures are to  
217 be placed on stage. These marks are for the stagehands to position things correctly. Adding a  
218 mark would confuse things. No one puts a mark down on the stage without my permission, but  
219 Pibb being Pibb must have thought that traditional rules don't apply.

220         I know that Pibb is going to come up with some lame story about not knowing how to  
221 load a pistol. While it's true that Pibb was not paying a lot of attention during the demo at Bill  
222 Boyd's farm, it's a pretty easy thing to Google. In fact, I'm pretty sure that there must be at least  
223 half a dozen Youtube videos on the art of dueling which include step-by-step instructions on  
224 how to load a pistol. Heck, Pibb even asked me directly how to load a flintlock pistol. Pibb  
225 claimed that it was research for another play in the works.

226         I'm really not sure what the future holds for the theater company or for me. I've been in  
227 too much shock to try to find another theater job. I suppose that I'll get a resume prepared and  
228 send out some feelers. I have an acquaintance of mine in Nebraska who may have an opening. I  
229 may just try Ford's theater in Lincoln once I can gather my wits.

## Statement of Dr. Coco “Pibb” St. Clair

1 My name is Coco St. Clair. Since I was very little, everyone has called me Pibb. I think  
2 the story goes that I was always fixated on my older brother’s drink of choice and that my very  
3 first word spoken was “pibb.” It’s funny how things like that stick with you. It does make me  
4 memorable – which is a great thing in my profession.

5 I’m 41 years old and live in Stratford, Iowa where I serve as the Creative Director of the  
6 Stratford Players and the Co-Executive Director of the Beatty Wiese Center for the Performing  
7 Arts. The other Co-Executive Director was Pepper Albertson.

8 Pepper and I were pretty much inseparable. She was my muse; my inspiration; my  
9 conscience; my physical and emotional support. Pepper kept me grounded on my frequent  
10 flights of fancy as I created art. For me, Pepper was the person who “kept it real.” Since her  
11 death, I’ve been cast adrift. I can no longer focus on my craft. I’m truly lost without her.

12 Pepper and I met at the theater. I had just finished my Ph.D. in Fine Arts from Tabard  
13 University and had taken a consultant role in a Playwright Workshop held at the University of  
14 Iowa. Pepper was the organizer of the event and handled all of the minute details so that  
15 creativity might flow freely, unencumbered by the details of mundane daily life. We  
16 immediately struck up a friendship. When I was offered a position at a small theater company  
17 in Evansville, Indiana, I asked if Pepper might accompany me and take on the business side of  
18 things for the group. Thus began our partnership that has lasted for more than a dozen years.

19 I think everyone who knows me understands that I have a quick temper. In psych  
20 parlance, I have a very short fuse. When I see something is not right, I get angry, I vent my  
21 frustrations, and then I get over it. This is part of my creative process. Unfortunately, many of  
22 the people I have worked with don’t seem to understand my style. They take what I say and  
23 what I do much too seriously and take my critique and overexuberance personally. Actors and  
24 stage crew need to have thick skin in order to make it in this industry. Better that they learn that  
25 from me than at a critical juncture in New York or L.A. Pepper got my vibe and allowed me to  
26 vent at her. She also translated for the cast and crew when I was displeased. I truly believe that  
27 her service as an intermediary kept me sane and kept me my job.

28           From our humble beginnings in Evansville, Indiana, we moved to Kalamazoo,  
29 Michigan, then to Little Rock Arkansas, and on to Scranton, PA. While in Scranton, we worked  
30 together at the Dunder Mifflin Office of the Arts. It was there that I began my love of creating  
31 plays that highlighted local history. My play “A Trolley Named Desire” highlighted the  
32 ingenuity of the city implementing the first ever electric trolley system in the nation. The rave  
33 reviews caught the attention of folks in New York City, and I was off to Broadway. Well, off-  
34 Broadway at least. Things did not go well for Pepper and I there in the big city. My demanding  
35 style and the pressure to produce a hit took their toll on my creativity. After only 6 months,  
36 Pepper and I began to look for new challenges.

37           Pepper found a notice on one of the trade websites advertising for a creative director for  
38 a small theater company in rural Iowa. Together we decided that it was time for us to return to  
39 our roots. We moved to Stratford about 6 years ago. It took us a little time to adjust to the  
40 slower pace and, frankly, the quality of the resources, but we made it work. We also saw a  
41 tremendous opportunity to make a big splash in the Iowa arts scene. Through some of our  
42 connections, we were able to persuade a wealthy Chicago-area developer and philanthropist,  
43 Beatty Wiese, to fund a new Center for Performing Arts. The project developed quickly and  
44 made an immediate impact. Pepper had found her home. She was quite content to swim in a  
45 small pond and contribute to the community as best she could. I admit that I was more restless;  
46 always looking for new challenges. Unfortunately, that became a bone of contention between  
47 us. At first it was something bubbling under the surface, but when the offer came from Greer  
48 Guffman, a New York City producer, to purchase the rights to my work and also to offer me a  
49 multi-year consultant contract, that’s when our life path disagreement exploded. However, like  
50 all things, I was confident that this too would pass. I never anticipated Pepper dying. I am now  
51 cast adrift; my life rudderless and without anyone to throw me a lifeline.

52           I know that Pepper’s greatest fear about the Guffman situation was that I might slip  
53 back into my unhealthy pattern of chaos and stress. She had my health and well-being in mind.  
54 I appreciated her concern, but also knew that I needed a new challenge and, if I turned the  
55 opportunity down, I would forever wonder what if. I regret that I blew up at her and that I took  
56 my anger and frustrations out on the cast and crew of my current work. I can see now that

57 perhaps I was a little more harsh than usual to this group. I demand excellence but have to  
58 realize the limitations of a community theater.

59         Pepper and I created a workable pattern for the Stratford Players. We planned for 4  
60 shows a year – one per season. The Winter production of course was a holiday themed  
61 showcase with song and dance and general merriment. The Spring production usually featured  
62 a comedic performance – either an adaptation of a national play or just some fey little piece I  
63 created for amusement. The meat of the season was found in the Summer and Fall productions.  
64 In the Summer I tried to create original pieces highlighting Iowa or local history. I felt an  
65 obligation to educate and elucidate through my art. The Fall typically involved a dramatic  
66 adaptation of a popular play. This schedule kept us very busy. I was constantly writing and  
67 adapting. Just as soon as one piece was produced and on its way to the stage, I was hip deep in  
68 research and writing the next one.

69         We were quite proud of our original works. Over the past few years, we have produced  
70 “Wayne’s World,” a look at the life of John Wayne; “I Wish That I Was Jesse’s Girl,”  
71 highlighting the life and times of Jesse James; “Bonnie, Clyde and Me,” a lighthearted look at  
72 the infamous duo from the perspective of a young boy who served as a lookout during their  
73 crime spree; and “I’ve Got Spirit,” a moving expose of the Spirit Lake Massacre. I have a long  
74 list of potential projects and shows – so much to create, so little time!

75         Pepper and I made this process into a routine. With the popularity of our productions  
76 and the generous donation from our benefactor, the Stratford Players are able to employ three  
77 full-time staff. I serve as the Creative Director, Pepper as the Chief Operating Officer, and  
78 Shawn Schuyler runs the tech side of things. Of course, we have many part-time employees  
79 during shows and take on numerous talented volunteers as cast and crew. Truly, these  
80 volunteers are the lifeblood of our non-profit. It can get pretty chaotic at the BW. I’m constantly  
81 researching, writing and fine-tuning my work. Pepper serves as my primary sounding board.  
82 She would read drafts and suggest edits and modifications. By the time the creative process was  
83 complete, the result truly was a Pibb/Pepper production.

84         Putting the creativity from my imagination to the stage was always a chore. And, I’m  
85 afraid, that’s when my baser instincts usually took hold. I am known for demanding excellence

86 – loudly. Some say that I berate and belittle. I choose to see my commentary as a helpful tool for  
87 improvement. If actors are not delivering, they deserve to know. If a crew member is not  
88 pulling his or her weight, I point out the flaws in their work. Pepper became the focal part of  
89 my anger and disgust. I found it easier to rant at her about my issues. We have worked together  
90 long enough that she knew that when I blew up at her, I wasn't actually mad at her. She was  
91 able to channel my rage and deliver notes to intended targets more calmly and effectively.

92         As practices for a particular show proceeded, we would see gradual improvement until  
93 we finally reached a point where we understood that this was the best that we were going to  
94 get. At that point, I calmed down and really focused on polishing. In all of the plays that I have  
95 created, I have also served as Director. This is easy because I don't have to worry about my  
96 creative threads being lost in translation. I do outsource Director duties for either a national  
97 show adaptation or a comedy depending on my writing process.

98         I maintain a website where I post completed scripts, commentary, and notes. I also tease  
99 new shows and ideas just to see if anything might gain some traction. It was as a result of this  
100 that I was contacted by Greer Guffman about *Burr*, a project that I started in the late Fall of  
101 2018. I received an email from Guffman expressing interest. We originally corresponded about  
102 the possible purchase of rights and the potential to produce a version of the show on a larger  
103 stage – either on an actual stage in NYC or as a TV or film project in LA. Those initial  
104 discussions spawned a much broader proposal that involved hiring Pepper and me as creative  
105 consultants for the production company and to develop new ideas. I saw this as my big chance  
106 to make a splash.

107         Pepper cautioned that it was clear from the contract and Guffman's communications  
108 with us that Guffman did not actually want to produce our show, but merely wanted to take the  
109 idea and run in a different direction, essentially gutting our creative work. I thought she was  
110 being way too cynical. Usually she had pretty good instincts about these things but I felt that  
111 her desire to stay put in Stratford was coloring her judgement in this issue.

112         We invited Guffman to visit in the Spring of this year to meet in person and discuss a  
113 potential deal. While I was ready to sign on the dotted line, Pepper felt the need to look  
114 Guffman directly in the eye and get a "measure of the man" so to speak. Guffman flew into Des

115 Moines. We showed Guffman the sights – it was a Saturday, so Guffman got to experience the  
116 Des Moines Farmer’s Market in all its glory (including a little flash mob showpiece that I  
117 dreamed up) – and then went to lunch at the city’s finest restaurant, run by Iowa’s finest chef,  
118 Abhay Nadipuram. I felt that if we showcased the true flavor of Iowa, it might help sweeten the  
119 pot.

120         During the lunch, however, Pepper uncharacteristically lost it. Toward the end of the  
121 visit, she just went off. I don’t remember her specific comments, but it sounded like a rehash of  
122 all of the issues that she had expressed to me about any potential deal. I honestly did not know  
123 if this was true Pepper rage or simply a bargaining ploy to get a better deal. Anyway, after she  
124 stormed out, I assured Guffman that I would continue to work on my partner to come to an  
125 agreement.

126         Pepper and I continued to discuss (sometimes loudly, most often heatedly) the deal and  
127 what provisions might be added to assuage her concerns. Her primary fears seemed to be not  
128 wanting me to revisit my “scary” place and protecting the integrity of our work and the legacy  
129 that we were building in Stratford.

130         I continued to exchange emails and texts with Guffman, keeping her/him apprised on  
131 our progress toward a deal and on the progress of the show. I assured Guffman that things  
132 would be worked out and extended an invitation to the opening night performance on  
133 Saturday, July 13 at the BW.

134         The preparations for the show were coming along nicely. The set design, props,  
135 wardrobe and cast rehearsals were making progress. I continued my usual pattern of voicing  
136 displeasure where I found something lacking. Pepper continued her role as buffer. For *Burr*, we  
137 had cast Pepper in the lead role (she was a natural) and took a chance on Ricki/y Savage in the  
138 role of Hamilton. While Savage has been a part of previous Pibb/Pepper productions in the past,  
139 this was the first time Savage was stepping into a lead. Pepper and I both agreed that it might  
140 be more of a challenge than Savage was up for, but we were willing to take a chance. I do think  
141 that Savage has potential on the stage, but needs more maturity, more experience and more  
142 gravitas to pull off a major role. All along I had a Plan B in mind if Savage just wasn’t working  
143 out, but we agreed to give her/him as much time as possible to grow into the role.

144           As part of the play preparation, our Technical Director, Shawn Schuyler, was able to  
145 track down an antique weapons collector who owned a set of dueling pistols identical to those  
146 used in the Burr/Hamilton incident. The cast took a field trip out to Bill Boyd’s farm to get a  
147 demonstration. It was a fascinating time and a great way for the actors to bond and to more  
148 fully develop their roles. We had a great time blasting off the guns. I learned about blanks and  
149 Boyd taught Schuyler how to load both live ammo and cotton wadding into the pistols. I  
150 confess that I was not paying close attention to this part of the presentation as I was engaged in  
151 a few phone calls and emails that required my attention and I knew that Schuyler would have  
152 everything under control. The thing that did capture my fancy, however, was a discussion with  
153 Mr. Boyd about the nature and history of dueling and an esoteric debate over whether  
154 Hamilton practiced Delope in his duel with Burr.

155           I always conduct extensive research when writing my historical plays. The purpose is  
156 not just to entertain the audience but to educate and enlighten. I want to get even the slightest  
157 details as historically accurate as possible. One example of this was the theory that Hamilton  
158 intentionally fired high in his duel with Burr. Now this is an accepted form of fulfilling the  
159 requirement of dueling without losing one’s honor. It’s called Delope – French for “throwing  
160 away.” But in my research into the duel, I came across letters and diary entries from friends of  
161 Hamilton indicating that he did not plan to Delope. Rather, he spent the weeks leading up to  
162 the duel practicing target shooting. I believe that there was enough animosity between these  
163 two political rivals that Hamilton actually sought to take Burr’s life. So to preserve the accuracy  
164 of the play, I wrote the scene for Hamilton not to intentionally aim high - essentially obviously  
165 firing a shot straight in the air – but to aim slightly wide; missing Burr, obviously, since in real  
166 life it is Hamilton who loses his life in the duel. (Just as his son Philip did on the same spot in a  
167 similar duel, three years before.)

168           Boyd and I could have spent hours discussing the intricacies of the duel and the Code  
169 Duello, but the others were getting pretty restless. Sensing our enthusiasm, Boyd graciously  
170 allowed us to use his authentic pistols for the show. He provided Schuyler with all of the  
171 supplies needed to load and clean the weapons. This was a tremendous gift to the company!

172           As the practices and preparation for *Burr* advanced, I kept Guffman in the loop through  
173 texts and emails. Pepper and I had a few more heated arguments. I let my frustrations get the  
174 best of me at times. I admit some of the messages I sent to Guffman probably should have been  
175 edited. Many I sent in the heat of a moment without careful consideration, but as a big-time  
176 producer accustomed to dealing with creative types. Guffman was used to this I'm sure.

177           I have a vision of how I want a play to look on stage. Obviously, there are limitations to  
178 what you can replicate, especially given our limited budget, the size of our theater, and frankly  
179 the talents of those in the cast and crew. That's one of the reasons that I was looking forward to  
180 the opportunity to once again experience the big city and the big stage. Given the kind of  
181 resources available in NYC, I'm sure that I would be on my way to multiple Tony awards.

182           Pepper, however, was concerned that I would be overly tempted by the lure of money  
183 and sacrifice our creativity to cold cash. I tried to convince her that I was going into this with  
184 my eyes wide open and knew what I was doing. We had been in Stratford for quite some time.  
185 We turned this backwater little theater company into a true artistic gem in the state. Together  
186 Pepper and I had put the company in solid financial footing. I began to think it might be time  
187 for greener pastures and greater challenges. Pepper disagreed. She seemed to think that we  
188 might retire here – continue to work with this small theater company and cement our legacy by  
189 educating new generations of actors and art lovers. She was quite content to be the medium  
190 sized fish in a rather small pond. I still wanted to see if a larger body of water would allow me  
191 to grow creatively. I was definitely up for a challenge, she tried to convince me otherwise.

192           I finally got Pepper to come around to my way of thinking- not completely, but enough.  
193 She insisted on requesting donations to arts programs in Stratford and on continued funding for  
194 the Stratford Players. I felt that since she was now open to discussing details of a possible deal,  
195 we were making headway. That's not to say that there weren't still heated moments between  
196 us. As I said, I get mad and get over it. So I really don't recall all that I may have yelled, but I  
197 certainly never threatened her with physical harm.

198           In the meantime, Guffman informed me that s/he would not be able to make the  
199 Opening Night performance of *Burr* after all. Instead, Guffman indicated that s/he would be

200 flying from New York to LA on the Thursday before our opening and asked if we could  
201 schedule a dress rehearsal for that day. Of course, I jumped at the chance to accommodate.

202 We held our final non-dress run through on Wednesday evening, July 10 at the BW. I  
203 know everyone was anxious over Guffman's arrival the next day. Still I was increasingly more  
204 frustrated with the quality of Savage's performance as Hamilton. Then, to make matters worse,  
205 right after practice, Savage decides to throw a party backstage. This is the night before the most  
206 important show of our lives, and Savage is acting as if nothing matters. Right then and there I  
207 was determined to implement my Plan B, but again Pepper convinced me to sleep on it before  
208 making a hasty decision.

209 The morning of July 11, I implemented Plan B - I met with Ricki/y Savage and patiently  
210 explained that we were going to go in a different direction with the role of Hamilton and that I  
211 would be taking the part. To say that Savage did not take the news well would be an  
212 understatement. I had suggested that Savage could stick around and watch the performance or  
213 help out the crew, but once s/he started yelling and throwing things, I asked her/him to leave.  
214 Savage stomped off and slammed the door. I now had to prepare for my role as well as the final  
215 preparations. I informed Shawn Schuyler that Shawn needed to take notes for me during the  
216 dress rehearsal and asked if all other technical preparations had been made. Schuyler wasn't  
217 overly happy about having to take notes, but Shawn is a professional and took it in stride and  
218 said that s/he would make it work. I spent the rest of the morning getting my mind into  
219 character.

220 As part of this preparation, I did visit the Props room. I frequently go in there seeking  
221 inspiration when writing. I'm a tactile learner. I need to touch things to literally get a feel for  
222 how something will work, or in this case, a feel for my new role. I did handle the dueling  
223 pistols. Again, this helped me get into character. I had not had a chance to hold the pistols since  
224 our outing to Mr. Boyd's farm. I could not tell if the pistols were loaded, but I assumed that  
225 Schuyler had that well under control. I did not load either weapon myself. I don't even know  
226 how that is done.

227 Prior to the performance, Deputy Blaine escorted Greer Guffman to my office. Pepper  
228 and I had been once again arguing about the final details of the agreement. She seemed to have

229 regressed to her previous position, but I was confident that once Guffman had seen the play  
230 and Pepper had experienced *Burr* in a real performance, she would be convinced. We may have  
231 exchanged some heated words during our encounter before Guffman arrived. Again, I don't  
232 recall exactly what was said.

233         While Guffman seemed a little taken aback by Pepper's continued reluctance to come to  
234 an agreement, as a person who deals with creative types all the time, I'm sure that Guffman's  
235 been in this situation before. We agreed to meet after the final curtain to finalize details.

236         The play went on. I was actually very pleased with the overall performance. I did a  
237 serviceable job as Hamilton but knew that there would be more work need to really make the  
238 part my own. Pepper was fantastic. She really embraced the role of Burr in all of its treasonous  
239 duplicity, political backstabbing and double dealing. I will always remember that her last  
240 performance was her best.

241         We arrived at the scene with the duel. Set design had done a marvelous job creating the  
242 shore of Weehawken, with the Palisades looming in the background, and the morning mist  
243 rolling over the scene. I knew when I wrote it that this was a crucial moment of the play. I  
244 wanted to savor each moment. I lingered over the pistol selection, heightening the drama. I  
245 wanted to portray the angst and mental conflict present in Hamilton during this crucial time. I  
246 carefully chose a weapon, and when Pepper had done the same, we faced each other, bowed,  
247 turned, and paced off our steps. We turned once more to encounter each other. As the one  
248 challenged to the duel, I had the first shot. Since I was now convinced that Hamilton did not  
249 Delope, I did not aim and fire high. Rather I aimed to Pepper's right and fired.

250         Since I'm usually watching from the audience by this stage in rehearsals, I was not ready  
251 for the loud boom of the pistol firing. I was momentarily stunned by the report. When I came to  
252 my senses, I knew immediately that something was seriously wrong. Pepper never fired back.  
253 Instead, she lay on the stage clutching her chest. I dropped my pistol and ran over to her. I  
254 yelled for someone to call 911. When I reached her, Terry Pendleton was already with her. It  
255 was clear to anyone that she had received a mortal wound and did not have much time.

256 I drew close and she said two things to me. She mumbled, "...not supposed to end like  
257 this..." and then simply, "Be free." I kissed her on the forehead and held her until she took her  
258 final breath. She was gone.

259 I really don't remember much after that. I know that Deputy Blaine was there taking  
260 care of Guffman, so I assume Blaine took charge of the situation. I recall sitting stunned in the  
261 Rehearsal Room and I may have answered some questions, but I was in such a state of shock, I  
262 couldn't tell you what I may have said then. Pepper was my rudder in life and sitting there I  
263 was trying to figure out how I could go on living without my best friend.

264 Some time later, Deputy Blaine took me into custody for the murder of dear Pepper. I  
265 tried to explain that I wasn't even supposed to be there on stage that afternoon, that I didn't  
266 know that the weapon was loaded with live ammunition, and that I did not intentionally aim  
267 the pistol directly at Pepper. This was all a tragic accident. To think that I am responsible for her  
268 death pains me greatly. I did fire that fatal shot. That reality haunts me. But I did not nor would  
269 ever intend to harm Pepper. She was my inspiration, my creative muse. I miss her every day  
270 and fear that I may not be able to go on without her.

271 You asked whether I used any type of adhesive during the show. At first I thought that  
272 was a really non-sequitur thing to ask, but then I remembered adding a few blocking marks to  
273 the stage the morning of the dress rehearsal as visual cues as to where I was to stand, etc. I  
274 picked orange since it was the only color our stage-hands weren't using to mark locations for  
275 set pieces.

276 I am well aware that it does not help my case that I was researching my next play,  
277 tentatively titled "50 Ways to Leave Your Lover" (after the Paul Simon hit song). It is to be a  
278 comedic rendering of 50 different ways a person might kill another and get away with murder.  
279 My laptop's search history is probably filled with research on how best to kill someone. I've also  
280 had a few phone conversations with police detectives, private investigators and forensic  
281 scientists about their most bizarre cases.

## Statement of Terry Pendleton

1 My name is Terry Pendleton. I'm 56 years old. I own and operate Terry's Treasure  
2 Trove, an upscale boutique of unique items that I acquire on a whim. I have lived in Stratford,  
3 Iowa for most of my adult life. I'm not married, but live with my two dogs, Hamlet and  
4 Macbeth, and three cats, Othello, Shylock and Henry.

5 I've been involved in almost all of the Pibb/Pepper productions in Stratford (maybe two  
6 dozen or so over a six year period?) – usually behind the scenes as an assistant, but I  
7 occasionally take on bit roles as needed to fill in crowd scenes and the like. In rare instances, I  
8 may get to deliver a line or two. And that's fine with me – I just want to help out. I love the  
9 theater and love the idea of the theater. As a small business owner in a small community, I  
10 know the impact that having a thriving arts scene has on both the economic and psychological  
11 welfare of a place. Anything that I can do to make sure that the arts are supported.

12 I grew up in small town Iowa, but my parents always made sure to expose me to the arts  
13 whenever possible. We had season tickets for the Des Moines Civic Center and just about every  
14 other year took trips to either New York or Chicago to catch a few shows. I harbored no  
15 illusions about my own acting talents. I tried out for a few high school productions, but mainly  
16 found my niche in backstage support.

17 Before Pibb and Pepper arrived in Stratford, we had a small community theater that did  
18 the usual two or three plays or musicals a year. You know, the usual Christmas musical and  
19 then at least one of the traditional community theater plays each Spring or Summer. It wasn't  
20 very good, but it made those of us in the cast and crew happy, and I think the audience  
21 appreciated our efforts.

22 When Pepper and Pibb arrived, however, the local dramatic arts scene just exploded.  
23 The level of creativity and professionalism was unmatched. The community was really buzzing  
24 about the spirit of the theater and the renewed vibrancy of life in Stratford. After a few  
25 successful performances, Pepper and Pibb used their talent, charm, and business acumen to  
26 attract investors for a new Center for the Performing Arts. They were able to use a connection  
27 that they had to convince a Chicago area philanthropist, Beatty Wiese, to contribute to the  
28 project. That's why the BW, as we locals call it, is named as it is.

29           Now let's be clear, working with Pepper and Pibb, despite their enthusiasm, is never a  
30 bed of roses. They are quite demanding of the people involved in their productions. They are  
31 even more demanding of each other. Pibb especially never shrinks from voicing disapproval  
32 over even the most minor mistake. While Pepper was less demonstrative in her opinions and  
33 feelings, she was no less accepting of failure.

34           I've seen the creative process over and over again with those two. Pibb would create, Pepper  
35 would revise, Pibb would scream, Pepper would sulk. Rinse and repeat. Until finally there was  
36 a new creation or an adaptation of an older creation that the cast and crew could begin to work  
37 on. However, whenever the reality did not meet the vision in their heads for a show, they were  
38 not shy in voicing opinions and criticism. They demanded perfection. We tried our best. Finally,  
39 as we got closer to showtime, the two of them would emerge unified in their support of us and  
40 one another. Like clockwork, the Pibb/Pepper creative locomotive chugged on. It took a while  
41 (and some screaming and crying) but we always came out the end with a better show.

42           That's why I knew from my vast experience with the team that eventually they would be  
43 on the same page with *Burr*. Amazingly, Pepper seemed to have nailed her role as Burr. Most of  
44 Pibb's criticism was either directed at other aspects of the show or dealt with some kind of  
45 proposal from a New York City producer who seemed to take an interest in the work.

46           Obviously I'm not privy to the details, but it appeared, from hearing Pibb shout and  
47 Pepper rant, that there was a possible deal on the table to purchase the creative rights to the  
48 play and have it produced either in New York as a play or in Los Angeles as either a film or  
49 television show. I know the place was abuzz with "what-ifs." Pibb was noticeably excited and  
50 on edge, wanting perfection in every aspect of the performance. Pepper, who normally tried to  
51 rein Pibb in, was snarky about the whole enterprise. Again, I really don't know details, only  
52 what I saw and may have overheard.

53           I will say that there was no mistaking the look of absolute shock and horror on Pibb's  
54 face when s/he realized what had happened on stage. I know acting (and we all know Pibb's not  
55 that good at acting – directing is Pibb's thing). This was no act. Pibb was thunderstruck by what  
56 had happened and crumpled next to Pepper's fallen body and held Pepper in her/his arms as

57 Pepper slipped away. This was no role play, this was no acting job - this was true, raw emotion,  
58 sorrow and grief.

59 Let me back up here and describe how I came to have such an up-close view of the  
60 action. As I said, my role in these productions is to variously serve as stage crew, production  
61 assistant and cast member. I feature a lot in various crowd scenes and help to move the  
62 scenery between acts during the play. But in the production of Burr I also had one small  
63 speaking role. I play the role of Judge Van Ness who was the real-life person at the duel in  
64 charge of the weapons.

65 I have also served as Production Assistant on a variety of Pibb/Pepper productions – this  
66 one included. Wearing this hat, I make sure that the coffee pot is always filled, that the donuts  
67 are fresh and that snacks are available.

68 It was while I was on a last-minute coffee run – caramel macchiato with an extra shot of  
69 espresso for Pepper as usual right before the curtain went up – that I spied Ricki/y Savage  
70 backstage. The big news that morning of course had been that Pibb had fired Savage from the  
71 role of Hamilton and took on that role her/himself. You couldn't miss the fireworks between the  
72 two of them when that took place! Wow, I've never seen Savage so hot, eventually storming out  
73 of the theater, slamming doors and knocking things over on the way out. (Maybe if Savage had  
74 portrayed the role of Hamilton with as much passion, s/he would not have been replaced!)  
75 Anyway, Savage must have come back, because I saw her/him lurking in the backstage area. I  
76 guess Savage just wanted to see how the play went on without her/him.

77 In the play, my big scene is to present the box containing the dueling pistols to Hamilton  
78 and Burr. I deliver my big line, "Gentlemen, choose your weapons" and offer the box first to  
79 Hamilton and then to Burr. I'm told that this was exactly like what happened in real life. I'm not  
80 surprised, since I know that Pibb does meticulous research on every play s/he writes.

81 Before the dress rehearsal, while Pibb was escorting that producer person to her/his seat,  
82 I did see Pepper over by the props table. She picked up one or both of the dueling pistols and  
83 seemed to fiddle with one or both for a bit. I distinctly remember her reaching into her pocket  
84 for something. Her back was to me the entire time, so I could not clearly see what she was  
85 doing. A couple of times, she gazed to her left and to her right, very suspiciously you know.

86 Schuyler walked over, I think to do a last check on the props and Pepper quickly put down  
87 whatever she had been handling.

88           Before the duel scene, it was my responsibility to retrieve the box containing the pistols.  
89 When I had last checked (before Pepper did whatever she had been doing), they were on the  
90 front right corner of the table – the assigned spot for that prop. But when I went to retrieve them  
91 before the scene, they were not in their spot. I panicked just a bit. The props table was always a  
92 bit of a mess – it always started the night looking nice because Schuyler would set the props out  
93 in their designated places, but then our excited volunteer actors would just haphazardly throw  
94 their props back on the table during the night. Fortunately, I spied the box kind of in the middle  
95 of the table. It looked like it had been moved and just kind of dropped down.

96           I don't know why young actors have to be such slobs. Perhaps they think that cleaning  
97 up after themselves is beneath them and they need the "little people" to sweep up after them.  
98 It's really frustrating to have to be the adult in the room. I'm constantly tossing water bottles,  
99 coffee cups, plates and napkins away in the Green room and generally tidying up before and  
100 after rehearsals and shows. I think that this kind of mess reflects poorly on the company and on  
101 our community. People need to take more pride in their surroundings and show some respect.

102           Despite Schuyler's claims that the Props room is impenetrable, it was common  
103 knowledge that Ricki/y Savage basically lived there for days and weeks at a time and that  
104 others used the place as a get-away. Pretty much every Halloween, we would raid the place for  
105 props and accessories. We returned everything afterwards of course, we weren't stealing, mind  
106 you, simply borrowing. I don't know if Schuyler turned a blind eye toward the practice or if  
107 s/he honestly didn't know what was going on, but if it was the latter, s/he'd have to be pretty  
108 clueless. And on the day of the dress rehearsal, it was pretty much pandemonium backstage.  
109 With Pibb taking on the role of Hamilton and Schuyler being pulled in so many directions  
110 because we didn't have a props master and Pibb wasn't going to be taking her/his own notes,  
111 the Props room was left wide open. I saw quite a few cast and crew go in and out throughout  
112 the day, including Pibb, at one point at least carrying the box with the dueling pistols.

113           Anyway, the show went on as planned. I thought that the play was going very well for a  
114 dress rehearsal. There were a few hiccups here and there, but, in general, a smooth-running  
115 performance. Then it was time for the big duel scene.

116           The script calls for the pistols to be presented to Hamilton and Burr for them to choose  
117 their weapon. Since it was Burr who challenged Hamilton to a duel, Hamilton would have the  
118 first choice of weapons and, once the steps were paced off, the first shot. I did not notice  
119 anything unusual about the pistols, but then I really wasn't focused on that, I was just trying  
120 hard not to mess up my lines.

121           Pibb/Hamilton spent a long time – relatively speaking – examining and choosing a  
122 weapon. I figured it was all part of the acting process. Pibb carefully examined both weapons.  
123 Since the audience knew what was to come, I thought this was a device to heighten the  
124 anticipation. It was very convincing to me up there on the stage.

125           As the closest actor on the stage to the duelists, I had a perfect view of what happened.  
126 The weapons were drawn. Each actor paced away – each step accompanied by the booming of a  
127 big bass drum. With the dry ice (simulating the fog) rolling onto the stage, it was all very  
128 dramatic. Pibb/Hamilton and Pepper/Burr turned to face each other. I stepped back and the  
129 spotlights shone on the two stars. Then Hamilton/Pibb took aim and fired. We've used those  
130 pistols in practice a few times, but nothing can ever prepare you for the loud report of the  
131 weapons when fired in a contained space like a stage. A huge BOOM shook the stage. I waited  
132 for the return fire from Burr/Pepper, but it never came. It should have followed a split second  
133 later. Instead, I turned to see Pepper lying prone on the stage, bleeding profusely and with a  
134 shocked look on her face. I ran over to her to see if I could help. I'm not a trained medic but I do  
135 have some basic Red Cross First Aid training and know how to use the AED. But Pepper's  
136 wounds were well beyond my capacity to help. I tried to put pressure on the wound but that  
137 was about all I could do. I shouted for someone to call 911, but I just knew that it would be too  
138 late to save Pepper.

139           It looked like she was trying to say something. I tried to tell her to be quiet and that help  
140 was on the way, but she seemed insistent. I distinctly heard her say, "It wasn't supposed to end  
141 this way." Pibb came over right away and was clearly in a state of shock. Pibb was genuinely

142 confused by what had happened. All of the color had drained from Pibb's face, s/he looked  
143 petrified and in shock. If this was an act, Pibb deserves an award for that performance. Pepper  
144 motioned Pibb to come closer. Pepper's final words to Pibb were "You shot Me?" I'll never  
145 forget that as long as I live.

146         When they arrived in Stratford, Pibb and Pepper settled in very quickly. Pepper  
147 especially seemed to find her place. Pibb was content, but perhaps a little restless, looking for  
148 more challenges on the horizon. I'm not a psychologist (though my business is right next door  
149 to one), but it seemed to me that while Pepper was satisfied being in a small town, Pibb might  
150 have wanted more and thought that s/he might have what it takes to be a major player in the  
151 national theater scene. When this Guffman character dangled the chance at stardom in front of  
152 them, Pibb wanted to jump at the chance, while Pepper was a lot more hesitant about sacrificing  
153 her life in small town Iowa.

154         When you get to be my age, you're more in tune with emotional undercurrents. Yes,  
155 Pepper and Pibb bickered constantly, but it was really done more out of friendship than spite.  
156 And in public, their banter was almost part of their own performance – the cast and crew expect  
157 a show, so let's give them one.

158         Pibb and Pepper were a team. You rarely saw one without the other. No matter how bad  
159 the situation might have been, there is just no conceivable way that Pibb would have chosen to  
160 kill Pepper. Especially over such a small and insignificant thing.

161         I honestly don't know if this was an accident or if it was a real, and successful, attempt  
162 to take someone's life. All I know is that if there were shenanigans going on, it wasn't Pibb who  
163 was acting suspiciously around the day that Pepper died – it was Pepper.

164         Whatever the outcome of the trial, I'm uncertain for the future of our community  
165 theater. I suppose there will be some morbid interest in seeing the stage where an actor was  
166 killed in a performance. But after the immediate curiosity seeking, I just don't see much future.  
167 Perhaps I'm wrong. I should be more positive. Pibb will recover from this loss and will go on to  
168 write many more successful plays. Who knows, Pibb might just write a play about a play where  
169 an actor gets shot on stage. Even Shakespeare could do no better than that!

## Statement of Ricki/y Savage

1 My name is Ricki/y Savage. I'm 22 years old and will graduate from Iowa State  
2 University in December with a degree in Theater. I hope to pursue a career as a professional  
3 actor. I have already signed a contract to perform on Princess Cruise Lines starting in January.  
4 I'm really looking forward to the challenge.

5 I'm originally from Iowa. I grew up in Rock Rapids and was active in both the high  
6 school and regional theater scene there. When I started at Iowa State, I looked for regional  
7 theater opportunities to continue to hone my acting skills. I was extremely fortunate to find the  
8 Stratford Players and get a chance to work with some really talented local actors and a  
9 tremendous writing/directing/mentoring duo of Pepper Albertson and Pibb St. Clair. Those two  
10 were able to turn my passion for acting into a desire to pursue this professionally. I am forever  
11 grateful for their patient teaching and coaching.

12 My first involvement with the Stratford Players was in the Fall of 2016. I was a  
13 Sophomore and auditioned for a part in production of *Wayne's World*, a musical about the life  
14 of John Wayne. I was cast in a supporting role. Over the next three years, I appeared regularly  
15 in supporting roles in Pepper/Pibb productions. While I always auditioned for starring roles, I  
16 understood why I was cast in lesser parts – I needed more experience and more passion for my  
17 craft. When Pepper told me that Pibb was writing *Burr*, I immediately saw myself as Hamilton.  
18 Pepper and Pibb always talked about their casting being color and gender blind. Since we often  
19 had a small pool of actors, it let Pepper and Pibb put the best people in the best roles, even if a  
20 gal played a guy or vice versa. Way before the casting call or audition scheduling, I began to  
21 dive into research and prepare for this role. I think I've watched just about every film and  
22 documentary about Hamilton and have seen the play almost a half dozen times. I was about as  
23 prepared as an actor can be for a role. I was very satisfied when Pibb cast me in the co-starring  
24 role for the Summer 2019 production of *Burr*. I saw this as a tremendous career boost.

25 Now working with Pepper and Pibb is not a bed of roses – or perhaps it is! I mean roses  
26 are beautiful to look at and smell great, but roses also have thorns. Pibb, especially, had thorns.  
27 The two of them were demanding task masters. Rehearsals often stretched late into the night  
28 until they got exactly what they were looking for in a role. Pepper was the patient one,

29 frequently counseling me and giving me notes on improving my performance. Pibb mostly just  
30 went on a rant about anything and everything. Sometimes I wondered if Pibb actually knew  
31 what s/he was screaming about by the end of a rant session. A typical yelling fit might start out  
32 criticizing my stage voice and end up critiquing my hair style. I've learned over the years to  
33 simply grin and bear it; that it was all part of the process. Pibb seriously needs some chill pills.

34 Pibb was not only hostile to the cast and crew, s/he also took out her/his frustrations on  
35 poor Pepper. While Pepper was definitely used to this abuse, it was still pretty painful to watch  
36 one person treat another in this way. A typical show progression might involve massive  
37 amounts of abuse early on, but then gradually as we got closer to dress rehearsals and the  
38 actual performances, Pibb and Pepper would be on the same page creatively and the cast and  
39 crew would receive a unified (and much toned down) message for improvement.

40 The *Burr* play progression, however, was much different. It all started out the same, but  
41 Pibb never cooled it on the criticism and the yelling. In fact, it seemed to get worse. All of us in  
42 the cast were kind of confused. We expected things to get better, but the interaction between  
43 Pibb and Pepper became more intense. Lots of door slamming. Lots of insults. Lots of  
44 accusations. Pepper was giving as good as she got, which was unusual. You know what they  
45 say – the kids hate it when the parents fight, and Pepper and Pibb were like our parents in these  
46 productions. Pepper was usually the calm, loving one who made Pibb see reality and chill out.  
47 Not this time around. This extra amount of vitriol seemed to stem from the interest of a  
48 Broadway producer in the show. Apparently, Pepper and Pibb had been approached by this  
49 Guffman character about taking their work to the big stage. Pibb was utterly enamored of the  
50 deal while Pepper was a lot more hesitant. None of us knew any of the particulars, but on  
51 business decisions, we almost always side with Pepper. She seems to understand the nuances of  
52 the art business, while Pibb just takes off on flights of fancy.

53 Anyway, the insults and invectives grew worse and worse. I was around the theater a  
54 lot in May, June and July, so I overheard a heavy dose of abuse directed from Pibb towards  
55 Pepper. I swear I wasn't spying on them. To be honest, I was actually kind of camping out in  
56 the Props room while I perfected my role. You see the lease on my apartment was up at the end  
57 of May, and I didn't have housing set up until my next semester was scheduled to start in late

58 August. I housesat and crashed with some friends for a month, but in the beginning of July, I  
59 thought that it would be easier if I just stayed at the BW Center. The props room had a nice  
60 comfy couch and a good deal of privacy. You see, I had stayed there a few times in the past. My  
61 roommates at Iowa State were a lot more social than I am and often had large, loud parties at  
62 our place. To escape the chaos, I would drive to Stratford and overnight it in the Props room.

63 Pibb had to have known what I was doing. S/he often burned the midnight oil. Pibb  
64 would spend lots of time researching and writing in her/his office but would also prowled around  
65 the theater late at night looking for inspiration. Pibb saw me there but never questioned what I  
66 was doing or why I was there. I think that Pibb was used to theater rats – those of us who are  
67 drawn to the stage and can't ever seem to go away. I also thought it was good to have Pibb see  
68 me at the theater at all hours to demonstrate my commitment to the production and the  
69 sacrifices that we dedicated few make to our art.

70 Obviously as a volunteer in a community theater, acting was not going to pay my bills. I  
71 continued to hold down a job at the Dairy Queen. Since most of the rehearsals and practices  
72 were scheduled for evenings and weekends, I made sure that I put in for daytime hours. The  
73 manager was quite understanding about the whole thing. I offered her comped tickets to the  
74 upcoming performances and promised to introduce her to the Pibb/Pepper creative duo.

75 Anyway, once the dress rehearsal was rescheduled to a Thursday afternoon, I had to  
76 scramble to clear things with my boss. I told Pepper that I was working on getting my schedule  
77 change, but that there was a remote possibility that I might have a conflict. I was fairly sure that  
78 Libby Mae Everett, the manager, would go for it. She understood my passion for acting and  
79 knew that this might be my big break to impress a real, live producer. I texted and emailed Pibb  
80 too. I texted again when I had my work schedule resolved. I never got a response from Pibb –  
81 either from the original communication or the update. I figured that Pibb was just too busy.  
82 Pepper seemed very pleased that I had worked out my conflict and was now clear to go all in  
83 with the play.

84 When I was cast as Hamilton, I knew that a focal part of the show would be the famous  
85 duel with Burr that ended my, I mean the character's, life. I dug deep to find out everything I  
86 possible could about dueling customs and about the Hamilton/Burr faceoff in particular. I was

87 jazzed when we got a chance to visit with Bill Boyd and try out those pistols for real! Then  
88 when he gave us permission to use the real things in the performance – Wow!

89 I paid careful attention to the loading and maintenance of the weapons. It was a  
90 complicated process. You really had to know what you were doing in order to load the pistols –  
91 either with lead shot or with the cotton wad blanks. I guess if you were a Revolutionary era  
92 soldier you could get pretty quick with the process, but none of us could possibly complete the  
93 whole thing in less than a minute to a minute and a half. Since the play did not require any  
94 reloading, we didn't think much about it. Shawn Schuyler, the technical director, would be  
95 handling all of the loading, cleaning and reloading responsibilities.

96 Both Pibb and Pepper were present during the demonstration. Pepper paid close  
97 attention to the whole process. She was fascinated by the loading and expressed her surprise  
98 that the pistol did not feel any different with actual shot or wadding in it. Pibb was on the  
99 phone during most of the demonstration and wasn't really paying much attention. Pibb's  
100 interest was only piqued when Boyd started talking about the Code Duello and different  
101 theories of whether Hamilton performed Delope during the duel with Burr. I'm sure that was  
102 an interesting topic for them, but most of us just wanted to blast off the pistols a few times  
103 more. Boy were those things loud!

104 The noise is one of the primary reasons that we typically did not actually shoot the  
105 pistols during practice. Most of the time while Pepper and I would hold the weapons, we  
106 merely pointed and yelled "Bang." I'm sure Shawn Schuyler most have appreciated that, since  
107 it saved Shawn from having to clean and reload those pistols over and over again. At the final  
108 rehearsal before Guffman's arrival on Wednesday, July 10, we did a full run through. For me,  
109 that included actually firing my pistol. As in real life, I aimed high and to the left. I knew that  
110 the pistols were loaded with cotton wad only, but Boyd warned us always to be safe. It made a  
111 tremendous noise, and, as usual, set off ringing in my ears. I do not recall if Pepper actually  
112 fired her pistol or not. I saw her aim but I could not hear anything. I fell to the stage on cue and  
113 lay there dying.

114 After the rehearsal on Wednesday night, a bunch of us (cast and crew) hung out  
115 backstage, excited by Guffman's visit the next day. We had a few drinks, swapped a few stories,

116 and generally let off some steam. It was quite late when everyone finally cleared out. I saw  
117 Pepper and Pibb leave together – still arguing – around midnight. I think the last person to  
118 leave finally took off around 1:00 or 1:30 a.m. There was no one else around when I finally  
119 turned in to my makeshift “apartment” around 1:45 a.m.

120           Other than Shawn Schuyler, I did not see anyone poking around in the Props room after  
121 hours.

122           We were back at it by 9:00 or 9:30 Thursday morning. I was filled with nervous  
123 excitement and had more than a few butterflies in my stomach for my first starring role. But  
124 then, my world caved in. Pibb apparently had thought things through overnight and told me  
125 that s/he had decided to go in a different direction with the role of Hamilton. I told Pibb that I  
126 was open to critique and notes, but that since the dress rehearsal was that afternoon to please  
127 not make any major changes. Pibb replied that Hamilton no longer concerned me. Pibb was  
128 personally going to take on the role! I was devastated. I never saw that coming.

129           I admit that I had been struggling a bit in the role. I found it hard to wrap my head  
130 around Hamilton’s motivation. But I was still shocked when Pibb let me go. Pibb tried to let me  
131 down gently by promising me a lead role in the next production and even said that Pibb was  
132 writing a part with me in mind right now. But this could have been my big break. With a  
133 Broadway producer in the house, I knew that I was going to be impressive and might even get  
134 an offer on the spot.

135           I had wanted to make Hamilton my own. Of course, by now everyone has seen THAT  
136 show. I didn’t want to portray Hamilton as a Lin-Manuel Miranda knock off. I really had to  
137 own the character. I did extra research and tried out a few different takes on some of the scenes.  
138 Pibb was critical, of course, but I thought that I had been responsive to her/his suggestions. I  
139 was flabbergasted. I admit that I yelled a few harsh things at Pibb. I don’t remember specifically  
140 what I said, but my words seemed to hit their mark. Pepper came over and gave me a hug. She  
141 tried to calm me down and suggested that I take a walk for a while. She even suggested that I  
142 come back in the early afternoon – just to be around in case Pibb came to her/his senses and  
143 decided to go with me in the role after all.

144           Yes, I was distraught over being replaced – especially in that manner – so publicly and  
145 so close to the show. I admit that I was furious and that I had some pretty vicious thoughts  
146 about Pibb and the play. But I would never stoop to sabotage if that’s what you’re thinking. I  
147 stormed off – stomped around town for an hour or two to let off some steam. I was curious  
148 about how the rehearsal would go without me, and I did have some belongings to retrieve, so I  
149 took Pepper’s advice and snuck in through the backstage door and positioned myself in the  
150 wings. I had a great view of the stage and the props table and props room, but I was out of the  
151 way enough so that no questioned why I was there. I’m sure that Pepper knew that I was in the  
152 house and would tell me if Pibb had a change of heart.

153           The whole time I was there upon returning, I saw only Schuyler and Pibb enter the  
154 Props room. I saw many people approach the Props table, where the small props to be used  
155 during the show were laid out for easy retrieval. It’s not uncommon for people to be milling  
156 around the props table, however, since it’s right next to the snack table and the coffee.

157           I specifically saw both Pepper and Pibb approach the props table. Pibb seemed to pick  
158 up each pistol and test the weight and feel of each weapon and looked down the sight. Pibb  
159 even took the box with the pistols from the props table into the props room for a short time. I  
160 figured that this was simply part of Pibb getting into the role – MY role. Pepper was a little  
161 more surreptitious about her examination of the pistols. She made sure that she shielded what  
162 she was doing with her body. She constantly looked around to make sure that no one was  
163 watching. She made a series of movements that could well have been similar to those of loading  
164 a pistol, but since I was partially blocked from view, I didn’t see anything definitive. She could  
165 have just been checking to see if it was properly loaded with a cotton wad – just because it  
166 looked like she was loading or unloading doesn’t mean that she was. My professors have  
167 harped on us plenty of times that you should check any weapons for safety before you use  
168 them.

169           I did not go over to examine the pistols myself – remember, I wasn’t even supposed to  
170 be there by then. I admit that I did sneak a cup of coffee and a pastry from the snack table when  
171 I knew that no one would see me. Since I wasn’t in costume, I figured I might as well enjoy the  
172 food!

173           The dress rehearsal seemed to go fairly smoothly. Of course, I felt that Pibb's portrayal  
174 of Hamilton was inferior to my own, and completely over the top. But Pibb did seem to get all  
175 of the words in the right order. But then that's not too surprising since Pibb wrote the lines.

176           When it was time for the duel scene, Terry Pendleton retrieved the box with the dueling  
177 pistols from the props table and proceeded to her/his mark. The "rowboats" landed at  
178 Weehawken, the actors disembarked. Both Burr and Hamilton delivered short soliloquies about  
179 the nature of the duel. The dry ice "fog" gave the stage a mystical feel. Pendleton offered the  
180 box to Pibb and then to Pepper and stepped back. Both Hamilton and Burr paced off their  
181 distance and then dramatically turned. Pibb/Hamilton bowed (That never happened in real  
182 life!) and then took careful aim. Pibb seemed to be aiming straight at Pepper/Burr instead of up  
183 and to the left (again, historically inaccurate!), and fired. The boom was absolutely deafening. I  
184 waited for the return shot and for Pibb to fall to the stage, but that never happened. I looked  
185 over to Pepper only to see her lying on the stage. She was shocked, scared and bleeding heavily.  
186 During the chaos that ensued, I was tempted to run away. But I was riveted to my spot. I  
187 couldn't look away.

188           I was herded by Deputy Blaine into the Rehearsal room. During our conversation, Blaine  
189 initially did not really give me much notice. But Blaine seemed much more interested when s/he  
190 learned that I had been fired from the play that morning. Blaine took even greater interest in the  
191 arguments and heated words that I overheard between Pibb St. Clair and Pepper Albertson. I  
192 told the deputy everything that I could remember – not much substance, but more the volume  
193 of the yelling and the ferocity of the arguments. They really went after one another tooth and  
194 nail.

195           But it's one thing to yell, scream, shout and carry on. It's another thing entirely to  
196 actually shoot someone. Pepper and Pibb were inseparable. They may have had their  
197 disagreements, some of which were very serious, but they always came back together. I can't  
198 believe that either creative differences or money could ever come between them.

# EXHIBITS

## **EXHIBIT 1**

### **Autopsy Report**

**Autopsy:** ME-19-7121

**Performed at:** Webster City Memorial

**Name:** Pepper Albertson

**Authorized by:** Hamilton Co. Sheriff Dept.

**DOB:** 09 – 01- 1979

**Date/Time:** 07-12-19 @ 0815

**Gender:** Female

**Pathologist:** Ame S. Mapes

**Cause of Death:** GSW to upper right chest

**Contributing Factors:** None Identified

**Manner:** Homicide

*Ame S. Mapes, M.D.*

Amelia S. Mapes, M.D.  
Forensic Pathologist

## **EXHIBIT 1 (cont.)**

*ME-19-7121*

### **GROSS**

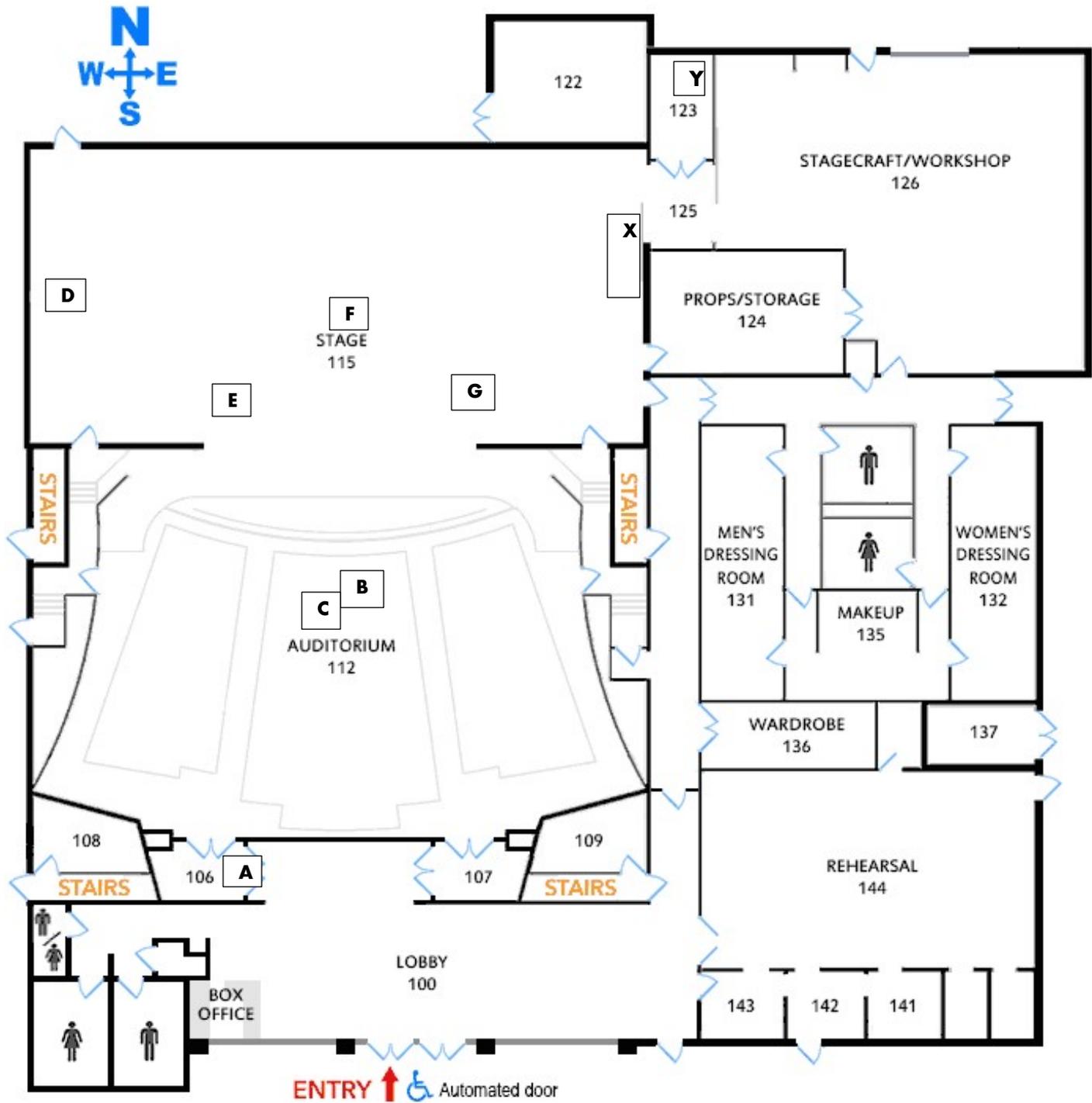
**EXTERNAL EXAMINATION:** The body is received in a black body bag with the zipper sealed with a white plastic zip tie lock with the number "000124" and "Hamilton county Sheriff Department imprinted on it. There is a yellow Webster City Memorial Hospital Morgue identification tag with the name "Pepper Albertson" and other identifying information printed on it. The body is that of an adult female with little necrosis. Decedent is in a full state of rigor mortis. The body is clothed in a replica ACME brand Colonial era dark brown suit and boots. The body was recovered relatively soon after the time of death, thus lividity is minimal at this point. However, what lividity is present indicates that the decedent was on her back immediately after death and remained that way until she was transported to Webster City Memorial. The body measures approximately 65 inches in length and weighs an estimated 135 pounds.

There is a single gunshot wound of the upper right chest. This wound is located 16 cm below the level of the right external auditory meatus and 9 cm right of the anterior midline of the chest. The hole measures 10 mm diameter. It is round with level edges. Edges show an abrasion ring measuring up to 2 mm. No powder stipple is identified. No soot is identified. The wound track shows deeper hemorrhage. A lead shot, seen on x-rays, is found within the soft tissue of the right chest and is recovered and submitted as evidence. Evaluation of the wound indicates that it is an entrance wound. The path of the shot is slightly downward and backward. The track of this lead shot has been traced to have passed via the skin, soft tissue, right clavicle, upper lobe of the right lung, to rest near the soft tissue of the posterior 3<sup>rd</sup> right intercostal space. The passage of the lead shot through the upper lobe of the right lung created a 2 cm defect. There is no exit wound.

**SPECIMENS SAVED/ADDITIONAL STUDIES:** 49 mL of heart blood, 3 mL of vitreous humor are obtained. A blood glucose, blood alcohol, and drug screen was performed. The results were unremarkable.

**ADDITIONAL AUTOPSY NOTES:** Officers from the Hamilton County Sheriff Department were present for the autopsy. Officers took photographs. X-rays were taken and findings were described above. Clothing worn by the decedent was turned over to the Officers.

**EXHIBIT 2**



Key (Participant locations at time of incident)

A	Shawn Schuyler	D	Ricki/y Savage	G	Pibb St. Clair
B	Greer Guffman	E	Pepper Albertson	X	Props/Craft Serv. Table
C	Deputy Don/na Blaine	F	Terry Pendleton	Y	Pibb St. Clair's Office

**EXHIBIT 3**



## EXHIBIT 4

### Email exchange between Greer Guffman and Pibb St. Clair

**From:** Pibb St. Clair  
**Sent:** Friday 6/21/2019 @ 2:41 a.m.  
**To:** Greer Guffman  
**CC:**

**Subject:** RE: *Burr* Meeting

That's great news! We'll anxiously await your visit for the premier! I know Stratford will put out the red carpet for you!

Pepper is slowly coming around. But don't worry, I know how to handle her in situations like this. Usually I wear her down with my persistence. She'll see the light, I'm sure! If not, I can always go with Plan B. B for BANG. LOL!

Pibb

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**From:** Greer Guffman  
**Sent:** Wednesday 6/19/2019 @ 12:38 p.m.  
**To:** Pibb St. Clair  
**CC:**

**Subject:** RE: *Burr* Meeting

I will plan to attend the premier in July. I will go ahead and draw up the contract. You can I can finalize the details when I'm out in your neck of the woods. Just a reminder that while we have been able to negotiate one-on-one, the final contract will need to be signed by BOTH you and Pepper. I trust that you have been successful in bringing her around to see the value of this relationship. Thanks Pibb!

Greer Guffman

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**From:** Pibb St. Clair  
**Sent:** Monday 6/17/2019 @ 1:04 a.m.  
**To:** Greer Guffman  
**CC:**

**Subject:** RE: *Burr* Meeting

Hi Greer,

Just wanted to let you know that we have begun final preparations for the *Burr* production here in Stratford. Live performances are scheduled for mid to late July. I think it would be great if you could fit it in to your schedule to fly to Iowa and catch the premier on July 13.

In our recent phone conversation, you expressed some concern about negotiating with me alone rather than with both Pepper and me. Let me assure you that I take care Pepper, so that you need not worry. I'm the only person you need to talk to about this deal.

Best regards,

Pibb

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## EXHIBIT 4 (cont.)

**From:** Greer Guffman  
**Sent:** Friday 6/7/2019 @ 4:45 p.m.  
**To:** Pibb St. Clair  
**CC:**

**Subject:** RE: *Burr* Meeting

Dear Pibb,

I'm thrilled that you are interested in pursuing this with my firm. I was certain from our last meeting that I would not be hearing from you, so this is a fantastic surprise! We always strive to maintain the integrity of each creative work as we take it from one format to another.

In response to your two proposals, I can offer the following:

- 1) You can (and should) have final decision-making authority over the final conversion of this play. Please note, however, that because you co-authored this, I will need an agreement signed by you both. Our typical stipend for assisting in the production is \$50,000. That will be payable to you, or to you and Pepper if you both choose to assist in production.
- 2) I am hesitant to enter into a long-term Creative Services agreement with either you or Pepper until we see some good will on your part that you are committed to creating under the banner of our firm. Given what I expect to see from *Burr*, I am prepared to up the ante to you for either a 6 month or 1 year contract, renewable upon mutual agreement. We can negotiate the amount at a more suitable time.
- 3) I am happy to direct the balance of funds to the Beatty Wiese center and to the Hamilton County Arts Council. We can do this in one of two ways: We can either send funds directly to those organizations (you would need to specify the exact percentage of the total amount due to each recipient) or we can pay you the balance directly and let you determine the appropriate level of funding for each organization.

Again, so pleased that you are interested in working with me. This is going to be BIG!

Very Truly Yours,

Greer Guffman

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**From:** Pibb St. Clair  
**Sent:** Thursday 6/6/2019 @ 11:42 p.m.  
**To:** Greer Guffman  
**CC:**

**Subject:** *Burr* Meeting

My Dear Guffman:

Thank you very much for meeting with Pepper Albertson and me last month. I apologize for the delay in getting back to you after our meeting in Des Moines in May. Pepper and I have been discussing various alternatives to see if we can come to an agreement about *Burr*. We are honored that your company is interested in our work. I'm sorry that you had to witness the unpleasantness between Pepper and me. As you can tell, Pepper and I have our differences with respect to the commercialization of our work. I don't believe that Pepper has totally ruled out working with you on this project. Her chief concern is that we have substantial creative control over the production. While *Burr* is my brainchild, we have a long-

## **EXHIBIT 4 (cont.)**

standing agreement that all decisions must be made jointly. She cannot bear the thought that the play might lose its artistic integrity in its conversion from our stage to yours.

I think that we might find a work around for this project. I propose the following to satisfy Pepper's concerns:

- 1) We be given sole, exclusive and exclusive authority over how the play is converted to a bigger stage or to the screen. For our services, we would expect a reasonable stipend.
- 2) We seek a multi-year Creative Services agreement for both of us. We're thinking at least 3 years for a minimum of \$200,000/year.
- 3) After paying Pepper and me the sum of \$100,000 each, that the balance of funds which your company has offered to pay, instead be donated to the Beatty Wiese Center for the Performing Arts in Stratford, Iowa and the Hamilton County Arts Council.

I will continue to work on Pepper to get her to come around. I ask that you not disclose the contents of this email, or of our recent phone conversations to anyone, especially Pepper. I know that I can count on your discretion.

Sincerely yours,

Pibb St. Clair  
Creative Director  
Beatty Wiese Center for the Performing Arts

**EXHIBIT 5**

**Text Message Exchange between Pibb St. Clair and Greer Guffman  
Monday, July 8, 2019**

**PSC:** Look 4wd 2 C U later this wk!

**Yes. I'm excited to finalize our deal.**

**PSC:** Pepper may b hvg 2<sup>nd</sup> thots

**I thought you told me that  
you two had worked things out  
and come to an agreement?**

**PSC:** Y cant u just deal w me?

**As convenient as that might be, since  
you and Pepper are listed as authors  
of the work, I must get a release from  
both of you.**

**PSC:** Well, I wrote it! Im the cre8ive 1!

**Sorry. There's no way around it.**

**PSC:** What if Pepper was out of the picture?

**What are you saying?**

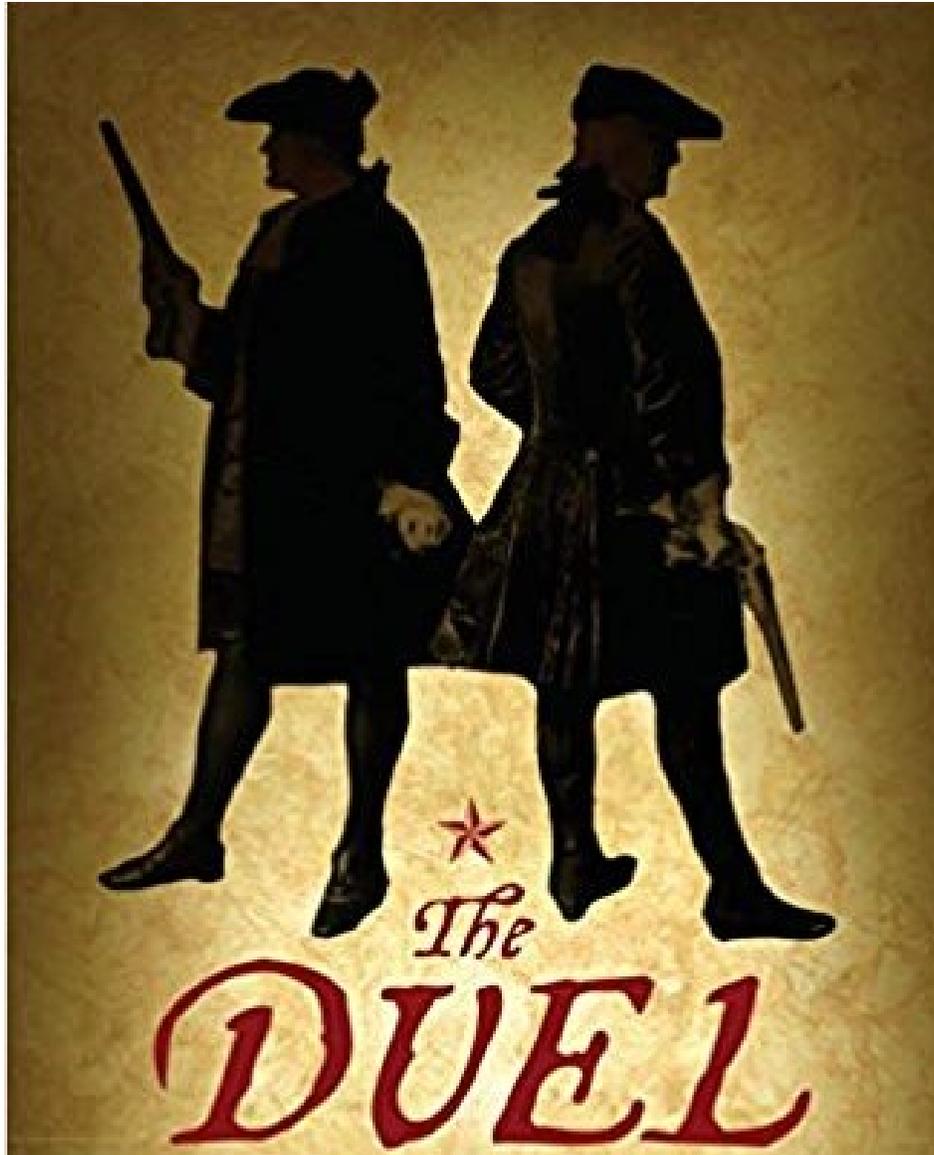
**PSC:** Will talk mor when ur in Iowa

EXHIBIT 6

THE STRATFORD PLAYERS PRESENT

# BURR

AN ORIGINAL PIBB/PEPPER PRODUCTION



BEATTY WIESE CENTER FOR THE PERFORMING ARTS

STRATFORD, IOWA

PREMIERS SATURDAY, JULY 13, 2019

AND CONTINUES WEEKENDS THRU JULY 28