

EPISODE 63: She'll Be the Judge and the Jury...Issues and Evidence Before Murdaugh's New Trial Hearings

Mandy Matney 00:04

Hello and Happy Tuesday. This is going to be a really important month in the Alex Murdaugh case. On January 16th we have the status conference where Justice Jean Toal will decide whether Alex Murdaugh will get an evidentiary hearing. If she decides, yes, she will go over the guidelines for that hearing, which is expected to begin January 29th. Hopefully this month will end with the biggest questions hanging over this case finally getting answered once and for all. Like we keep saying, so far, we have seen no evidence that there was any jury tampering. So as of now, we hope that the judge will find that a new trial for Alex Murdaugh is not warranted. And we hope this chapter will be closed so that Maggie and Paul can rest in peace and taxpayer money can stop being wasted on this chaotic circus, which has brought so much toxicity with it. In today's episode, we talk about the pre-hearing briefs filed by both the Defense and the State. Premium Members will also get to listen to our discussion about the year ahead, the ongoing social media wars that have come with this case, which we are done giving any power to and our biggest concerns going into this hearing. Plus, we even talk a little about the new documentary series about a 1989 case in Boston that tore the city apart. So let's get into it.

Liz Farrell 01:42

Cups up guys!

Eric Bland 01:44

Cups and bottles up!



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Mandy Matney 01:46

It's a Topo Chico, not a beer.

Eric Bland 01:51

Yes, you don't drink before five. You don't drink before five.

Liz Farrell 01:54

That is my favorite seltzer ever. I love it so much. Can they sponsor the podcast?

Mandy Matney 02:00

I would absolutely love it because I've been spending way too much money on Topo Chico recently. And I've gotten Sandy hooked on it and every time Sandy comes I get her a case because she can't find it anywhere in like the Barnwell area. And I finally found a couple Kroger's that carry it. Anyways, how was everybody's holiday's?

Liz Farrell 02:17

It was really good.

Eric Bland 02:18

Happy 2024

Mandy Matney 02:20

Happy 2024



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Liz Farrell 02:22

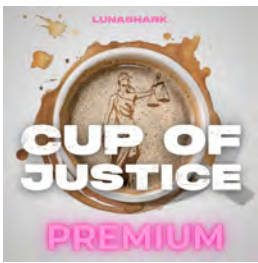
I'm so happy for this year, I feel very, very positive. And I think this is going to be a good one for us. And we just have to get through this month. Right? This is a pivotal month in the Murdaugh case. And this should hopefully be the final fever before the patient dies. You know, it just feels like this has been going on forever.

Eric Bland 02:39

I love even years. I love even numbers. But '23 was a good year. I mean, like I said, when Mandy and I had the get together at Hilton Head, if you were to ask us at the start of 2023 would, you know, Russell Laffitte be in federal prison? Would Cory Fleming be in federal prison and then heading to state prison? And would Alex be, in theory, in prison for life by the end of the year? I wouldn't have taken that bet. I wouldn't have guessed that all three would be wearing stripes right now. So, so much was accomplished last year. Look, Mandy wrote her book. She's been on our tour. Liz, you moved, you know, you're in the throes of writing your book. I'm writing my book. So much has happened. But 2024 I think has the chance to even top 2023. That's just my thoughts.

Liz Farrell 03:27

I like that, Eric. It's very positive. I think I tend to look back in negativity. But I do think you're right. We did a lot of good work in 2023 and we need to be proud of ourselves and really recognize it.



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Eric Bland 03:37

We wouldn't know it if you, you know, if you spent your day on Twitter or some of the other, you know, online chat stuff or Reddit. You would think that we've destroyed the Murdaugh case. And that, you know, we haven't done anything. That we sit in our houses and act like we do a lot and we don't accomplish anything except just bloviate. Which couldn't be further from the truth.

Mandy Matney 03:58

Yeah, I want to talk about that for a second. Because first of all, I've made the decision to log out of Twitter. I haven't tweeted in over a week and I don't plan on doing it anytime soon. I have just learned that I have to step away because I was starting to see the world differently. I was starting to see Twitter's audience as this big. And really, they're this big. A lot of the people, there's like seven people that create 70 accounts apiece and they warp your opinion. And it should be...fraud is what it is because it's very confusing to be in a position where it feels like the whole world is attacking you. And I finally just stepped out and said, "I'm done with this." I will spend my time on apps that I feel safe like Threads, Facebook and Instagram and I haven't blocked a single person in the last week that I have spent my time on those apps. That tells you the clear difference between Twitter and these other apps, Twitter specifically. I believe that it is a part of their algorithm to have hate and fighting, and it's just a very, very bad place for anybody who's having mental health issues. And I can't believe that I stayed around as long as I did. But on that same note, I've been so glad that I've been forced to go to all these in-person events in the last couple months, because it



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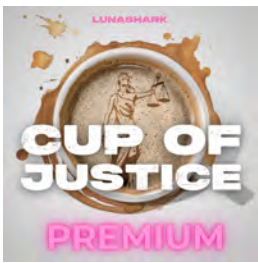
has reminded me of how wide the world is, and how many people will come to these events. And they're huge fans and they're never on Twitter. They don't know what's going on Twitter. They just are huge fans of our shows and they just listen to our shows every week. And that has been like, that's real life. That's what I have been needing to see. And that's what I kind of needed to give me the push. I just spoke to 120 women in Bluffton the other day, and all...so many huge fans in that room, and we're just surrounding me with positivity and saying how proud they were that I was off of Twitter and how they worry about me and Liz all the time. And it's just been extremely eye opening how Twitter can really narrow your views and your focus and it can just be a colossal waste of time if you don't pay attention and get yourself out. So I look forward to all...I have lots of free time now that I'm not on Twitter to fight everybody.

Eric Bland 06:28

I want to say that, you know, I had the honor of attending your event for the Premium Members in Hilton Head on December 29th. And just meeting so many nice people and putting faces with names when we have our Thursday nights and people are on the chat room sending their comments to me, Ed Kelly and Matt and some of the other people. People who, you know, Liz, there was a lady who drove from Bel Air, up in Maryland.

Liz Farrell 06:52

I heard about that. That blew my mind. I wish I had been there to see to them.



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Eric Bland 06:57

Two women jumped in a car in New York and drove the entire distance from New York. We have people from Virginia, one of the guys, that was the guy in the beard that stayed and talked to you on the couch, he drove from Virginia, and then people from Tennessee. I mean, you're talking about people that are making sacrifices during the holidays. And you know, just to watch Mandy, you know, David did an amazing job putting it together. And he's such a good Toastmaster General, I mean really nice things. But just to see Mandy basking in appreciation, you know, she just really appreciated it. And she needed, she needs this because she takes a lot of fire, a lot of incoming that is not deserved. And these people weren't coming with an agenda. They just wanted to say thank you, you know, they wanted to talk to us. It was equal, it wasn't starstruck kind of thing. It was just to say, "Hey, thanks so much, you know, you guys really enriched our lives." And a couple of people came up to me and said how much they appreciated learning about the legal system, and that they now can understand procedure and legal talk. And it was nice. The only sad part is you weren't there, Liz, but you were there in spirit. And everybody did ask about you. And it was just nice. And Mandy and David just did a nice job. They gave me a really nice ski boat gift, and then a poster art of *Cup of Justice*. So it was just a great way to end the year. So I wanted to thank you guys for that.

Mandy Matney 08:15

It really was a cool way to end the year and just be reminded of all like this, the great community of people that we have supporting us literally around the world. And yeah, I'm focusing on them this year. I'm not



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focusing on the group that wants to destroy us. I'm not focusing on the people who are just, at this point, making up straight lies. And when they get caught in a lie, they just make up another lie. And there's no sense in responding to it. There's no sense in acknowledging it. I'm just going to do my best to serve our supporters and be there for our supporters and keep exposing the truth like our supporters want us to do.

Eric Bland 08:57

Well, how are you dealing with it, Liz? I mean, I'm getting a little bit of the positive because I get to go to court or get to tag along with Mandy and David. I mean, how do you deal with it? Where's your positivity coming from? And instead of you not dwelling on the negative or you know, when you're getting falsely attacked, like people were saying, somehow you got kicked out of the trial, or you lied about going to the trial, which is complete 100% horseshit.

Liz Farrell 09:22

It depends. The answer is, I haven't been getting the positivity really. Like it's not...it's been something that I've internalized for a long time, just because I think that there's just so much behind the scenes that, you know, maybe I'll write about one day, I don't know. I will say that, you know, to not dwell on the past I'm gonna look forward. Like this year is going to be a different year for me very much psychologically, because I think I've learned so much in the past few weeks about who I am and what power I have that I just sort of like...I feel like I've been operating at 50% this entire time because I have these voices in my



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head that are coming from these...and when we say critics, it's not people who don't agree with us. It's people who specifically are targeting our mental health by talking about our looks our, you know, weight with Mandy. Like just, I mean a whole wide long list of accusations. It's incredible and it was relentless and now that we have answers about who was behind it allegedly...

Eric Bland 10:23

What do you mean by that?

Liz Farrell 10:24

Just essentially, I will say this. We've had two people come out of the woodwork who had evidence that these pages were...I don't know. I don't know how I want to say it because I don't want to continue this going on. I want it to stop. I mean, that's all we want is for it to stop, you know. I look at it this way, like whenever you hear, you know, I like to listen, I know what my politics are. But I like to listen to a little bit of both sides or all sides, if we want to say that. And at some point, it's just like you want Washington to do the work and just stop blaming each other for things. And there's so much unfair that has happened and continues to happen in the way of how this stuff gets perceived. And, you know, we're two women who have done a phenomenal job who have put ourselves out there. Mandy has repeatedly said the thing that no one is brave enough to say. And because of that, I think there's just a whole lot of misogyny that is behind this. And we were talking before the show just how like one of our male colleagues got one, it looked like one person questioned one of the things he had said on Twitter, and he



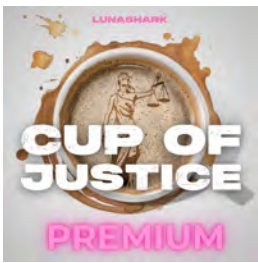
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ended up putting together an entire thread of like, you know, just feeling victimized by this. And that's not to say he doesn't, I don't take that from him. But it's just funny that we've been pummeled every single day. And the second we go to defend ourselves, we're sort of looked down for that as well. So I've realized there is no winning. And one of the things that if we're going to talk about positivity, I think the work of others has always brought me some sort of joy or some sort of inspiration. So I was watching this documentary called *Murderer in Boston* on Max, it's one of those it's not fair because they like put an episode out a week. And I hate that I just want to binge it. But it's all out now. And it's about the Charles Stewart case in Boston. And I don't know, Mandy you would not remember this, but Eric, I don't know if you remember in 1989, in Boston, a white couple was driving through a predominantly black neighborhood, and she was pregnant, the woman was pregnant, and she got shot and killed. And he got shot. And they had a car phone, which is what we called them back in the day. And he called police and he blamed it on a black man. And so Boston descended upon the black community, Boston police, and falsely accused a man of doing this. And it turned out it was the husband all along. I happened to be in Roxbury, the neighborhood where this happened that night because my mom was...I was 14-years old, my mom was driving home a friend of mine. And I remember putting it together the next day that all these police lights we had seen or heard rather, were responding - it was about the time they were responding to that incident. So it sort of always stuck with me. And I know, you know, fellow friends in high school had been stopped and frisked by the police as a result of this. And in fact, one of my classmates is in this



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documentary. His name is Tito Jackson. And he's just a wonderful human being. But this goes on for three episodes, right? And it starts off with, you know, race relations. It starts off with, you know, who could have done this and you ultimately find out it was definitively Charles Stewart, was the husband who did it right? And there's this cop, this sort of like disgusting, you know, maybe that's a strong word, but it was like gross cop who just sort of brags about his days in the projects and sort of like kicking down doors and what have you. At the very end after the three episodes and just arriving at this moment where it's definitively, "We have found the guy who did it, we wrongfully accused this other man," the cop still says at the end, "We never get to finish the investigation. So we don't really know who did this, you know?" And it's like, you've got to be kidding me. So going back to what we were saying before with people online, and I think just these lies that have been told about us about, you know, our involvement with Becky, were we in the courtroom or not? It doesn't...who cares? It's so stupid. But I think what I've learned about people is that they can have an originating idea an opinion that is like a little kernel where this is their opinion, whether it's based on what they've heard what they think they saw, what they believe, what the people around them believe. So they adopt that. They will refuse to change that originating idea or opinion, no matter what evidence is presented to them, because they are so faithful to that first opinion, that first idea, right? So the difference, I think with people who are journalists, for instance, as you learn more information, your opinion is going to shift and change based on the information that you have learned. Right? So for instance, with Becky Hill, originally, we thought you know, this is a woman whose entire life is being and...oh, I still



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believe that that her entire life has been dragged out of the sewer to serve the end game for Alex Murdaugh. Okay, that doesn't say that she hasn't done some of these things that she's accused of or that there isn't serious concerns here. But our opinion starts to change as the evidence comes in. And we see oh, gosh, like there's an abundance, like it looks like a lot of evidence here that something isn't great. It's like something has happened or that Becky is behind some things when it comes to her job as clerk of court and the budget. Right? So...and the wiretapping accusation. So we're able to evolve our opinion. And I think that that's what I've learned is that people, I cannot fight with people who you can present them a mountain of evidence, and they are still gonna stick with that originating idea because they're so married to it. Because we are not in the same room, we are not in the same building. These are the people who cannot let go of that originating idea. Once they have the evidence that disproves it, there's no arguing with them. So that's what Twitter is.

Eric Bland 15:33

And then they fault you for evolving, and seeing new evidence and being objective and looking at both sides, and then filtering evidence and saying, you know, what, I'm moving a little bit further from where I was in the beginning, because I'm learning new things. And they fault you for that. And what I've noticed is the ebb and flow of the Murdaugh case over the last year. The personal attacks, 85% of them go to you guys, I get maybe 15%. But they come heavy when there's a downtime in the Murdaugh matter, so that the people who don't have anything else to say. Like we have things to say. When there's a little bit of a



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downtime in Murdaugh, where there's not a hearing or there's not a sentencing coming up, or there's not a plea, that's when the personal attacks come. They're trying to fill the airwaves 24/7. So if it can't be with the substance, then the fallback position is to attack. That's what I'm saying.

Mandy Matney 16:27

Yeah and I mean, I have seen the pattern like you've seen where there is downtime. But I think a lot of these people, their ultimate end goal is to either and this is, this is a horrible thing I'm about to say out loud, but I've read way too much on Reddit to, I'm not on Reddit, people send me things from Reddit, because I can't get on Reddit. I don't think these people coming after us want anything less than us quitting, or us killing ourselves. I honestly believe that. And that is how bad this is. And that's how horrific these people are. And that was something I realized in the last week that was absolutely stunning to me. But the question is why? Why? Why is...

Eric Bland 17:10

Because you're at the top, you're at the top of your game. And that's the natural inclination of people, when they tried something, whether their podcast didn't work, or they wrote something and wasn't widely regarded or widely accepted. Everybody loves to shoot at the person at the top to take you down a notch because they can't get there. What these people don't have is what you have Mandy, and what you have, Liz. An audience that respects you. That's it. It's not that they, yeah, they love you. And they like all the fun stuff, but at the end of the day for



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them to devote the time they do every single week to *True Sunlight* and *COJ* and to the Thursday night things is because you're honest, you're credible, and they respect you. That's it. And the other people who are attacking you guys don't have that.

Liz Farrell 17:57

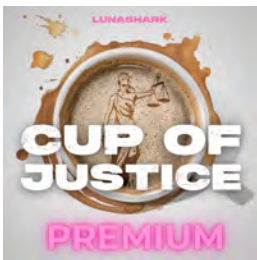
Well, they should buckle themselves in for 2024. Because us at 50% is the top of the game for a lot of other people. And we're now at 100. So it's gonna be a quite a year.

Eric Bland 18:09

I always love Noah Pines. And he said something amazing. Last week, it was about somebody else and their podcast, and we were talking about it. He said, "If somebody does a podcast in the woods, and nobody hears it, is it a podcast?" I mean, I thought it was just a brilliant thing to say. But that's the truth. I mean, you know, that's the truth. If you want to, if you want to supplant *True Sunlight* or whatever, start your podcast and see if you can get the same audience, end of story. He's a great, he's a great criminal defense attorney in Atlanta, by the way, who has done some amazing, amazing things. Not only does he you know, on a daily basis, represent people and do it zealously, but he got somebody out of prison who was in prison for a long time based on a person not being guilty. So he's gonna...he's an interesting cat.

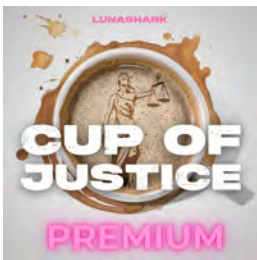
Liz Farrell 18:53

The cool thing about Noah is we're gonna have him on the show. So we'll talk more about that. But let's talk about the news that's been



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happening. We have about a week to go before the first hearing in Alex's quest for a new trial. Eric, do you want to bring us up to speed about where things stand? I will say this, though, before you start. I have the...so Justice Toal, Justice Jean Toal who now has jurisdiction over this issue, she made it so that...and it didn't quite click with me until I was going through the documents. Normally briefs and motions and supporting documents and their exhibits and what have you got filed with the clerk of court in the county, right? And you don't necessarily know when those are gonna get filed unless the state or lawyers tell you right? So you can see all this media, we know who's getting hints dropped in their ears by Dick and Jim, because they always seem to know when something's been filed, unless Becky was telling them who knows? But it's a crapshoot. Right? So you have to be on it. Like for instance, our journalist Beth Braden has to call all the time to see if anything's been filed, but Justice Toal made it so that...she took it out of there. She said it's not appropriate to file in Colleton County, given the issues that we're discussing here, but she had it uploaded. Everything goes into C-Track, it gets filed with the clerk of court for the Supreme Court. So we can check that every day passively and see whether something's been filed. It's wonderful for transparency. It's totally in line with...she's the whole reason South Carolina has an electronic court tracking system to begin with. So I like what I'm seeing so far when it comes to her wanting this to be open to the public. So, so far so good is what I'll say in that regard. But...



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Eric Bland 20:30

But do you say that because Justice Beatty...Chief Justice Beatty wrote an order kind of codifying how that would play out. And I'm also seeing that they may have first pass at whether the public sees what's filed. Did you get that from the order from Justice Beatty?

Liz Farrell 20:46

Who's the "they"?

Eric Bland 20:48

I mean the Court. The Supreme Court. You know, because of this...

Liz Farrell 20:51

Well yeah, one day...

Eric Bland 20:52

I mean, not necessarily.

Liz Farrell 20:53

Oh, you mean, like they decide what goes on the public? I didn't get that. No, but I'd have to read that again.

Eric Bland 20:59

Okay. Yeah, I just want to make sure that there's not going to be a first pass at looking at it because, you know, we have a procedure. If you want to file something under seal and you do that. But it seems like, you know, they took this away from the clerk of court. Did you think it

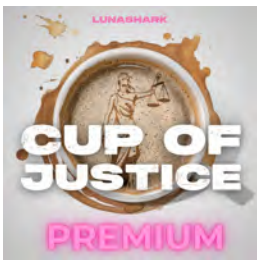


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had to do with Becky Hill that they took it away from the clerk of court, or just because this is a more manageable way to deal with it. The filings being in Walterboro as opposed to making...

Mandy Matney 21:27

I think both. I mean, it made sense. Obviously, the clerk of court is at the center of this. And so it shouldn't be in Walterboro. But also, like Liz said, it just needs to be in a very transparent and fair system where we can all see what's going on versus getting bits and pieces from different media outlets. And Dick and Jim have been on top of this the entire time. You'll notice they leak to certain outlets as soon as they file something. And obviously the State does not do the same thing because the State...doesn't do that. And because of that, I thought this was really interesting, so there was a bunch of filings in C-Track. When I first saw a media outlet write about the defense's filed motion, I checked C-Track and the State had also filed their motion at the same time. But I noticed like several media outlets that night only wrote about the defense's motion. They did not write about the State's, which shows me that they are just getting emailed this stuff from Dick and Jim. They're not even checking C-Track. They're not even checking to see if there's other filings and they won the headline game in that case, because there were all these super aggressive headlines, the Defense says, "Blah, blah, blah, in their latest to bolster their chance for a Muradugh trial." And then it wasn't until the next day, and we pointed it out on our podcast the next day, the State filed. There's a ton of motions. It's not just the defense. And again, we saw very plain Jane headlines about like, "The



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State files a motion.” Speaking of that, Eric or Liz, are we clear about what is going on on the 16th?

Eric Bland 23:16

I think you're gonna hear Justice Toal announce how it's going to play out on the 29th. You're going to hear who's going to have the burden, what are they going to be able to introduce. I obviously...

Liz Farrell 23:28

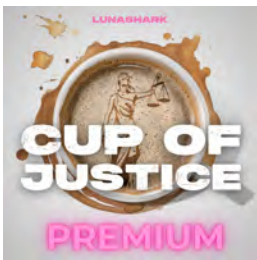
Wait, wait. Eric, what do you mean the burden? So isn't the burden of proof on Alex at this point?

Eric Bland 23:32

Right, but then if you read the brief, it shifts over once they prove that a conversation took place with Becky then it shifts over to the State. However, Jim and Dick in their brief say if they can prove that a conversation took place and it is material and substantive and it's not harmless, therefore it's over. You don't ever get to the second part of the equation of somebody rebutting that, they're saying that it didn't infect my verdict whatsoever. They're just saying that it is, if we could prove that she talked about anything other than ordering lunch, it's over. I disagree with that. But that's what they said in their brief.

Liz Farrell 24:14

I disagree with that, too. And I don't think that's what the case...honestly, when you look at the case they're citing, State v



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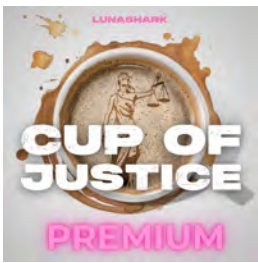
Cameron from 1983, which was an appellate court decision in South Carolina.

Eric Bland 24:24

And what they're saying is, they're saying the jurors, the cases that the State are citing are juror interference or others. This is the rare event of a court official interfering with the jury deliberations which kicks it to that Supreme Court case, the US Supreme Court case that Dick and Jim are focusing on.

Liz Farrell 24:43

From 1960. Right, but see this is the issue that I have with the case that they're citing, is that this is not a verdict issue. It's a sentencing issue. So the bailiff was supposed to pass on a note from the forelady right? In this case. In the 1993 case. And instead of doing that, the jury was supposed to decide whether this person who had been found...or was going to be found guilty of burglary, I believe it was like he tried to rob a bank or something. They had to decide whether the judge would sentence him with mercy or without mercy. And instead, they just left it blank because they wanted the judge to tell them what the difference between with mercy and without mercy is. And the bailiff instead answered the question and said, "Hey, the judge is a fair person," and didn't pass on that note, which is egregious. Right? So that's what happened. The jurors...it did not affect their verdict, whether or not he did with mercy or without mercy. But at the end of the day, the issue did affect the outcome. Right? So Jim and Dick are saying that because this could have affected the outcome, this case law, this appellate case

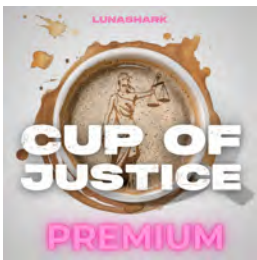


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gives them leave, I guess gives them the right to have a new trial. But I think like you said, you don't agree with it. A lot of the people that we've been talking to don't agree with it. They don't think that's what they say. They think that the jurors are covered, in fact, by the fact that Judge Newman polled them. So you're saying on the 16th when they have this pre-hearing...

Eric Bland 26:09

It's called a status conference and right now, I am allowed to be there, according to Justice Toal, but I am not allowed to participate until she makes that decision. And I was the subject of one page in that 21-page filing that they made and you know, they took their shots at me, which is fine, except it's not factually true. The only reason I'm here representing four jurors is because Dick got up in the press conference and said, "Jurors, you better lawyer up because I'm coming after you. I'm coming after your text messages, your emails and your phone." So I got retained. I offered my services and I got retained with my partner. My partner has been a part of this, Ronnie Richter. Our letter to Justice Toal was from Ronnie and me. It wasn't from just Eric Bland. It says my law firm has been retained. That's the only reason why I got involved because one, I wanted to make sure that their rights were not infringed upon. And two, I don't believe that they should have to testify in open court and be subjected to that kind of cross examination by Dick Harpootlian. So my whole point was, I wrote Justice Toal on behalf of Ronnie and me. Our firm said, "Look, the only reason I am involved is because Dick Harpootlian was the one who attacked these jurors." Once I found out in Dick's pre-hearing brief that evidently both sides now

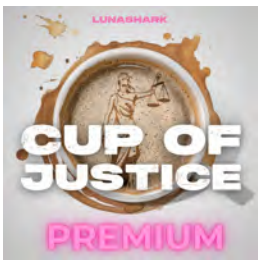


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agree that the jurors are going to be interrogated in-camera, which means outside the presence of the public, outside the presence of the courtroom, in chambers by Justice Toal, then my role is limited or not at all. However, on the 16th Justice Toal is going to make a decision on whether they could be subpoenaed and have the record subpoenaed, their phone calls and their text messages. Because if you read the pre-hearing brief Dick Harpootlian says, "We do not have enough evidence to have a fair hearing right now." He admitted that and he said the only way we're going to get that is if we have certain discovery rights against these jurors. Then I will get back involved because if they get subpoenaed, I will file a motion to quash to protect their interest. I am not trying to get publicity here. I'm not part of this, but I do represent jurors. Dick Harpootlian says, "Well, you want to advocate so that this verdict stands." No, I want to advocate so my juror's verdict stands. My jurors. Not my feelings, but my jurors who gave seven weeks and they told the world that they voted their conscience. That's the difference.

Mandy Matney 28:46

And something else, that people are not understanding with you being a lawyer for several of these jurors, this is Colleton County, South Carolina where people are used to the Murdaugh's playing both sides. And people are used to lawyers being planted on both sides, or they believe that it'll happen and they needed someone to trust and they needed someone who has a record of actually going up against the Murdaugh's and standing their ground versus playing both sides. And it's just, I see all the time that people say like, "Are there only three



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lawyers in South Carolina?" No, but there's very few who have actually gone against the Murdaugh's and proven their record. And it's really, really hard to trust lawyers in this situation and that's why people went for Eric. Of course they did. They trust him and I'm sick of people saying Eric's just trying to get involved and trying to get the most amount of publicity as possible, like you've gotten plenty of publicity from this case. We all have. Stop saying that. That's not what this is about. And Dick is the one who brought this on.

Eric Bland 29:51

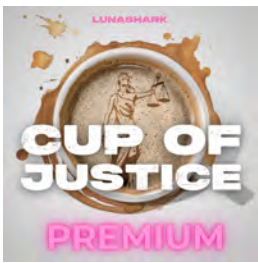
Yeah, the guy that if there's not a camera in front of him or microphone in front of him, you know, he thinks it's a bad day. And if you're gonna shove a camera in front of him or microphone, he'll say whatever you want him to say.

Mandy Matney 30:03

Yeah I mean, I, I don't know if you guys read the *New York Post* article yesterday, but it was about the circus surrounding the media and this trial and it came off extremely one-sided in favor of the defense once again. And it's Dana Kennedy, who was on that *Fox News* documentary with Buster and has been...

Liz Farrell 30:27

Teasing that she knew more was coming.



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Mandy Matney 30:32

Yes, before Becky. She said, "I think there's going to be another big twist in the case." And then all of a sudden, there was a big twist in the case. All of a sudden, this Becky stuff comes out. And she's been very pro-Murdaugh for a while now in her coverage. But the thing that stuck out to me the most was she mentioned, you know, this case has been crazy and this case has gotten a ton of publicity and everything. There has been a circus, we all will be first to admit that. But she did not mention that Dick Harpootlian and Jim Griffin have been the circus leaders. And no mention of that. No mention of them going to *Crime Con*. No mention of them having meet-and-greets at Crime Con. And Jim having a podcast. Yeah, talk about podcasting. Podcasters springing up out of nowhere. Jim Griffin has had a podcast throughout this whole thing. Like, oh my gosh, it's just so one-sided. And I cannot believe, and I think a lot of people see it because of us. But I cannot believe that so many journalists are still doubling down and are still on this Team Murdaugh agenda for whatever reason. And they don't care how many audience members they lose and how much trust they lose in their audience for being so biased.

Liz Farrell 31:47

Are they losing their audience though, guys? I think this is an important conversation because...

Eric Bland 31:52

Let me tell you how that came about. Yeah, I'm gonna address this one thing though. I was out West skiing this week with my family. And Dana



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Kennedy texted me and said, "I'd like to talk to you. I'm writing an article. I have a, you know, a number of questions I want to ask you." I did not want to interview with her. Because when you get on the phone with her, sometimes it's very long, long, long, and one question begets another. So I wrote exactly what I wanted to say, which is...she said, "Can you give a comment?" And I said exactly what I just said to you. That Harpootlian was the one that suggested that the jurors get lawyers, I didn't inject myself, I want to protect their interests. And I said, "As long as their testimony is back in chambers in-camera, with Justice Toal doing it, my role is going to be limited. However, if Harpootlian is going to insist on invading their lives, then I'm going to surface." And I said, "I'm going to do nothing else. I'm not part of this hearing. I don't plan on doing anything unless the latter happens." And that's what I wrote. And she turned it into well, I've made a cottage industry, I'm doing bobbleheads, whatever. The fact of the matter is that I do have a role here because I have represented seven of Alex's victims. And I have been successful with my partner, my law firm, not Eric, my law firm in getting compensation for them. I still have ongoing matters for the Plyler sisters against Russell Laffitte. I still have ongoing matters for all the victims because it was not able to be settled at the mediation on December 21st, in front of the mediator of the victims fund the \$1.8 or \$1.9 million. Plus, I represent, with Ronnie, Stephen Smith. Plus I represent four jurors. So Dick Harpootlian saying it's just lawyers who want to try to make a name for themselves, I'm in the middle of the bramble bush. So the fact is, they should have said, sure I am commercializing it, but not for my own gain. Yes, the podcast, my own gain. My book, my own gain. But the merchandise I sell goes to charity.



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And she knew that because I told her that and she made it sound like I'm just using these jurors to make money. I mean, I made money on the case.

Mandy Matney 34:01

And without having that exact same lens pointed at Dick and Jim and all the things that they've done. And all of the times that they've been on TV and all of the circus that they have led us on over and over again.

Eric Bland 34:18

And Jim Griffin put out an alibi for a year that was false. For the murder trial. He put an alibi out that Alex was nowhere near the murder scene for one whole year.

Mandy Matney 34:30

And like I go back to, these people were saying like right after the roadside shooting that Alex was attacked by a rando and that they were getting ready to release the sketch of the...this rando person coming after them. I mean, they have fed us crap after crap after crap.

Eric Bland 34:47

And Dick said he was going to show you who the murderer was at the trial, Mandy. That's another thing. Don't forget that too.

Liz Farrell 34:53

But they did. I mean, we got to see who the murderer was. It was Alex. So thank you for that Dick and Jim.



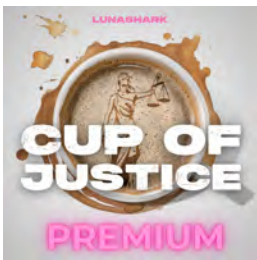
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Eric Bland 34:59

Yeah, they did. They served him up on a silver plate for us.

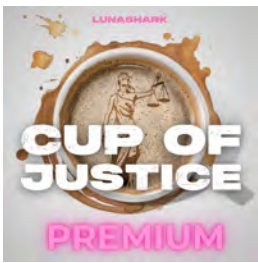
Liz Farrell 35:01

I know, excellent job on that. But I guess, so I asked that question a little bit earlier, just like do we think these people are losing their audience? Because I think it goes back to you know, we've said this a lot, but like Mandy and I have always been of the opinion, like, if you can't be first, be best. And the large focus that we find to be far more rewarding and effective is to be best. To give the context, connect the dots, do the deep work that you need to do to understand an issue and then present it to people in a way that can be understood. I know that that gets sort of twisted into this thing of like, we're telling people what to think. It's more that we're trying to explain why we've arrived at the conclusions that we've arrived at. So what bothers me is, and I think it was last night, a *Law and Crime* reporter posted, what clearly looked to me like a gross misunderstanding of what the issue is that Justice Toal's gonna have to look at, which is, I'm so sick of saying it at this point, and I think people even noted this online, that they're sick of like having to explain it to people, which I'm glad they're doing it. But, it's this issue of the Egg Lady juror and whether Becky's credibility comes into play with that. And I think our friend Mandy Powers Norrell pointed out that, "Hey, this isn't actually the issue." Egg Lady wasn't removed, because of what Becky said, that she was removed because Judge Newman said that she had spoken to other people. And Judge Newman made a whole point of saying and putting it on the court record. This is not because of A it's because of B. And it seemed like this reporter still



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couldn't understand, it's not that she couldn't understand, it was just like she's so dug in deep on this, this issue that Dick and Jim want the public and Justice Toal to sort of be fooled into believing is what's at the heart of it when it's over here. So they're all saying, "Look over here," and the reporters are doing it. And again, they're doing it because there's a reward in it. You get the reward of Dick and Jim sending you information. Or if it's not Dick and Jim it's, what do you call them, their proxies. Their friends, giving you some hints, giving you some engaging, charming information that you know, makes you feel special. And like you're one of the people that is in this inner circle. That you deserve it. That your talent has brought you to this point when you're completely being used by it. So I think that that's what's so frustrating, is that we've gotten this far. We are now in January when all of this is going to be hopefully decided in a way that ends it so we don't have to talk about this because we want to move on. We're now there. And it's still clear the power that Dick and Jim have over the narrative. And I don't think it's going to change. I think it goes back to what we were saying earlier in this episode, which is that you have the originating notion, whoever is first to tell you something that is what gets implanted in your brain as sort of like the baseline truth, I guess. And they don't want to see anything that makes them have to confront the idea that they're being misled by Dick and Jim. Maybe, I'm not really sure, I can't speak for them. But it is very frustrating. So I wonder, going back to the first if you can't be first be best, I think so many reporters want to be first and because of that the audience, it ends up getting misled. And it becomes sort of a self-fulfilling thing where the audience craves more



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of that same information, and they want to be the first to present it and now we have a grossly misinformed public.

Eric Bland 38:09

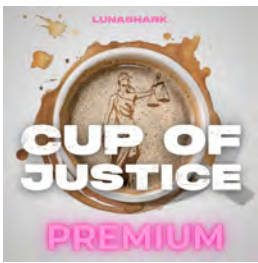
We'll let's bring it back to the case law. Is what Miss Becky did harmless error? Meaning yes, there's a technical mistake that she made. She overstepped her bounds. What she did and what she said...

Liz Farrell 38:23

Be clear about how she did it, though. Be clear about how did she overstepped her bounds? Because they want you to believe that she told the jury to not believe the evidence that was presented on Alex's behalf. That by her saying that Alex...to watch his behavior and his mannerisms or to watch, to pay attention that they say that that is the her trying to weigh in on evidence. But what jurors, what the State found jurors were saying, was that she said that, basically as a matter of course every day, "Pay attention." She was telling the jurors to pay attention.

Eric Bland 38:56

Exactly what Judge Newman told the jurors before the trial started. Judge Newman said, "You pay attention to the witnesses that are in the box. Watch them listen to their words. You judge the facts and the credibility. I judge the law." That's what Newman told them. So the standard is, is what Miss Becky said harmless? To me? It is harmless. Why? Because the jury returned a verdict in three hours. This wasn't 12 days worth of deliberations where there were 12 angry men and women



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in the jury room yelling back and forth at each other. This was so one-sided. It's impossible.

Liz Farrell 39:35

Eric, even you, it doesn't matter what it means to you. The jurors themselves are saying she did not affect their verdict. All 12 of them got polled by Judge Newman. We go back again once to say this, and I hope we never have to say it again, but I bet we will. Dick and Jim have three people. They have the juror, Egg Lady juror, she did not render a verdict. So you have Juror 630 who is the Egg Lady juror's tenant allegedly. And she has not said that Becky affected her verdict. She said other jurors did. That's not a standard. You still rendered your verdict in three hours. You didn't argue your point. And you told the judge that was your true opinion of this after weighing the evidence, true and just verdict. Exactly. And then the third person is an alternate, did not render a verdict, so that's who they have. So when they refer to jurors, plural, they're being super liberal with their language there. Right? They have one juror who does not say the thing that you need her to say. That's why they want this evidentiary hearing by the way. It's a fishing expedition for them. They think they're going to find something and it doesn't actually matter. So when we go back to Justice Toal, you know, having this in-camera sort of inquisition, can we talk a little bit about why that's important? That jurors don't get put on the stand? Like when we're talking about doing this in an unlimited way? Because there's a whole like future of...what we're dealing with right now, is the South Carolina Justice system strong enough to withstand the pressures of a man like Alex Murdaugh with endless resources and

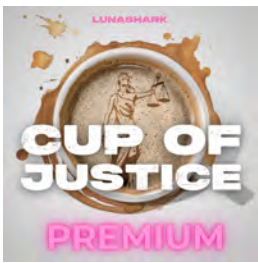


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including power and money? Is it strong enough to withstand the power and money behind a legislator lawyer like Dick Harpootlian? Mandy, you made an excellent point last night. In the *New York Post* story, Dick is whining about podcasters like doing his typical podcaster thing...make your point, say your point because you can say it better than I can, but that that just shows that he's used to it right?

Mandy Matney 41:31

So he, at the ending quote of the ridiculous article, which by the way, the article had information about our company and we've never been contacted. Dana, I'm pretty sure she just made up a number for the number of members that we have. There's no other way. That information is not available to anyone and I cannot believe what kind of sloppy journalists would do something like that. Anyway, it ended...the crescendo of the article was my favorite part. It was Dick Harpootlian. He says, "The new element here is social media and podcasts. I've never seen anything like it. They take on a life of their own, where everyone becomes an expert whether they have qualifications or not." So what Dick Harpootlian is saying there is, this is a new ballgame. I used to win all of the time because I controlled the media and because I could tell them anything, and they would just run with it. And there wasn't this pesky group of people questioning me about it. It was really empowering. Once I read that and thought about it, and I was like, "Oh my gosh, he is absolutely admitting like, I used to win before all these people came along and started questioning me about things and I used to run the media and I can't do that anymore with social media and now these podcasts." And then, of course, he adds the, "don't have



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any qualifications,” aspect to it just to, you know, put a little jab into it. But it's again, he wants people to believe journalists are only the people who are within mainstream media companies that have gone along with this stick for as long as they have and...

Eric Bland 43:11

And wouldn't point out that he said before the trial, "I'm going to show you who killed them," or that Jim had an alibi for a year that was totally false and he had, you know, egg all over his face. Nobody ever writes that article. By the way, Dick and Jim led us down this primrose path for a year.

Mandy Matney 43:26

Right. Or by the way, Dick and Jim sent us to the wrong hospital when Alex was shot in the head, and he really wasn't shot in the head. And the lies and I don't understand it. I've never understood access journalism. But this case should be a case study in it for journalism programs in the future. This is what happens when you have reporters who are more concerned about getting the scoop or more concerned about being first and getting the inside sexy scoop than they are about the actual truth. And I'm disgusted by it, I don't even want to call myself a member of the media anymore. I don't know what to call myself. But I'm just glad that I've never been in that club. And I was so amazed that Dick actually, it's funny that he told on himself in that moment of, "I used to be able to run this and I used to be able to control this game and flip a switch and what I said went and I can't do that anymore because of podcasts and social media." And I think we all should give ourselves a



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pat in the back for that because Dick Harpootlian cannot get away with lies in the way that he used to.

Eric Bland 44:39

It's called accountability.

Liz Farrell 44:40

Do you remember, Mandy like right after you basically called him or basically right after you called him out about his behavior in the courtroom early on, people were shocked because you are basically saying, "I don't need Dick Harpootlian." And they couldn't fathom a world where you could do your job as a journalist in South Carolina and not have Dick Harpootlian on your side.

Mandy Matney 45:04

Yeah, it was like a whole...

Liz Farrell 45:06

Right? I mean that's the most telling thing, right?

Mandy Matney 45:10

And also the telling thing for me was the room of reporters that laughed along with him when he clearly told a very inappropriate and sexist joke in a courtroom. And, you know, instead of standing up for what's right, or standing up for anything, they just went right along with him because they know that they have to appease their little leader so they can get scoops and that they can get...they have to make



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Dick Harpootlian happy. And I'm so glad that I've never cared about that. Because look, where it's, look where it has brought Liz and I and look where they are. And that is the difference that people see in our coverage. And that is why, you know, those reporters don't have millions of listeners on their podcast.

Eric Bland 45:51

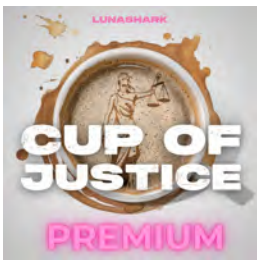
And Dick's also not used to having a lawyer like me and Ronnie who...a lawyer will call him out all the time. And a lawyer will pull some of his past quotes and use them against him. And a lawyer will say, "Hey, you're wrong here. You got this wrong." He's not used to people challenging him, certainly not women challenging, and certainly not other lawyers challenging.

Liz Farrell 46:13

That's what's kind of cool about this is to look back though and like really understand that we have made their jobs much harder.

Mandy Matney 46:29

We have made their jobs a lot harder. And that was a satisfying thing when I read that article. You have to kind of get out of the fishbowl to be able to realize what's going on sometimes. And I feel like I've been removed from the fishbowl and I can see everything different. And I think it's disgusting that Dick Harpootlian has gone on this long in his career without getting called out in the way that he should have. And I think that a person like that is extremely dangerous. And I am so proud of us for going against that. Liz and I still ask each other all the time,



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like, "What exactly did we get ourselves into?" Because we're still not sure of the amount of power that this man has. But that never mattered to us. Who cares? It's not power, I want anything to do with it.

Eric Bland 47:17

It's fading, don't kid yourself. He may have at one time had a capital "P" power, but it's a small "p". And I think the "er" is getting fainter and fainter so that it just says, "pow". I mean, I'm really...I see it on a daily basis. You don't see him having the cases that he used to have. You don't see him being in the paper for cutting edge issues. Yes, he was in the paper this week for he and Jim representing fentanyl dealers of all things. You know, he is not who he was, as a lawyer. He may be as a politician, but as a lawyer, he doesn't have that capital "P" power anymore. He just doesn't. Why? Because we have different judges, we have judges that are younger that haven't dealt with him that, you know, didn't come up with him in the political system. Some that aren't Democrats. He's just like I said, there should be a time, maybe an age requirement when lawyers should retire. And I think he's getting close to it. That's just my opinion.

Liz Farrell 48:13

Well, he's going out with a bang. I think going back to the jury thing, though, I want to talk about why it's important that the jurors are not put on the stand. Because, again, we're talking about whether this justice system can withstand probably the most pressure it's felt, maybe even in its history at this point.



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Eric Bland 48:32

How about their safety, Liz? Get to their safety.

Liz Farrell 48:36

Exactly. So let's start, let's start with the idea of what a jury is, right? Let's remember that the trial was six weeks. Within that six weeks, that's the information that the jury has to weigh, right? So when they make their verdict, that's what they're doing. It is important for our Justice system that jury then doesn't get revisited, because certainly after the verdict is rendered, things might occur to them. Or they might be talking to their friends, or they might see outside influences start coming in. Right? So then their opinions might change. And I'm not...remove this from Alex, like any case, the idea is that it's a snapshot in time. It is this group of 12 men and women who heard this information, that is what they were to consider when they made their decision. They made their decision in this framework. And that's it. Then everything else can get, you know, when you're talking about a new trial...so can you talk to us just a little bit about what Justice Toal...kind of what the the sanctity and the sacredness, I guess that the jury...like she's not just...this woman right now is not just tasked with making decisions. She's like literally making decisions that are going to be once again for the future of South Carolina.

Eric Bland 49:40

She's both a judge and a jury in some respects, and that is, you hit it right on the head. We don't know what these jurors have read since their verdict, what they have spoken to, what they have listened to. The



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jury verdict is based on them being in a sterile environment. That sterile environment was in a laboratory of a jury room. Not infected by our podcast, not infected by John Monk, not infected by all the other people that wrote and talked about the stories. Not infected by documentaries. You know, jurors now want to see if they got it right. And they watched documentaries, she has to take it back to the snap in time of that six-weeks. And I can tell you that she is not going to deal with, "Well this is what happened in August or September or whatever." She's going to take it back to, what did those 12 jurors hear and know? What did Judge Newman say? What did Becky say? And she's got to weigh it all together. The problem that you have when you start to ask jurors what took place in March, I mean, I can't tell you what I ate in Colorado on Tuesday of this week and what I wore on the ski slope. I mean...

Liz Farrell 50:53

I can tell you. You had salmon. You always eat salmon, right?

Eric Bland 50:58

I do. But the point is, if you and I went out right now all three of us and saw a red light accident, one would say it was red, others would say yellow, some would say it was green, who was going faster. It's just what we think we see. So she can't get into that kind of colloquy with these jurors. The second thing is she...

Liz Farrell 51:16

What do you mean by that? What do you mean by that?

Eric Bland 51:19



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What do you feel now? You know, what do you think now? Are you still good with your verdict? And some would say no, I'm not. Well, that's not the issue. The verdict is, were you good with it on the day it was rendered on March 4th, or whatever, 5th or whatever the day the verdict came in. The second thing is these jurors need to be protected. This is like a mafia jury now. The Murdaugh's are dangerous people, not all the time physically, I'm not saying that. But they can affect people's lives. The supporters of the Murdaugh's can make these people pariahs in their community. They can make them feel self-conscious at church or in the grocery store, or they can be subjected to, you know, the whisper campaign and all that. I'm not saying that the Murdaugh's are going to physically hurt these jurors, but it will affect their lives. And these jurors have a right not to be publicly scorned, publicly humiliated and publicly outed. And that's why she's going to do this in-camera and they don't need to be beat on by Dick Harpootlian or by the State. They're not subject to cross examination because they are not witnesses in the true sense of the word.

Liz Farrell 52:24

So, explain that a little bit. In an in-camera hearing, she's going to ask them questions, and neither the State nor the Defense can ask a question, or how does that work?

Eric Bland 52:33

Well, we've got to get to the bottom of that on the 16th. Right now it's, she's going to preside over the in-camera. What I'm thinking, I'm hearing is each side submits questions to her. And she'll decide on what



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should be asked. What I don't want to happen is the hearing get co-opted by Dick or by the State so that it's a tit-for-tat. And then they start cross examining these people because Dick is pissed off these jurors wouldn't talk to him. He said it in his press conference, you know, I went to talk to people and some wouldn't talk to me, and how dare they not talk to me? This is an important issue. Let Justice Toal make the decision. She's the former Chief Justice of our state. She's certainly been a trial judge. She's been a lawyer. She'll know how to get to the bottom of it. She will have read all the law and know it. Listen, I have my issues with Justice Toal, but there will not be a smarter person in that courtroom than her. There won't be anybody that knows the case law better than her. And she knows how to ask the right questions. It's not like she's just an appellate judge. This is a trial judge too. So I'll find out on the 16th. We will find out. If it's a true in-camera, just like it was Judge Newman asking these jurors these questions. Is it going to be just Justice Toal? If there's going to be a back and forth then I'm going to have to speak up and get on the record.

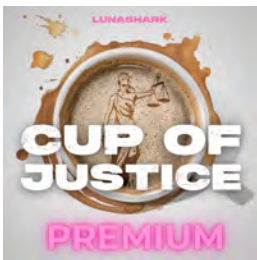
Mandy Matney 53:53

So, I just want to make this point. And I haven't thought about it in a while. But we have not seen any evidence of Dick and Jim digging into the Becky theory before her book came out. Correct?

Eric Bland 54:08

That we know of. We think it started, we think we think it started at the trial.

Liz Farrell 54:14



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Well, that's the question.

Mandy Matney 54:17

But yeah, it's a huge question. Because the timeline, it does not make any sense why they started asking...why they started questioning jurors about Becky and this full court press from it seemed like July through late August of getting jurors to talk. There was nothing before that of them thinking...

Eric Bland 54:41

Oh no, no, Jim said it. Oh, Jim said, "We got inklings and we heard whispers during the trial." Remember he said that, Liz?

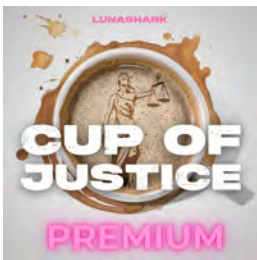
Liz Farrell 54:50

Very important because right away and they are asking for this new trial based on after, what's it called after trial evidence? Or after discovered evidence. After acquired evidence. Which is important, right? Because I think there's an argument to be made that when Dick and Jim sat in that in-camera hearing about the Egg Lady and Judge Newman made that point that, "I don't like hearing that, Becky, that the clerk of court spoke to the juror," right? The question could be, was that the moment when Dick and Jim could have raised the issue, but instead they decided...

Eric Bland 55:24

Should have. Not could have. Should have.

Liz Farrell 55:28

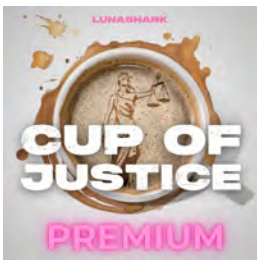


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Should have. So the question then becomes, and Jim has addressed this, I believe, on a maybe a *Fox Nation* podcast, I'm not sure. I did listen to an interview with him and I can't remember. And he tried to say that like, "Well, we just didn't know." I don't even remember what his response was so I'm not gonna say because I don't want to not do it...I don't want to not be accurate about that. But needless to say, he does not agree with our assessment, which would be that that was a moment when you could...when you should have raised that issue. The part when, you know, the point when Judge Newman asked, you know raised, he said he was going to dismiss the juror and Dick literally said, "We're not going to question you on that," in the courtroom, right? So the perception is that they squirreled this away. They stuck, you know, they squirreled those little nuggets away for later use. And then you find out that they're their pal, Joe McColluch began representing, found himself representing the Egg Lady juror immediately after she seemed to be...after she was dismissed, at least it seemed that way. So you start to wonder like, "Oh, did that occur to them in the moment? Like we'll save this one for later?" That I think is going to have to be a point that gets made at some point in all of this, in the hearing.

Mandy Matney 56:41

Right, and then they talk about Becky's credibility and all of her ethics, problems. And yeah, they are problems. We'll, I'll be first to admit it. But my main problem with it is, why did nobody speak up about...a lot of the problems that they mentioned in these ethics complaints happened before the trial of the century came to Colleton County, South Carolina. And how come there wasn't one person who's like, uh,



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maybe we shouldn't have Becky because she should, she's going to be a big problem.

Liz Farrell 57:13

Becky's answer to that would be that it was political. That the person who filed the first complaint was her deputy. And this was personal, they were friends, they had a falling out. And she is trying to make her look bad. And unfortunately, as we've discovered, Mandy and I through sourcing that, when investigators went digging on these ethics complaint accusations, they found other stuff. The second ethics complaint was filed by somebody who had no proximity to Becky in this case, and in fact, just a lot of them are assumptions and things that he...rumors. And rumors and things he might, you know, appears to have learned through the first person who filed her ethics complaints. But like Mandy said, these were all things that if they were so unethical, then it was incumbent upon the person who filed that first ethics complaint to do something about it. But that notwithstanding and going right back to it, like we've said from the beginning, we don't believe that there's credibility issue here in the sense that we don't think this is a she said, she said situation. We think it's removed. I think, again, they're conflating it. I think the media is aiding them in that whether or not they mean to it's definitely, whether it's conscious or not, they're doing it. So I don't even know where I was going with that point.

Eric Bland 58:29



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But I will say this. That was one of my...I thought their best line in their entire brief when they said, that there was a comment that she hasn't aged, the issue of her credibility hasn't aged well, over the last two months. I thought that was a very good line.

Liz Farrell 58:44

I feel like that must have been from Maggie Fox or Phil Barber.

Mandy Matney 58:47

Yeah, and I mean, but I think that this is a big question that we have to keep putting out there is when did they start on this anti-Becky crusade? Because what it looks like to me is that sometime after Becky announced that her book was coming out or around the time her book was coming out and people on the internet - I did see some trolls say like, "This is really weird that she's doing this blah, blah, blah, what kind of clerk of court does this?" People started asking questions. It seemed like Becky made herself just a giant target. And then I could see Dick and Jim sitting there being like, "Well, what if here's, here's some low hanging fruit that Becky has left us with? What if we honed into that? Keep digging and keep asking jurors over and over and maybe one of them will slightly admit to her doing something wrong? And that's a new trial."

Eric Bland 59:41

Defense lawyers, you hit it on the head, Mandy. They know the sore spot. The weak spot is always jurors and alternate jurors. When you lose you very rarely get a judge to turn a case around based on that the jury



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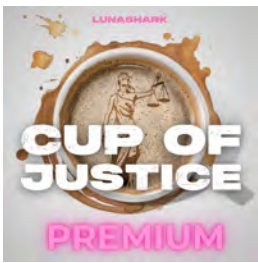
got it wrong or based on that this evidence wasn't strong enough. Where you get it is a juror is going to admit to misconduct or you can ferret out that misconduct. And who better to go to than a disgruntled juror who wanted to render a verdict that got punted at the last minute? Who better to talk to, to sit down? And I'm a lawyer. Listen, I can get you to admit that today is Monday if I spent five hours with you, Mandy. I know you're good, but I do this for a living. And I can find where you want to be a participant, and I can build you up and say it was wrong that you were kicked off this jury. And then I can start to motivate you and I can start to put words in your mouth that if I say it long enough, and I say it loud enough, and I say it frequently enough, it starts to come true. And that's how this stuff happens.

Liz Farrell 1:00:55

So Mandy and Eric, what are your biggest concerns going into this, then? The hearing on January 16? Like Eric, what's on your mind?

Eric Bland 1:01:07

Well, I just want to know that Justice Toal is going to be the one that does the in-camera with the jurors. That's all my domain is. I can't comment on anything else. I want to make sure that the jurors are protected. Their names can't be used, they not testify in open court, and nobody come out of court and say, "Oh, Juror 630 said this," or, "Juror 680 said that." That's the first thing. My concern on the 29th is, it just becomes a slang at Becky. That it's just Becky, Becky this, she doesn't eat tuna fish, she's you know, she's got body odor. Becky this, she doesn't go to the bathroom, she does crazy stuff. Meaning we're going



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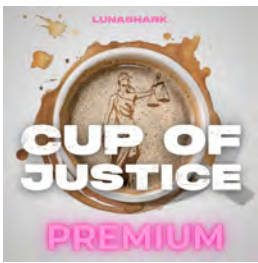
to attack her every which way to Sunday to show that she's not credible as an overriding thing. She may not be credible when you take all of her different things. But on the jury issue, that's a small refined issue. And her giving tours or other things that they're complaining about to the Ethics Commission, that has nothing to do with the juror issue. And I want Justice Toal to, my hope is that she hones in and stays within this small barrier of juror issues and it doesn't become the Becky Hill trial. Because if it becomes a Becky Hill trial, we got problems. I'm just telling you that.

Mandy Matney 1:02:29

I am very concerned about the media having tunnel vision and really wanting this next trial to happen because it's low hanging fruit, it's easy clicks, it's easy views, it's drama. You don't have to do much. And I have seen this over and over. I think a lot of reporters just want it so bad and want it to be true that they are ignoring, like the things we have talked out today, which is...okay, none of that has anything to do with any of this. But I do have a little bit more faith, I think. I'm going back and forth as to what's going to happen. But I still think it means a lot that when Dick and Jim filed their briefs last week, they really didn't have any more evidence. Did you guys notice that?

Liz Farrell 1:03:20

Same arguments. Same, it's the same everything. You would think that like the brilliant legal minds of this country who care about the defense...you know, if Alex had really gotten an unfair trial, I could see like these brilliant minds coming out of the woodwork to be like, "Hey,



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cite this case. Do that. Say this." Nothing's changed. It basically seems like it's the same.

Eric Bland 1:03:41

No, the issue isn't the unfairness of the trial. They put that off the table. Them not saying that he got an unfair trial or fair trial. They're saying this is ministerial. And it's black-and-white. If I step over this line right here that you just drew for me, Liz, if I just ever so slightly step over the line that's it. He gets a new trial. And let me tell you something guys, I was on the end of the year show on *Court TV*. They rated the Murdaugh trial the number one legal story of 2023. We're talking about Johnny Depp trial didn't supplant it. We're talking about Gwyneth Paltrow. We're talking about the Kolberger case. We're talking about the Florida case of the Adelson's. Nothing touched Murdaugh. Murdaugh was number one by a country mile. And you said it Mandy, its low hanging fruit. Is somebody going to really fight to not have the new trial other than the State because the public definitely wants it. The media definitely wants it. We seem to be the only ones who are saying there shouldn't be a new trial.

Liz Farrell 1:04:50

Unless there is evidence.

Mandy Matney 1:04:55

Right, if there's...if we find that there's evidence but we haven't found, like there just hasn't been anything concrete that I have seen. And again, I have just the most issue, I'm just highly skeptical of how they



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came about that this jury tampering existed. And I think that Becky became an unfortunate low hanging fruit. And I think the media played right into it. They were attacking Becky there for weeks and weeks and like, unlike a lot of public officials that I've seen, who deserved that kind of, I'm not saying Becky didn't deserve it, but man, they went after her. But at the end of the day, it is really not about Becky's credibility, it is about what happened in the trial. And if there was jury tampering and I haven't seen that that happened.

Eric Bland 1:05:49

Judge Newman is going to be a key witness. Now is she going to make him testify in-camera or on the...because Judge Newman is going to have to say why he kicked off jurors. Okay? And he's going to say, "What have I heard about Miss Becky and all these allegations during the trial?" He's going to be key. Don't you guys agree?

Liz Farrell 1:06:09

I think he's going to be key. But I don't think again, it's irrelevant about Becky because I think like we keep saying it's a snapshot in time. So this is what Dick and Jim had to work with. I know they're saying newly acquired evidence, or what have you, but they haven't...it's been put up or shut up time for a while hasn't it? And they haven't. Maybe they don't want to show their hand to the State? I don't know. But I would like to see. I mean, please, the more Judge Newman, the better. I mean, he's the voice of reason. And he's going to say, he's the fairest man in the room. So that's where you'll get the truth, in my opinion.

Eric Bland 1:06:44



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Oh no, Dick and Jim are going to tarnish him and say, "Oh, he's going to...he wants to preserve the verdict." And, you know, "You can't go to Judge Newman, because he said that he was guilty, you know, in the way he sentenced him." I mean, they'll attack him if Judge Newman doesn't give them what they want.

Liz Farrell 1:06:58

It's hilarious, because they're the ones who pushed for him to remove himself from this because they said he had to be a witness. So to come back around and say like, "He can't, he's not a good witness," like at what point...that's so stupid. It's all strategy. It gets me crazy that lawyers are allowed to use, and I know that you'll disagree with me, Eric but like, lawyers are allowed to use things that are outside of the law to leverage and push and sort of guide things down into the direction that they want?

Eric Bland 1:07:26

Of course we do. If the facts don't, if the facts don't work, we focus on the law. If the facts and law don't work, we argue, right?

Liz Farrell 1:07:35

I mean, well, here's my worry about it. And I'm just going to, it's going to be a little bit close to what you were saying. One thing that we didn't mention with the pressure that just the Murdaugh name, you know whether or not the Murdaugh's intend for it to have that pressure, I just want to take away that argument. Okay, so like, let's remove them from it. But the Murdaugh name means something in Colleton County. It



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means something in Hampton County, and even in a lot of pockets of Beaufort County. These people need their jobs, right? And some of them don't work in places that necessarily would be under any sort of influence of the Murdaugh family in any way. But we're not just talking about pressure that you receive at church. That is definitely valid. But we're talking about people who could vote...I mean, look at what we know, right? Juror 630 is allegedly a tenant of the Egg Lady juror, there's some pressure there. The other thing that we know is that the two tenants that said on the record that she signed affidavits, saying that she spoke to them about the case, even her husband said she spoke to him about the case when she wasn't supposed to. They tried to backtrack on that a little bit, right? Like once the pressure was on them, once their identity started to, I guess, when they started to worry that this would become a thing outside of this in-camera hearing, right? So my fear is we don't know what's happened since the State interviewed these jurors and SLED interviewed them or got affidavits, or do you know what I'm saying? And what happens. So I mean, from a law, from an investigation perspective, these people are already on the record, right? So they've said what they said to the State. That's their, their official version of that truth, right? So anything that gets changed beyond that, then gets called into question, because why did you say it then and now you're changing into this now? Did somebody...I just hope that Justice Toal, and I think she's going to be just from the reading that I've done from the interviews that I've done with people who have told me a little bit about her, I do think that she's going to be very aware of the society, the susceptibility issue here, which is that this is a case where, in which this these jurors are vulnerable to the social



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pressures, the the economic pressures, that just the name alone, whether or not the Murdaugh family intends for their name to carry that weight. So that's my worry.

Eric Bland 1:09:57

Does truth age well? Let me ask you that question, ladies. Does truth age well in the Justice system?

Liz Farrell 1:10:03

I guess it depends on the recipient. Oh, yeah. Good question. Should right?

Eric Bland 1:10:07

I mean, like you said, they're susceptible. They're human. They read stuff. Does the truth move a little bit? Yes, the answer is yes. Somebody's truth today can be different than their truth in March and they're not lying. It's susceptible by subconscious and different things. That's where I'm worried about the sliding scale of truth. Nobody coming in is gonna intentionally lie, but their truth could change because of all these other pressures that they don't see. Or that they do see.

Liz Farrell 1:10:43

100%. I say with that, cups down. This is going to be a very important month for us and we're going to continue to cover it and then hopefully, hopefully, we'll be in a position where we can move on to other cases.

Mandy Matney 1:10:56



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And we will be broadcasting both the status conference on the 16th and the January 29 hearing.

Liz Farrell 1:11:05

Cups down, guys.

Mandy Matney 1:11:07

Cups down.

Eric Bland 1:11:07

Cups down.

Mandy Matney 1:11:21

Cup of Justice is a LunaShark Production created by me Mandy Matney and co-hosted by journalist Liz Farrell and attorney Eric Bland. Learn more about our mission and membership at lunasharkmedia.com. Interruptions provided by Luna and Joe Pesky.