

AFFIDAVIT OF LONNIE PARAS

1 After being duly sworn upon oath, Lonnie Paras hereby states as follows: I am over 18 and
2 competent to make this affidavit. I am testifying voluntarily and was not subpoenaed or
3 compelled to testify.

4 My name is Lonnie Paras. I'm a journalist by trade and an environmentalist at heart. I
5 went to Northwestern University and double majored in journalism and environmental science. I
6 also obtained a master's degree in science journalism from Boston University. I then went on to
7 work for Blitz News Network (BNN), specializing in both investigative and undercover
8 journalism. It was my job to expose corporate America's dark secrets, especially those
9 threatening our planet.

10 I was still at BNN when I first received the tip regarding Peony Estates. It was back in
11 August 2016, and I remember that I was working at my desk when my office line rang. It was
12 Danny Francazio. Francazio was the owner of Rosie & Pedro, one of the largest wineries here in
13 Midlands. I had recently quoted Francazio in connection with a piece I had run, so I figured that
14 Francazio was reaching out regarding that piece. But instead, Francazio was calling with a tip.
15 Apparently, Peony Estates, one of Francazio's largest competitors, was committing several
16 health code violations through its misuse of pesticide. Francazio said Francazio was concerned
17 that Peony Estates' wine could be contaminated with pesticide. I thanked Francazio for the tip
18 and promptly hung up. Tips like these were pretty common. Given my reputation, folks would
19 often reach out left and right with potential stories. Businesses in particular loved to call me
20 claiming how their rivals were engaging in every illicit activity under the sun. There usually
21 wasn't a legitimate story there. That is why I took Francazio's allegations with a grain of salt.
22 Obviously, I was intrigued by the prospect of Peony Estates producing poisoned wine, but when
23 an initial web search failed to yield any instances of people getting sick from Peony Estates'
24 wine, I pushed the project to the backburner. At the time, my main project was a one-year
25 retrospective investigative piece on the Gold King Mine wastewater spill (for which I later
26 received the Francis Leo Prize for Investigative Journalism). So I left a note to myself to revisit
27 Francazio's tip at a later date when I had more time on my hands to investigate.

28 The story didn't pop up again until July 2018. By then, I had been let go by BNN (for
29 budgetary reasons) and was working as a freelance investigator. I wanted to get back into the
30 investigative journalism business, but nobody was hiring then (or really even now). I primarily
31 worked for corporations (sometimes the same corporations I had exposed while working at

BNN) and investigated their competitors. But to keep my writing skills sharp, I also maintained my own blog on the side that I updated every Friday. I was struggling to come up with an entry for July 6, 2018, so I decided to revisit my old BNN notes for inspiration. That's when I came across my old notes about Francazio's tip. And while it didn't end up being my blog entry for July 6, 2018, I figured I had time to investigate further. I guess part of me was hoping that, if I actually found something, I might be able to rejuvenate my journalism career.

I began my investigating by conducting a more thorough web search of Peony Estates. While I still found no evidence of any person becoming sick after drinking Peony Estates' wine, I did find a map of the winery online. From the map, I learned that Peony Estates is right near the Solove Swamp in Rapid River Valley, Midlands. A nearby swamp would certainly explain a need for pesticide. Having previously visited the Honey Island Swamp for a piece I was working on, I experienced firsthand how swamps are swarming with insects. I wouldn't be surprised at all if a winery went overboard with pesticides to tackle the insect problem, regardless of the health code. After all, any insect infestation would eat into the winery's profits. But speculation wasn't going to get my byline back; for that, I needed proof.

To get that proof, I decided to visit Peony Estates. My first visit took place on Friday, July 13, 2018. During my visit, I examined all of the publicly accessible areas of the winery, but I found nothing out of the ordinary. I was just about to give up when I saw that Peony Estates hosted guided tours of the private facilities every Monday, Wednesday, and Thursday. I figured that my best bet to uncover any dirt would be by snooping through the winery's restricted sections, and the guided tour would be my best way in.

My second visit took place on Monday, July 16, 2018, the day of one of the guided tours. On my drive there, my car was running low on fuel, so I stopped by a gas station right at the outskirts of Peony Estates. As soon as I stepped out of my car, I was surrounded by insects, which was a bit surprising since I didn't recall having to deal with any insects during any of my visits to the winery. Once I arrived at the winery, I joined the guided tour as planned. Just in case I needed to infiltrate Peony Estates several times during my investigation, I made sure to attend the guided tour in disguise (baseball cap and sunglasses, among other things). The tour itself was quite informative. I learned a lot about the winemaking process. I specifically learned how different wines take a different number of years to produce, but Peony Estates only produces wine that takes a year to produce. Our tour guide Drew Matsoukas, who was employed by the winery, explained that the winery only harvests its grapes once per year and would use those

64 grapes to make its wine. As an example, Drew explained that the grapes currently being grown in
65 2018 would be harvested and used to produce Peony Estates' 2019 wine. While informative, this
66 wasn't the kind of information that I was hoping to gather from my trip. But when I saw an
67 unattended "Employees Only" door by Peony Estates' kitchen, I figured the trip might still be
68 worthwhile after all. I lagged behind the rest of the tour group, and when no one was looking, I
69 snuck into an employee-only section of the winery.

70 I found myself in what appeared to be the winery's bottling area. At first, there wasn't
71 anything of note. But as I went deeper into this restricted section, I finally found something
72 intriguing. I saw discarded canisters of pesticides (all one brand—"Bug Off") scattered in the
73 backrooms. However, all of the canisters appeared to be new. If pesticide usage had been an
74 ongoing event, I would have expected years' worth of canisters, but that wasn't the case. I
75 needed more information, so I looked for some sort of back office. I saw an office door labeled
76 "Harper Martini" (the owner of the winery), so I walked in. Thankfully, nobody else was in
77 there. I saw piles of paperwork, which I skimmed to find an internal memo written by Austin
78 Lewis (head winemaker at Peony Estates) stating that a recent insect infestation had significantly
79 impacted Peony Estates' profits. The memo didn't explain whether the winery had been
80 engaging in pesticide usage prior to the recent insect infestation. Aside from the memo, I found
81 nothing of note in Martini's office. I put all of the documents back where I found them before
82 sneaking out of Martini's office to rejoin the tour group in the public area of the winery.

83 By the time I escaped the restricted section, the guided tour had already ended. However,
84 as I passed by Drew the tour guide, I heard Drew whispering to someone about something
85 happening on July 18, 2018 at the Midlands Botanical Garden. When I turned to Drew to listen
86 in, Drew noticed and immediately left. I was suspicious, so I went to the Midlands Botanical
87 Garden on July 18, 2018 to find out what was going on. Unfortunately, my suspicions were
88 unfounded. After spending most of the day hiding in some bushes, the only thing I witnessed was
89 a rather sweet marriage proposal. In fact, I recognized the person who received the proposal. I
90 had seen that person's photo on the desk in Martini's office. I figured the two were probably
91 related in some way. I later learned that the person I saw at the Midlands Botanical Garden and
92 in the photo in Martini's office was Casey Soto—Martini's only child. I also later realized that
93 the person who I saw propose was Genesis Petrillo. At the time, though, I didn't give much
94 thought to the proposal or the people I had seen. I couldn't imagine how a proposal (or a
95 wedding) would be connected to my investigation.

When I got home on July 18, 2018, I reviewed my notes from the last few days. That's when I realized that Francazio had jumped the gun with that 2016 tip. It became clear to me. Martini clearly considered using pesticide back in 2016, leading to Francazio's tip, but it wasn't until the insects began to literally eat into the profits that Martini would fully press on with pesticide usage. It would explain the new canisters, the lack of insects, everything. It would also explain why no one was sick yet. If the pesticide use didn't kick up until 2018, the grapes at issue wouldn't be used to make wine until 2019. If I wanted proof that Martini's pesticide usage was actually contaminating the wine, I would have to wait until 2019.

Given the waiting game I was forced to play, the Peony Estates investigation once again went on the backburner, except that I continued to take the winery's guided tour twice every month just to see if I uncovered anything else. While I avoided gallivanting into restricted areas again, I did keep my ears open for word on the progress of the 2019 wine to know when my own investigation could progress. I also befriended Drew at this point, so I had access to all of the winery's gossip (which, while fun, wasn't pertinent to my investigation at all). Since I wasn't sneaking around at this point, I did not wear a disguise, so naturally Drew and other Peony Estates employees began to recognize me as a regular visitor. Aside from my trips to Peony Estates, I also familiarized myself with the relevant health code statutes to understand what potential violations the winery was committing through its use of pesticides. I spent the rest of the following year on my freelance work.

I finally caught my next break during the winery tour that took place on Monday, May 6, 2019. I had heard Drew's whine/wine pun (again) when I overheard one of the Peony Estates' employees muttering about a "surprise inspection." Interested in hearing more, I lagged behind the group to stay within earshot of that conversation. I heard the employee say that a health inspector was coming to inspect the 2019 wine. This was my chance! Unfortunately, despite eavesdropping, I didn't have a date for the upcoming inspection. Luckily, I called a former source of mine in the FDA who informed me (off the record) that someone had filed an anonymous complaint against Peony Estates and that an inspection was scheduled for Wednesday, May 8, 2019.

As a result, two days later, on Wednesday, May 8, 2019, I returned to Peony Estates to again attend the guided tour. Since I knew that it would raise suspicion for me to return so quickly after my last tour (some of Peony Estates' staff already seemed puzzled about why I kept taking the same tour as often as I did), I decided to once again go incognito with a (different)

baseball cap, sunglasses, and the works. I even decided to adopt the moniker “Alex Song,” an alias I had not used to date nor have used since. Aside from Drew recognizing me immediately, my disguise was successful. And once the guided tour passed by that familiar “Employees Only” door, I snuck through when no one was looking. Returning to the familiar-looking restricted areas, I immediately noticed that all of the canisters of pesticide I had seen before were gone. In fact, the place was spotless. Sneaking further along, I eventually began to hear voices. I followed the voices to their source, which I found out to be Riley Adkins-O’Keefe (a health inspector) and Harper Martini. From where I was hiding, I was able to overhear parts of their conversation, including possible health code violations. It looked like Francazio’s tip paid off after all. I would clearly need more evidence, but I was surprised by how lucky I had been thus far.

Unfortunately, it looked like my luck had run out for the day. While trying to covertly escape from the restricted area of the winery, I ran straight into Austin Lewis. Lewis asked me what I was doing in the restricted area. I recognized Lewis’ voice as the same person I had overheard two days prior talking about the upcoming surprise inspection (meaning Lewis was either the anonymous complainer or also had an inside source in the FDA). I tried to explain that I had gotten lost, but Lewis yanked off my baseball cap, sunglasses, and the rest of my disguise (which was a bit rude) and immediately recognized me. Lewis said, “Wait, you’re the one who keeps showing up every other week! I should have known you were up to something. Well, come with me, I’m taking you to Martini.” I calmly replied, “Yeah, do that, and I’ll tell Martini how you recognized me months ago yet still let me come back to the winery over and over again until I was able to access the restricted area. That should go well for you.” Lewis got flustered and agreed to release me and “forget” about seeing me if I left immediately, which I did. Lewis also said, “I’m not going to give you a second chance. If I see you anywhere near here again, even in the public areas of Peony Estates, I’m personally taking you first to Harper Martini and then to the local authorities.” I responded that I wouldn’t need another chance (which was true because I did not intend on getting caught again!).

I next visited Peony Estates on May 30, 2019 to once again sneak around to see if the winery had made any changes following that inspection that I had overheard a few weeks earlier. Mindful of my experience with Austin Lewis, I decided to go in full disguise (this time going by the name “Topaz Cash”). Luckily, as I learned from Drew during one of our many conversations, Casey Soto was getting married at Peony Estates on June 8, 2019, so the whole winery would be focused on planning the wedding starting in late May. That was perfect—I could use the

wedding prep as cover. After finding out from Drew which photography company was covering the wedding, I arrived at Peony Estates claiming that I was an assistant photographer tasked with assessing the lighting throughout the winery to determine the best spot for the couple's photoshoot. The excuse worked perfectly. I was given unfettered access to every section of the winery, except the bottling area because that section was under maintenance at the time. Thanks to my access, I was able to see what, if any, changes the winery made after the inspection. Based on everything I saw, nothing seemed different aside from the addition of some wedding decorations. I also recall seeing Harper Martini meeting with someone by Peony Estates' storage shed during my May 30, 2019 visit. I specifically remember seeing Martini hand over some kind of envelope. I never got a good look at the person meeting with Martini, but the person did have a similar height and build as Genesis Petrillo. Looking back, given my cover as an assistant photographer, I probably could have taken photos of what I observed (especially of the person meeting Martini), but I was so focused on gathering information, I forgot to take photos. Additionally, I had a shadow in the form of Peony Estates security, so I felt constantly watched. I decided I needed to come back when security wouldn't follow me around every second. Maybe when security is too preoccupied with the wedding.

I decided to return to the winery on June 7, 2019, the date of the rehearsal and rehearsal dinner, since I figured it would be an easy day to sneak around. Opting for a new disguise, I was able to blend in at the dinner as a member of the catering staff. I made my first break for the restricted area during the middle of the day. Though, it seemed like Austin Lewis had somewhat improved security since my usual "Employees Only" door entrance was now padlocked shut. Luckily, I had my lockpicks (which are legal to own in the state of Midlands), so I quickly made my way into the restricted area. I decided to head towards the bottling area since I wasn't able to go there during my May 30, 2019 visit. Before I got inside, I heard a voice that sounded like Harper Martini say, "keep that bottle separate—I need it for something." Another voice (one I could not identify) asked what Martini needed it for and said something about "safety" or "contamination," and Martini said, "I need this. I'm going to put an end to this nonsense with Genesis once and for all."

Once I heard them leave, I went into the bottling area, where I found a single bottle of 2019 *Cara* sitting by itself on a nearby shelf. In fact, I'm very certain that same bottle was sitting on that same shelf when I last visited the bottling area back on May 8, 2019. However, before I could investigate the bottling area further, I heard shouting. I decided that took priority, so I

192 followed the noise. As I got closer, I realized it was two people yelling at one another. One of the
193 voices clearly belonged to Harper Martini (I had had the chance to hear Martini's voice during
194 some of the previous tours). I could not identify the other voice at that time, but it did sound
195 familiar. Even though I heard the voices, I did not hear enough of the argument to have any idea
196 what they were arguing about.

197 By the time I got to where the screams came from, it looked like Martini and the person
198 arguing with Martini had already left. I was just about to do the same when I noticed a crumpled-
199 up envelope on the floor. I picked up and unfurled the envelope to read the note contained inside.
200 I realized that I had stumbled onto something big. Hearing approaching footsteps, I took a quick
201 photo of the note, put it back in the envelope, recrumpled it, and tossed it back on the ground.
202 While hiding from sight, I saw Martini return, pick up the crumpled envelope, and say, "I forgot
203 that I should get rid of this after Genesis tossed it back in my face." I then saw Martini head
204 towards the nearby furnace before burning up the envelope and the original note. I then decided
205 to covertly follow Martini, who led me back to the bottling area where Martini picked up the
206 bottle of 2019 *Cara*. Before I could follow Martini out of the bottling area, though, something
207 caught my eye. It was there that I made my big discovery: an almost empty canister lying right
208 next to the bottling station. The label was ripped off, but it looked exactly like the empty Bug Off
209 pesticide canisters that I had seen lying around back in 2018. To confirm, I poured the remaining
210 contents of the canister into a container so that I could have a friend analyze it for me.

211 After that, I snuck back to the rehearsal just in time for the rehearsal dinner. Since I was
212 disguised as part of the catering staff, I figured that I would play the part. Aside from avoiding
213 Drew from recognizing me, it was a rather uneventful dinner service. While undercover, I was
214 able to hear all of the various toasts, and that's when I realized the person that I heard arguing
215 with Martini was Genesis Petrillo. While I suspected that was the case, I was able to verify it
216 after hearing Petrillo's speech. It also explained why the voice had sounded familiar; I had heard
217 Petrillo's proposal nearly a year prior.

218 Following Petrillo's speech, there were more toasts. The last person to give a toast was
219 Martini. Martini did not use a microphone, so I was unable to hear much of Martini's speech.
220 However, I did see Martini gift Petrillo a bottle of 2019 *Cara*, just like the bottle Martini grabbed
221 from the bottling area earlier. In fact, I saw Martini pour Petrillo a glass of that 2019 *Cara* at the
222 end of Martini's toast. Now, I cannot be sure whether that bottle of 2019 *Cara* was corked or

uncorked when Martini grabbed it from the bottling area (I did not get a good look), but that bottle was definitely open when Martini presented the bottle to Petrillo.

All of this made me very interested in talking with Petrillo. Unfortunately, I didn't really have much of a chance. Drew was hanging out with Petrillo, so I wasn't able to approach without risking my cover, and to make matters worse, the head caterer Sam Arnould kept looking in my direction. I figured it was time to make an exit. On my way out, I noticed Petrillo on the dance floor, though Petrillo appeared rather disoriented. I again considered speaking with Petrillo, but I figured that I could just talk to Petrillo the next day during the wedding reception.

Turned out that I was dead wrong. When I arrived at the wedding around 8:30 a.m. on June 8, 2019 disguised as a guest, I heard several people talking about hearing ambulance sirens during the early morning hours following last night's rehearsal dinner. I then saw Angel Rodriguez (a member of the wedding party that I had seen the night before hanging out with both Casey Soto and Genesis Petrillo) arrive at Peony Estates in a disheveled state, and Angel frantically asked to see Soto. I suspected something had happened to Petrillo, so I rushed to the hospital. Soto and Rodriguez stormed into the hospital wing shortly after I had arrived, and I was able to overhear Dr. Jimin Kwon (Petrillo's treating physician) tell Soto and Rodriguez that Petrillo had passed away from pesticide poisoning. Through my connections, I was able to obtain a copy of Petrillo's death certificate, which indicated that Petrillo died of respiratory arrest caused by pesticide poisoning.

I was devastated. In 2016, I was first warned that Peony Estates' wine could be contaminated with pesticide, and three years later, a young person died from pesticide poisoning after drinking Peony Estates' wine. I can't help but think that, if I had somehow gotten the story out there sooner, Genesis Petrillo might still be alive. And I know there have been some discussion that this wasn't an accident and that Petrillo may have been intentionally poisoned, but even if that were the case, that doesn't ease my guilt. I probably could have still stopped the poisoning had I been quicker with my reporting, or had I reached out to Petrillo that night, or had I done a million different things. But what's done is done. I can't change the past, but I can tell people what I saw, which is the one and only reason I'm testifying.

However, in the interest of transparency, I should also include that, while I ended up releasing the story too late to help Genesis Petrillo, my reporting on Peony Estates has proven beneficial to my career. Following my initial coverage of the winery and Petrillo's poisoning, Landon Greene, the recent Editor-in-Chief of TBD Magazine, reached out with a prospective

investigative reporter position. Greene told me that Greene was highly impressed with the means I would go to get a story, but Greene wanted to see what more I could extract from the story before I received a full offer. Greene stated that Greene wanted to see if I could continually draw in readers to my stories. It was Greene's prompting that led to my second wave of coverage, including my research into *Cara*. I ended up tracking down Peony Estates' resident sommelier, Nat Ludmir, who was still employed at Peony Estates at the time and willing to discuss Peony Estates' winemaking. Through Peony Estates' sommelier, I learned that 2019 was the first year Peony Estates had planned to sell *Cara*. In fact, *Cara* was slated to be the only 2019 wine that Peony Estates would plan to sell. However, at the time of the wedding, not a single bottle of *Cara* had been released to the public. And following Petrillo's poisoning, as the sommelier explained, Peony Estates canceled every order of the 2019 *Cara* and in fact dumped all of its supply of *Cara* shortly after the incident. I am not aware of any other person receiving let alone drinking *Cara* except for Petrillo. So *Cara* is currently one for one in terms of fatalities. And while Greene appreciated the additional coverage, and liked my reader retention numbers, Greene is still looking for more. Specifically, when Greene learned that I would be testifying in this trial, Greene recommended that I write a story based on my experience testifying and the trial as a whole. If Greene likes the story, and I maintain reader interest in my continued coverage, I can finally return to being a full-time investigative journalist.

I am familiar with the following exhibits:

Exhibit 1 is a photograph of Genesis Petrillo. I recognize Petrillo from both when I saw Petrillo propose as well as from the rehearsal dinner.

Exhibit 2a and 2b are pictures of the 2019 *Cara* wine bottle. Exhibit 2a is a photograph of the bottle itself while Exhibit 2b is a copy of the label that was on the bottle. That's the same bottle that I saw Martini grab from the bottling area and later gift Petrillo on June 7, 2019.

Exhibit 3 is a photograph of Peony Estates' wine cellar. I can easily tell from all of the tours that I took of that place.

Exhibit 4 is a map of Peony Estates. It is identical to the version I found online.

Exhibits 5 and 6 are Petrillo's toxicology reports, which I obtained from one of my sources. Exhibit 7 is Petrillo's death certificate, which I obtained from the same source.

Exhibit 10 is a report of an analysis the police requested on the 2019 *Cara* wine bottle. My friend at the lab sent me a copy of the report on the same day the report was completed.

Exhibit 11 is the report for the analysis I requested on the pesticide I found at Peony Estates. Though, since I was afraid of someone possibly scooping my story (I'm not the only one with sources), I told the lab that the sample came from my home rather than from Peony Estates.

Exhibit 12 is the memo that I found in Harper's office that was authored by Austin Lewis.

Exhibit 15 is an email chain between Martini and Francazio that Francazio forwarded to me in October 2016. However, since I wasn't focused on this story at the time, I pretty much ignored this email. It wasn't until I searched my emails for any relevant documents for this case that I remembered that I had this email.

Exhibit 24 is the photograph that I took of the handwritten note that I found on June 7, 2019. In addition to Harper's initials appearing on the letter and Harper's statements that I overheard, I was able to recognize Harper's handwriting based on my earlier investigation in Harper's office, where Harper had several handwritten post-it notes stuck to Harper's desk. In fact, those post-it notes that I saw were also written in the same color as Exhibit 24.

In addition to the above exhibits, I am also familiar with Riley Adkins-O'Keefe's investigative report from May 8, 2019 (another source). The conversation I overheard between Adkins-O'Keefe and Martini matches up with lines 50-62 of that report. I cannot speak to the accuracy of any other section of the report. I am likewise familiar with Midlands Building Code 12-100, which I looked up and read as part of my investigation into Peony Estates.

I am not familiar with any other exhibits or reports in this case.

I swear or affirm the truthfulness of everything stated in this affidavit. Before giving this statement, I was told I should include everything that I know may be relevant to my testimony, and I followed those instructions. I know that I can and must update this affidavit if anything new occurs to me until the moment before opening statements begin in this case.

Signed:

Subscribed and Sworn to me on this 10th day of July 2020:

Lonnie Paras

Kendall Nowlan
Notary Public