EXHIBIT 11

AFFIDAVIT OF STEPHEN WILLIAM PYSZKOWSKI

STATE OF NEW MEXICO)	
)	SS
COUNTY OF OTERO)	

- I, STEPHEN WILLIAM PYSZKOWSKI, being duly sworn, hereby depose and say under penalty of perjury that the following statements are true and correct to the best of my knowledge and belief:
- 1. I was the franchise owner of a fire extinguisher service company in Las Vegas, Nevada and I lived at 3142 Spokane Drive, when about January 2001 I met Kirstin Blaise Lobato, a young woman about 18-years-old who went by her middle name of Blaise.
- 2. Blaise drove a red Fiero car that had a malfunctioning pop-up headlight, and I believe a male friend of hers in Las Vegas had performed some mechanical work on her car.
- 3. Blaise was from Panaca, Nevada, where her family lived, and during the months of May and June 2001 she travelled to Panaca several times and would be gone for a weekend or more.
- 4. From late May through about July 2, 2001, Blaise stayed at my house for a total of two to three weeks.
- 5. I spent a lot of time with Blaise, because she was staying at my house and she helped me on a number of occasions with my work servicing fire extinguishers.
- 6. During the period of time that Blaise was staying off and on at my house, I saw Blaise's pocket knife that she said was given to her as a gift. She kept the knife in her back pocket and it had about a four-inch blade.
- 7. The end of May or the first of June 2001 was when I first heard Blaise mention that she had been attacked at the Budget Suites Hotel on East Boulder Highway by a black man, and she worried about the man finding her.
- 8. Beginning in late May or the first of June 2001 until I last saw Blaise on or about July 2, 2001, I heard Blaise on ten or more occasions tell people that a black man attacked her and she cut or tried to cut his penis as he tried to rape her, and she mentioned the incident to me at least twice.
- 9. During the period of time that Blaise was staying off and on at my house, Cathy Reininger was my girlfriend, and Cathy was one of the people Blaise told about fighting off a rape attempt by cutting or trying to cut her attacker's penis.
- 10. At no time did I hear Blaise say she killed the man who attacked her or that she thought he later died.
- 11. I am certain of the period of time when I first heard Blaise talk about fighting off a rape attempt by cutting or trying to cut her attacker's penis, because it was about a week before the events involving her car on June 6, 2001.

- 12. On June 6, 2001 I saw a tow truck leaving an apartment where Blaise's car had been parked. I flagged down the tow truck driver and after Blaise verified she was the car's owner and the \$70 towing charge was paid, her car was released and she proceeded to drive it and park it in an apartment parking lot at the end of my block so it would be out of sight from a person driving on the street.
- 13. On or about July 2, 2001 Blaise left Las Vegas for Panaca. I am certain of the date because she left a couple of days before the 4th of July and we had planned for her to be a part of our celebration.
- 14. After Blaise left I did not see or talk with her before I was interviewed by Las Vegas Metro Police Homicide Detectives T. Thowsen and J. LaRochelle at my home on July 23, 2001.
- 15. I showed Detectives Thowsen and LaRochelle the June 6, 2001 tow receipt for Blaise's car that I kept for tax purposes.
- 16. I told Detectives Thowsen and LaRochelle that their timeline was off when they told me Blaise had been arrested for murdering and cutting a man's penis off who had tried to rape her on July 8, 2001, because I knew that it was in late May that Blaise had cut or tried to cut a would be rapist's penis.
- 17. I related the foregoing to Detectives T. Thowsen and J. LaRochelle when they interviewed me at my home on July 23, 2001. However, I talked with them for about an hour before they turned on their tape recorder so everything I said wasn't recorded, because the detectives condensed the whole interview down to the few questions that I believe they wanted recorded on tape.
- 18. I was arrested in October 2001, and after pleading guilty to a felony methamphetamine charge I was sentenced to probation.
- 19. I was subpoenaed by the prosecution to be a witness at Blaise's trial in May 2002.
- 20. The week before I testified I had a meeting at the Clark County District Attorney's Office with Clark County Assistant District Attorney William Kephart and a woman who I believe was Clark County Assistant District Attorney Sandra DiGiacomo.
- 21. During that meeting I told ADA Kephart and the woman who I believe was ADA DiGiacomo, that Blaise did not murder a man who tried to rape her on July 8, 2001 and whose penis was cut off, because she told a number of people in late May and June about being attacked by a man who she stopped from raping her by using her knife to cut or try to cut his penis, so the murder and the attempted rape of Blaise were different events.
- 22. During that meeting ADA Kephart told me the following:
 - * "We are going to show you how to legally lie on the stand." (This is a quote.)
 - * Do not say that I did not see Blaise after July 2, 2001.
 - * Do not completely answer a question, only answer part of a question.
- * "You'll be found in contempt of court" (This is a quote) if I insisted on telling the truth of what I knew about Blaise fighting off a rapist in late May 2001 by cutting or trying to cut his penis. I believe ADA Kephart was conveying to me that I would be jailed by the judge for "contempt" if I insisted on telling the truth in Court.

- 23. From the things I heard during that meeting, I believe that ADA William Kephart and the woman who I believe was ADA Sandra DiGiacomo, know Blaise is innocent and did not commit the murder committed on July 8, 2001 that they were prosecuting her for committing. They had the attitude that Blaise's conviction of the crime would clear the case off the books.
- 24. I was on probation, and during that meeting with ADA Kephart and the woman who I believe was ADA DiGiacomo, ADA Kephart paced around and stood over me, and I felt coerced and intimidated to follow their directions, because of the veiled threat that I would be jailed and my probation would be revoked if I did not do so.
- 25. I was called as a prosecution witness during Blaise's trial in May 2002, but when I was asked questions by Blaise's lawyer about what Blaise had said in late May and June about being attacked by a rapist and using her knife to cut or try to cut his penis, ADA Kephart objected that it was hearsay, and the judge prevented me from testifying about what I knew about the attack on Blaise in late May 2001.
- 26. The trial in May 2002 was the first time I had seen Blaise since she left Las Vegas for Panaca on or about July 2, 2001.
- 27. After Blaise's trial I was charged in December 2002 with a probation violation, and I was imprisoned from then until March 2006 when I was released after my sentence expired.
- 28. I was living in New Mexico when I was subpoenaed by the prosecution to be a witness at Blaise's trial in September 2006.
- 29. The prosecution paid for my travel to Las Vegas, and before I testified I had a meeting at the Clark County District Attorney's Office with ADA Kephart and a woman who I believe was ADA DiGiacomo.
- 30. During that meeting ADA Kephart and the woman who I believe was ADA DiGiacomo:
- * Reminded me, and showed me my testimony from the first trial, and they told me they wanted me to say the same things again.
- * I told them it was not correct or honest to try to make it look like I thought Blaise had committed a crime she did not commit.
- * I told them Blaise was innocent of the murder committing in July because she told a number of people in late May and June about being attacked by a man and stopping him from raping her by using her knife to cut or try to cut his penis, so the murder in July and the attempted rape of Blaise in May were different events.
- * They told me they didn't care if Blaise was innocent, they just wanted me to testify about certain things.
- * ADA Kephart used the same intimidating and threatening manner with me that he did during the meeting before Blaise's first trial.
- * Although I was not on probation, ADA Kephart and his colleague told me that I could end up back in prison if I didn't say what they wanted when I was on the stand testifying.
- 31. From the things I heard during that meeting, I believe that ADA Kephart and the woman who I believe was ADA DiGiacomo, know Blaise is innocent and did not commit the murder committed on July 8, 2001 that they were prosecuting her for committing.

- 32. I was called as a prosecution witness during Blaise's trial in September 2006, and when I was asked questions by Blaise's lawyer about what Blaise had said in late May and June about being attacked by a rapist and using her knife to cut or try to cut his penis, ADA Kephart objected that it was hearsay, and the judge prevented me from testifying about what I knew about the attack on Blaise in late May 2001.
- 33. I have not talked with Blaise since she left Las Vegas for Panaca on or about July 2, 2001, and I have only seen her twice, when I testified at her trial in May 2002 and again at her trial in September 2006.
- 34. I know that Blaise told a number of people in late May and June that she had cut or tried to cut a man's penis while he was trying to rape her, so I am positively certain that the crime Blaise was convicted of committing on July 8, 2001, was a different incident and committed by a person or persons unknown to me.
- 35. I am executing this AFFIDAVIT voluntarily and of my own free will. No force has been used upon me, and no threats or promises made to me by anyone.

STEPHEN WILLIAM PYSZKOWSKI

SUBSCRIBED AND SWORN to before me this 3

day of January, 2010.

My Commission Expires

OFFICIAL SEAL

Jean Branch

NOTARY PUBLIC

Votary Public

Υ -

Printed name

Notary Public for

My Commission expires: