

AFFIDAVIT OF DANIEL GLASS BERNARD


I, Daniel Glass Bernard, do hereby amend my original "Affidavit in Fact," signed by me on July 5, 1997, in this Affidavit to provide the following information pertaining to Amy Ralston Pofahl:

1. At no time did Amy's trial attorney ever interview me while I was incarcerated in the McLennan County Jail.
2. As I informed Amy by letter while incarcerated in the McLennan County Jail, if called by the defense, I would have provided the following information:
 - a) It was my understanding that C.F. "Sandy" Pofahl did not want Amy to be fully informed of his MDMA enterprise. In fact, Sandy informed me that he did not want me to discuss any MDMA dealings or negotiations in Amy's presence.
 - b) I personally witnessed and played a role in shielding Amy from meetings and/or conversations related to MDMA on several occasions. According to Sandy, this was in everyone's best interest, in the event MDMA ever became illegal, which it eventually did do.
 - c) After Sandy and Amy were married in November of 1985, Sandy advised me that it would be in the best interests of everyone if there was no more contact, even on a social basis, between Amy and myself. Any further contact would be strictly between Sandy and me.
 - d) I am not aware of any MDMA dealings that Amy ever participated in.
3. I do hereby swear that I would have waived my Fifth Amendment right if called to testify for Amy's defense since I had already de-briefed and had nothing to hide.
4. I distinctly remember Amy complaining by letter to me, during her pre-trial phase, that her trial attorney was unwilling to prepare for her defense and it was my understanding that his focus was upon soliciting her cooperation.
5. By letter, Amy expressed concern that her attorney was unwilling to interview potential witnesses, and I urged her, by letter, to have her attorney meet with me, however, this never occurred.

I do hereby swear under the laws of the United States that the information in this Affidavit is true and correct to the best of my knowledge.

Sworn and signed this 15th day of Sept, 1998.


Daniel Glass Bernard


Authorized Notary of Institution

AUTHORIZED BY THE ACT OF
JULY 7, 1955, AS AMENDED, TO
ADMINISTER OATHS (18 USC, 4004)

DECLARATION OF CLIFFORD M. COWLES


I, Clifford Michael Cowles, do declare the following:

1. I was moved to the McLennon County Jail in Waco, Texas, in approximately October/November of 1991 to be called as a potential government witness in the case against Amy Ralston Pofahl.
2. Amy's attorney, John Hurley, met with me for a very brief period, with a few questions asked and little said between us.
3. I informed Mr. Hurley that I'd never met or spoken to Amy in my life and if called to testify I would establish that fact.
4. Mr. Hurley did not delve into any questions to ascertain what information I could provide for the defense, either by cross examination or otherwise.
5. Although I met with Mr. Charles (Sandy) Pofahl a few times, I never met his wife, Amy. I received the distinct impression that Mr. Pofahl did not want to expose Amy to other members of the alleged conspiracy. I was willing to establish this fact if called to testify in the trial of Amy Ralston Pofahl.
6. I was never called to testify by either the government or the defense at Amy's trial.
7. I have reviewed a letter written in my hand, dated 11/13/91, which I mailed to Amy during her trial while we were both incarcerated in the McLennon County Jail in Waco, Texas. The salutation at the bottom of the second page reads, "Love and Light, Cliff" and I do verify that it is my signature.

I do hereby swear under the law of the United States of America that the information in this declaration is true, to the best of my knowledge and recollection.

Signed this 28th day of August, 1998.


Clifford Michael Cowles


Sue Secanti
Notary
Per Attached Copy.
acknowledgment