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March 27, 2012

Amended as to Uebelacker

Name Correction, i.e., Stephen Uebelacker

The Honorable Rick Scott
Governor of Florida
The Capitol
400 S. Monroe Street
Tallahassee, FL 32399-0001

Re: DEATH OF MURRAY COHEN

Dear Governor Scott:

This letter follows my previous efforts to bring to your attention perhaps the greatest injustice which I have been associated with as legal counsel. I again reach out to you and your office as pro bono counsel for Steven J. Esdale, the natural son and descendant of Murray Cohen, deceased.

I have learned through Warren Davis and Citizens Services that the multiple correspondence I have directed to you have never reached you. In fact, my letters are re-routed to FDLE for assessment. It is this precise road block which is interfering with my client's ability to obtain justice.

As a whole, FDLE with its 2,000 employees do an excellent job in investigation and enforcement of the laws of the State of Florida. However, in this instance, for reasons that are incomprehensible to the undersigned, FDLE has failed in its obligations to my client. It is because of this that I specifically request that you not direct this communication to FDLE, but instead appoint a special prosecutor to conduct a thorough and final evaluation into this matter.

The death of Murray Cohen has been very well documented online and through hundreds of media reports as well as through numerous correspondence to your office and your gubernatorial predecessors, by me. The facts and details of this case will not be repeated here in detail. In brief, however, my client believes that his father, Murray Cohen, was murdered, in cold blood, by his wife of three weeks, Maria Amurrio-Cohen. The purpose of this letter is to advise you of previous FDLE failures in connection with its investigation and review, obvious conflicts of interest which existed within FDLE, and to appeal and plea to you for an appointed prosecutor.

Please be advised that on information and belief, Murray Cohen was murdered on January 13, 2003 by Maria Amurrio-Cohen.

Following FDLE's initial review and closure in 2004, former Sarasota Homicide Detective, Gary Ferguson, offered his services to FDLE and prepared the attached sworn statement. None of the questions as proposed by Detective Ferguson, who believes that this was a crime of greed and murder, were ever answered by the Sarasota Sheriff's Office or FDLE.

When FDLE's initial report was released on or about January 2006, I note that FDLE investigator, Andrew Rose, provided false and inaccurate statements. Attached please find Andrew Rose's report which directly conflicts with an attached Affidavit from William Tidwell, who purportedly was a key interviewee in connection with that FDLE investigation.

Moreover, Agent Rose's report contained sworn statements from Ann Barrett, who was also a key witness in this case. Agent Rose knew, or should have known, that Ms. Barrett's statements were false, yet relied on those statements in concluding that the investigation into the murder of Murray Cohen should be closed. (See attached sworn statement to FDLE of Barrett and the transcript of the 911 call between Barrett and my client).

Moreover, Andrew Rose refused to properly interview audio expert, Paul Ginsberg, in connection with his investigation. Ginsberg clearly testified that he heard Maria Amurrio-Cohen yelling at Murray Cohen to "give up" and also that he heard Murray Cohen asking for an ambulance at a time when he was supposed to be dead. Incredibly, none of this evidence was included in the initial FLDE Investigation Report.

After additional requests by my client, Assistant Commissioner, Ken Tucker, reopened an investigation in July 2011. FDLE agent, Stephen Wayne Uebelacker, was assigned to investigate. For inexplicable reasons, Agent Uebelacker refused to interview key witnesses such as William Tidwell, Ann Barrett, Rhonda Goodman (who spoke to the deceased the day before he died), Irene Petrus (to whom Maria Amurrio-Cohen gave a completely different description how Murray Cohen died). Agent Uebelacker refused to interview the actual witness to the murder, Stephen Beninati, who testified in deposition to me that he actually heard Murray Cohen screaming for his life shortly before his death.

Most significantly, Agent Uebelacker failed to provide substantial emphasis on the fact that an empty bottle of lethal poison was found at the death scene. Although Uebelacker did interview Dr. Anderson, the original medical examiner who specifically demanded immediate exhumation and autopsy, he rejected the request.

I did specifically speak with Agent Uebelacker and he told me that he heard Maria Amurrio-Cohen telling Murray Cohen to "give up" on the 911 recording which was a large piece of the evidence in this case. He also informed me that multiple mistakes had been made in connection with the death of Murray Cohen by the Sarasota Sheriff's Office. Attached please find my letter to Detective Hidalgo, Uebelacker's supervisor while at FDLE, following his disclosures to me that someone at a higher pay scale told them to shut down their investigation.

The Honorable Rick Scott
Governor of Florida
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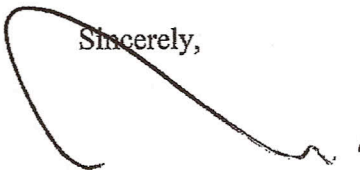
As I pointed out in my prior letter to you, since the investigation was shut down in July of last year, Agent Uebelacker became employed in a high paying job with the Sarasota Sheriff's Office as their new Ethics Director. Ken Tucker, as you know, was promoted to an executive role in your administration.

There are clear conflicts of interest in connection with the FDLE's investigation. There have been ineffective and incomplete investigations through the years. There have been reports that are riddled with untruthful matters throughout, both prior and the more recent FDLE investigations. The conflicts of interest are emphasized by the recent promotions of Uebelacker and Tucker, once the FDLE investigation in connection with the death of Murray Cohen was closed.

It is illogical to conclude that this was not death by foul play. Again, I am requesting either a personal meeting with you or a referral to a special prosecutor to investigate this matter.

In closing, I am mindful that within certain intelligence agencies, there are persons who are protected as informants. I am also quite aware of Ms. Amurrio's background as a narcotics officer in Bolivia, prior to her residency in the United States. My background investigation of the witnesses to her wedding to Murray Cohen in Bolivia include persons charged and/or convicted of drug trafficking and murder. To the extent that she is one of these protected informants, I would request that you direct the appropriate agency representative to me so my client can end his suffering and finally achieve closure of this matter.

Sincerely,



Mark H. Gelman

MHG /lcf
cc: Steve Esdale