



EPISODE 8: Big Moments and Bad Ideas: Week One of the Russell Laffitte Trial

[00:00:00] **Eric Bland:** Have you guys been paying attention to the jury? I'm watching them. They're really wrapped. I haven't seen anybody falling asleep. And copious notes. Not a lot of copious note-taking.

[00:00:15] **Mandy Matney:** I mean, I can't imagine hearing this case for the first time or like in all the details. With the checks and the financial, all the financial stuff, hearing it, like I can see it on paper and understand it, but just hearing it in a testimony is really hard.

[00:00:33] **Liz Farrell:** If I were coming into this clean, what would I be thinking in this moment? So maybe we should do that, like pretend that you're not Mandy. Pretend that you're just a regular person. What?

[00:00:42] **Mandy Matney:** It would just be very overwhelming and very hard to understand what the actual crimes are that you're there for. Because it's not murder. It's not burglary. It's not.

[00:00:57] **Eric Bland:** It's not one of the seven deadly crimes that you think. It's not simple. It's complex.

[00:01:00] **Mandy Matney:** It's the opposite of simple. Yeah, and it's hard for anybody. And I think that that is what the defense could use to their advantage, but I don't think they're doing a great job of that.

[00:01:12] **Eric Bland:** And don't forget. On the first day of trial, the jurors are sitting there saying, oh my goodness. I'm gonna have this for two weeks. What am I gonna do about work? I have this report due. I can't even get into my computer 'cause the, you know, this is lasting all five o'clock. Then I have children, you know, holidays are coming up. It's really overwhelming when you see the juror who's not familiar with the justice system and you tell that person you're gonna be locked up basically for two weeks. You're not gonna be able to talk to anybody and we're gonna occupy all of your brain matter with this trial. Very complex issues.

[00:01:47] **Liz Farrell:** So Eric, if you were just walking in on that trial and you didn't know anything and you're not a lawyer, what do you think would strike you the most so far?

[00:01:55] **Eric Bland:** The seriousness of it. In federal court, they tell you it's more serious than state court. State court, you always hear it's the murders, the rapes, the robberies. This is real



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stuff. This goes to the commerce system. You're talking about bank fraud, wire fraud, conspiracy, so much money. You know, when they started talking about the legal fees, and the amount of these settlements, we're talking about 2011 dollars, not 2022 dollars, and you're talking about \$10 million settlements and \$18 million settlements. The amount of money that we're learning that goes through that law firm on a yearly basis really is eye-opening.

[00:02:38] **Liz Farrell:** Okay, so I'm gonna pretend that I walked in as not a journalist, knowing nothing. The number one thing my impression would be, are all these freaking people related?

[00:02:48] **Eric Bland:** Yeah. I mean, I made a joke about it today. I've — several tweets. I was sitting there with you guys watching it, and all of a sudden, I said, hey, I just realized that the first witness was his cousin, the second witness is a sister-in-law. Can't they find anybody that is not affiliated with these families or these law firms or the bank?

[00:03:12] **Liz Farrell:** It was actually way more dramatic than that where Mandy and I are sitting at a small desk together and we're both facing the TV and Eric's sitting sort of behind us, in between us, and you hear when she, Jeanne Seckinger, who is the CFO for PMPED, she mentions, you know, she couldn't answer a question because she's like, you know, "Russell is my brother-in-law and I love him," and Eric Bland goes, "What? Oh my God." It was just the best reaction. It was the most honest like.

[00:03:44] **Eric Bland:** I mean, it was more than you'd see people getting together in a family picnic at the Genovese family, you know, at the Memorial Day at the Genovese family.

[00:03:53] **Mandy Matney:** You missed when Eric and I were talking after court today, and we were going over, what was the name? Jan, the final. Jan Malinowski. And I was like, oh, yeah. He's related to Russell, too. And Eric was like.

[00:04:10] **Eric Bland:** Come on. Can't they find somebody that would be a witness that's not a family member? I mean, I said, look, if, you know, if family members are testifying against him, can you imagine people who aren't? What they would say about him?

[00:04:22] **Liz Farrell:** But we were saying earlier that like that just shows how small the world is for them.

[00:04:31] Mandy, how do you think the prosecution's doing so far?



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[00:04:38] **Mandy Matney:** I think Emily started out really strong, and I think it's been strong the entire time. Straightforward, to the point, making a complicated case as simple as possible is what I got from her opening statement and her questioning so.

[00:04:55] **Eric Bland:** Can you break it down into what the theme is for the prosecution? I can in one sentence.

[00:05:02] **Mandy Matney:** What is your sentence?

[00:05:03] **Eric Bland:** You can't steal other people's money to pay off an obligation to somebody else.

[00:05:07] **Mandy Matney:** Or absolute power absolutely corrupts.

[00:05:11] **Liz Farrell:** Corrupts absolutely.

[00:05:12] **Eric Bland:** And I'll know if that's the appropriate theme. I think the theme is more, you just can't steal other people's money.

[00:05:22] **Liz Farrell:** So to explain to people, Emily Limehouse, at the very beginning of her opening statement, quoted Lord Acton and at the end.

[00:05:31] **Mandy Matney:** Yeah. She really wanted it in.

[00:05:33] **Liz Farrell:** Absolute power corrupts absolutely and.

[00:05:35] **Eric Bland:** Power corrupts and absolute power corrupts absolutely.

[00:05:38] **Liz Farrell:** There you go. And I did not, I don't know why we all cringed at that, for some reason. It just all just sat like high school debate teams or something.

[00:05:45] **Eric Bland:** I don't think it's power. It's more, relationships corrupt. I don't think it's about power.

[00:05:51] **Liz Farrell:** That's such a good point.



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[00:05:52] **Eric Bland:** It's just the relationships are corrupt. The incestuous nature with the law firm and the bank, and the lawyers are customers of the bank, and then the bank. He said in his opening statement, the law firm is like the biggest customer of the bank, almost bigger than a lot of the corporations. And so, that is that kind of incestuous relationships, so I think it's more of corrupt relationship, not about power.

[00:06:20] **Liz Farrell:** Mandy and I on the first day of trial went up to the courtroom for opening statements from Emily Limehouse and Bart Daniel. And there was a point, Mandy, where, there's a couple points, but we have masks on, so it's just our eyes, but we both whipped our heads around and looked at each other, like what did she just say?

[00:06:40] **Mandy Matney:** Yeah, specifically the big reveal about PMPED and the day of the murder.

[00:06:47] **Eric Bland:** Wow. It was that, if you could have a microphone on everybody, it was a little bit of a.

[00:06:54] **Liz Farrell:** Well, I thought she made a mistake at first.

[00:06:56] **Mandy Matney:** I did, too. But then she said the day of, the day that Maggie and Paul were killed.

[00:07:00] **Eric Bland:** Explain to me why, what we're referring to 'cause.

[00:07:03] **Liz Farrell:** So there's a \$792,000 fee that went missing or never made it to PMPED because Alex had the check made out to himself. And they found out on May 19th.

[00:07:12] **Eric Bland:** Who made the check out to himself?

[00:07:13] **Liz Farrell:** Chris Wilson, who's an attorney.

[00:07:16] **Mandy Matney:** Still an attorney.

[00:07:17] **Eric Bland:** In Barnwell.

[00:07:17] **Liz Farrell:** Still an attorney. I heard he's in Columbia now. Have you heard that?

[00:07:22] **Eric Bland:** No, I have not.



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[00:07:22] **Liz Farrell:** I heard he tried to, he's trying to like reinvent himself as a non-Alex Murdaugh buddy. But yeah, so Mandy.

[00:07:27] **Eric Bland:** Aren't you sneaky? Like you know so much.

[00:07:29] **Liz Farrell:** Well, that's what I was gonna say. So Mandy, we know a lot about this case, and a lot of times it's like, I don't think that we report probably 90% of it because we only report what we can verify, right? But every time something new comes out, we've already heard it. It's just now it's getting verified. Never heard this before.

[00:07:48] **Eric Bland:** You did tell me last fall or winter that you believed that the firm knew before Labor Day that the whole excuse that, oh my god, we just stumbled on it. Oh my god, that's when we found out.

[00:08:01] **Liz Farrell:** So Mandy, how did we not, how did no one say this to us before? I mean, I'm gonna tell you what this, that makes me think. There's so much we don't know, like there's so much. Because if they could keep that secret for that long, holy cow! There's gonna be a whole bunch of stuff that we don't know coming from PMPED.

[00:08:19] **Eric Bland:** Well, what's interesting is Jeanne said they had a concern before that Alex was trying to avoid Mark's lawsuit. That was something on their mind. It wasn't just that day that they found out. They said that in their discussions inside the firm, Alex was very concerned about Mark's lawsuit and he was gonna be held liable for the boat crash. So they already had that on their radar screen.

[00:08:46] **Mandy Matney:** I was on the edge of my seat, like, oh my God, this is so crazy. And also, no national media were there, by the way. Not a single national reporter. And how many national?

[00:08:57] **Eric Bland:** Yeah, I was very surprised 'cause they had this media room and it's basic. It's you, guys, there's *Post and Courier*, John Monk, of course, from *The State* paper, and maybe it was Jake from State Farm from *The Island Packet* there.

[00:09:12] **Liz Farrell:** He hasn't worked there in a while but like.

[00:09:14] **Eric Bland:** Okay. Alright. His name's Jake.

[00:09:20] **Liz Farrell:** Well, he was in, yeah, he was in the HBO but.



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[00:09:24] **Mandy Matney:** Yeah, I mean, it's very like.

[00:09:25] **Eric Bland:** And the courthouse isn't, the courtroom is not as packed as I thought it would be, you know? We all thought we're gonna have trouble getting seats. We walk in and nobody's there, so I don't know. But there's two people that should be there at that trial, and that is Dick Harpootlian and Jim Griffin. These are financial crimes. Alex is charged with.

[00:09:47] **Mandy Matney:** That appear to be directly linked to the double homicide.

[00:09:50] **Liz Farrell:** Good point.

[00:09:51] **Eric Bland:** Right. And so, at first I would say you just gotta be there for the financial crimes. But now that she linked the June 7th date of the day of the murder with the financial crimes, there's another reason why Jim and Dick or somebody from their office should be there. I mean, I look around, I'm noticing that the attorney for PMPED, he's there for the entire trial. Jim May. Greg Harris from the Harris document, he's there because he wants to see, is there future exposure for this bank from the government? Is the government then gonna turn on the bank? And I'm telling you, if I'm Big Charlie, he better be lawyered up and have a lawyer there, so.

[00:10:31] **Liz Farrell:** Mark Tinsley's there.

[00:10:33] **Eric Bland:** Mark Tinsley's there.

[00:10:33] **Liz Farrell:** He's clocking it. And Eric Bland is there, as we found out.

[00:10:36] **Eric Bland:** Well, I'm there because of my Plyler girls.

[00:10:39] **Liz Farrell:** Mandy, what else happened after lunch?

[00:10:40] **Eric Bland:** Yeah, what happened after lunch? I wasn't there for this, by the way.

[00:10:46] **Mandy Matney:** We haven't even told you. Liz and Mandy adventures day two. We get into the courthouse. They know us by now, so they're.

[00:10:53] **Liz Farrell:** Because we got stuck in the hallway.

[00:10:54] **Mandy Matney:** Because we got stuck in the hallway.



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[00:10:55] **Eric Bland:** No, in the stairwell. Did you, you were pulling on the door and the alarm go off or it just didn't open?

[00:11:04] **Liz Farrell:** I opened the first floor door and it felt like a *Scooby-Doo* episode because you're suddenly at the, because it was so, it was really quiet. Difficult to go through security because you have to have, you're so afraid you're gonna break the roll. You have your mask on. You have.

[00:11:18] **Eric Bland:** I had to take off my watch and my belt.

[00:11:20] **Mandy Matney:** It's like the airport but worse.

[00:11:22] **Liz Farrell:** It's like the airport but worse. Yes. Well, the first day is nerve-racking, right? So we decided we were on the fourth floor, we weren't gonna be allowed to stay for the jury selection, so we decided we were gonna take the stairwell down because, look, you are in this building with people that you don't wanna be on the elevator with, and that is just a fact.

[00:11:41] **Eric Bland:** Yeah, everywhere you turn, like at the urinal. I'm at the urinal and I turn and Russ was at, you know, Russ is in there.

[00:11:48] **Mandy Matney:** Stop it. Your story's worse.

[00:11:49] **Eric Bland:** It's, you know, you come out, and then Russ's wife is staring at me, you know? And the glares are.

[00:11:56] **Liz Farrell:** The glares are something.

[00:11:57] I've gotten some wild Laffitte glares.

[00:12:01] You got a lot of Laffitte glares, yeah. So yeah, we open the door after the stairwell, we get, we're locked in the stairwell. We go down to the first floor and to find out that we open the door like right outside of security, meaning we would have to go through it again, and I just said, oh no.

[00:12:15] **Mandy Matney:** Like out loud, and then they all turned and looked at us, and we were like.

[00:12:21] **Liz Farrell:** We had none of our stuff. We just had our like paper and pen.



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[00:12:24] **Mandy Matney:** Like you guys are cool. It's fine.

[00:12:28] **Liz Farrell:** So we get in and we sit down, we get our laptops out, and the trial starts again after lunch. And the first words out of Bart Daniel's mouth are "Eric Bland."

[00:12:38] **Eric Bland:** So what did he say? He said, I want to talk about Eric Bland? Or I wanna make a motion about Eric Bland?

[00:12:44] **Mandy Matney:** I couldn't fully hear what he was saying about Eric and I couldn't fully understand what he was trying to get at. But what he, what I heard was Eric's been texting with the media.

[00:12:55] **Liz Farrell:** That's accurate. That's what he said, yeah. Because I think, I don't think Bart, Bart is an older gentleman.

[00:13:02] **Mandy Matney:** I think he meant tweeted.

[00:13:03] **Liz Farrell:** I think he heard, possibly, that Eric was on social media. And I don't, I really don't know. And I think he kind of did the same thing that he did before, which is like, I'm not looking for sanctions, but can you remind people of sequestration, can, I'm having trouble pronouncing that.

[00:13:19] **Eric Bland:** Sequestration. And that's an order that the judge made at the beginning of the trial that anybody who's gonna be a witness cannot be in the courtroom until they're called to testify. After they're released, they can sit and watch the trial. And then he said, and particularly, we can't use proxies to tell these people what is going on in the trial.

[00:13:43] **Liz Farrell:** Meaning you can't have a friend in there come and relay what's going on.

[00:13:46] **Eric Bland:** Yes.

[00:13:47] **Liz Farrell:** Do you think that's still going on?

[00:13:48] **Eric Bland:** I have a right to talk. I wasn't talking to my client, but I do have a right to prepare Alania Spohn and Hannah Plyler for their testimony, and the reason is because their testimony's going to be under oath. And it's gonna be used, whether I want it or not, by the bank and by Russell Laffitte in my civil suit. So they have a right for me as their lawyer to give them advice. I'm not telling them what to say, but I have a right to tell them how the trial works, how



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they're gonna be presented with exhibits, how they have a right to explain their answers, don't get argumentative. All these things and he made it sound like I'm texting with Alania or giving Alania a play-by-play of what's going on. I was just telling her, go, girl. I can't wait to hear you. She's gonna take the wood to these people.

[00:14:39] **Liz Farrell:** Mandy, what were you pleasantly surprised by with Judge Gergel?

[00:14:44] **Mandy Matney:** He is very pro-press. He's very pro-media. He.

[00:14:49] **Eric Bland:** Pro-First Amendment.

[00:14:50] **Liz Farrell:** Called us his friends.

[00:14:51] **Mandy Matney:** Called us "My friends in the media," which was really sweet. He knew about podcasts, which I liked. He apparently knew that Eric was on a podcast.

[00:15:01] **Eric Bland:** I'm kind of like a hybrid. Yes, I'm a full-time practicing lawyer. I'm not gonna call myself a journalist 'cause I'm not. I'm just a podcaster. I try to educate the public and I also want to make sure that justice is carried out, so I feel like that that's my mission. And I don't think I was doing anything wrong and I'm, I feel very proud of Judge Gergel that he recognizes that, you know, no prior restraint. We're not gonna issue an injunction. We're not gagging anybody.

[00:15:31] **Liz Farrell:** Say what prior restraint is.

[00:15:32] **Eric Bland:** Prior restraint is using the power of your office to chill somebody from talking about a matter of public concern or that's protected speech under the First Amendment.

[00:15:42] **Liz Farrell:** And the best part of the story is that right when the judge was done talking about this and Bart was done complaining about it, the courtroom doors, I guess, opened and Eric Bland walked in.

[00:15:54] **Eric Bland:** And I'm telling you, it's like I walked in and I had a boogie on my lapel or something. Everybody's looking at me like, and I'm like, what? What's going on? I'm, you know? Do I have my shoes untied? You know, my pants ripped or what? It was something.



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[00:16:07] **Mandy Matney:** I also liked that Gergel said there's the thing that we have called the First Amendment. I don't know if you guys have heard of it, and he was like sarcastic and funny, but also I.

[00:16:18] **Eric Bland:** These old-school lawyers like Bart are not used to being challenged. Remember, this is a system where there's a locker room for the rest of the bar, and then there's the upper locker room for the special members of the bar. And he is a line of our bar. I am not gonna criticize him. The man's been in the arena. He's done a lot of good as a prosecutor and a defense attorney, but he's not used to people like us commenting on the substance of his presentation. I'm not gonna sit here and be critical of, well, is he good at cross-examining, whatever. But we have a right to talk about the substance of his arguments and the substance of his presentation, and that's what we're here for.

[00:17:02] **Mandy Matney:** But yeah, with Gergel, I will say, though, like Judge Gergel, I will say.

[00:17:07] **Eric Bland:** Oh, I know. I don't mean to correct you, but I'm the lawyer.

[00:17:09] **Mandy Matney:** Judge Gergel, and he deserves all the respect, I usually, at this point in my life, I am so sick of seeing, no offense, old, white men in the courtroom because usually they're like Dick Harpootlian, usually. That's just what I have come to be just unimpressed by them because like they just come in and they're super cocky, but really they have nothing behind them. But Judge Gergel, I was extremely impressed by.

[00:17:35] **Eric Bland:** You should be because he does not have the proverbial black robe syndrome that you hear people talk about. Black robe syndrome is somebody that becomes a judge and they think that they could dictate exactly what should go on in their courtroom to lawyers and tell lawyers what to do and they want to show the jury sometimes that they're smarter than the lawyers. Judge Gergel, I'm telling you, is doing this perfectly. He's not interfering. He's not being trying to dominate the courtroom. He's letting the lawyers do the lawyering, letting the witnesses testify. And the most important people in that courtroom, the jury, he's letting the jury own that courtroom.

[00:18:18] **Liz Farrell:** He complimented the jury.

[00:18:20] **Mandy Matney:** And he's sweet to them.

[00:18:20] **Eric Bland:** Yes, he's really, I'm very impressed.



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[00:18:23] **Mandy Matney:** And I like that like, listen, the jury's been listening for a while. They need a break now. Like he's very considerate and I like that. And we'll be right back.

[00:18:48] **Liz Farrell:** So the prosecution so far, what mistakes do we think they've made?

[00:18:52] **Eric Bland:** It's hard to say they made mistakes. It's very technical. There's a lot of different loans. There's a lot of different checks. And don't forget your, you have to explain the Plyler case, the Badger case, the Pinckney case, and you have to weave it all together. Now, if it was me as a prosecutor, Ronnie and I always put on an expert witness as our first witness to explain the rules of the road. So I would've put on a banking expert to explain what banking regulations require. Then I would put on a conservator expert to explain what it means to be a conservator, that you can't self-deal, which means you can't loan yourself money. I would've also had one victim on early, early on, say my home run victim, whether it's Alania, who I think is gonna be a home run, but I would put on a victim to get the jury emotionally attached to the case to say, "Wow, you lost a loved one, and then you were victimized by your lawyer or victimized by your banker" to get them emotionally invested in this case.

[00:20:03] **Liz Farrell:** So it's storytelling. So when you're laying out your witness list and the order you wanna put them in, that you're putting them in an order that is giving the beginning, middle, and the end.

[00:20:11] **Eric Bland:** There wasn't a lot of excitement.

[00:20:13] **Liz Farrell:** No, Cousin Norris was not exciting.

[00:20:15] **Mandy Matney:** Instead, we had cousin one, two, and three. Seriously.

[00:20:20] **Eric Bland:** I mean, come on. Which Thanksgiving dinner gonna be like at the, and the holidays this year at the Laffitte family, huh?

[00:20:26] **Mandy Matney:** Oh my gosh.

[00:20:27] **Liz Farrell:** It's gonna be one empty double wide vintage. So Mandy, what do you think the prosecution, have they made any mistakes, in your opinion?

[00:20:34] **Mandy Matney:** I think the only mistake would be overcomplicating and. It has started to get a little boring at times and, with check after check after exhibit after, and I know that they have to have to do that. And it's, yeah, and it's hard, but maybe, maybe if they, like Eric said, if they had a compelling witness in between all these technical witnesses. It should have



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been a story, and we haven't really gotten the story yet, even though there's been very important little pieces of nuggets of information for the rest of us, as far as for the jury and a heartfelt emotion is what we've been missing.

[00:21:25] **Liz Farrell:** So this is the problem I have had with the prosecution so far is just simply that I don't understand, I'm so happy she mentioned June 7th. I'm so happy that we got the insight today from Jeanne Seckinger about what happened that day and surrounding that day, but I'm not really sure what that has to do with Russell. So I don't know that she's connected those dots really well.

[00:21:43] **Eric Bland:** Oh, I definitely, I think it got to the, Russell, the word from the firm, hey, there's some financial things going on, because he definitely got nervous. He was, I think he was, I think he became a busy bee after June 7th to figure out how are we gonna get these loans paid off before the shit hits the fan?

[00:22:08] **Mandy Matney:** She said over and over again in her opening statement, the word cover-up. He helped, Russell helped Alex cover up his crimes. She said that over and over, and I think that her point in, I think all of this is building up to everyone, including Russell, knew that shit was hitting the fan, and they also knew that something's up with this Alex Murdaugh guy and his wife and son suddenly die and the whole town fears him, but then you're still giving him money. Why?

[00:22:48] **Eric Bland:** We saw a side of Russell today, though, through the testimony that I didn't know existed. I thought he's this, you know, lumpy kind of go guy that, you know, he's malleable, you can move him around. But in that executive meeting, he said firmly, "We're giving the 680 to the firm. I don't need your approval. We already got it from my dad and my sister." A very strong, assertive Russell. That's not the image that I had of him. That's what really surprised me. Did that surprise you?

[00:23:24] **Liz Farrell:** When Jeanne Seckinger called Russell to tell him in September that they had fired or Alex stepped down or whatever it was, Russell's response was "the bank's going to lose a lot of money." So maybe what you guys were saying, I can get on board for that that the reason that Emily is bringing up what happened on June 7th is to show that like things got into motion at the bank because Russell was like uh-oh. And that said about the prosecution, the defense.

[00:23:55] **Eric Bland:** I thought yesterday the defense had a bad day, had a bad opening day. I don't think they caught their footing in the morning, but in the afternoon, Bart fighting with Judge Gergel, what he did was able to convey was that Alex was a frenetic guy; that Alex you could never pin down; that if he talked, he double talked or he'd avoid addressing it. And he



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conveyed that the law firm is filled with a bunch of really smart lawyers, and they were duped by Alex. So if the lawyers in his own firm who deal with him every day were duped by him, poor Russell was duped by him. And so, why are you pinning all this on Russell? Bart then kept trying to say the law firm did this, and the law firm was aware of this. And Judge Gergel shut him down and said, look, they're not on trial here. Alex isn't on trial here. But I think the jury understood it wasn't just Russ who could have stopped this. And, in fact, Jeanne actually gave a very telling admission that I think Bart's gonna use in his closing argument when she said, look, definitely Russ, my brother-in-law, could have uncovered this and stopped it. But she said there are a lot of other people that could have done it, too. Even us. And I think that's an honest answer, but it's an answer that creates reasonable, can create reasonable doubt on the jury that why are you only picking on Russ? So I thought that was effective.

[00:25:29] **Liz Farrell:** Mandy, have you seen anything you like from the defense yet?

[00:25:31] **Eric Bland:** Not like. Respect or effective.

[00:25:33] **Mandy Matney:** Okay. I think that they are prepared. I think that they know the case. I also like the mutual respect that we've seen in the courtroom that we have not seen in other cases.

[00:25:44] **Eric Bland:** Oh, yeah, where people were at each other's throats. That's a good point. I didn't realize that. It's genteel.

[00:25:50] **Mandy Matney:** It's been, yeah, it's been civil the entire time. People listened to each other, have respected each other for the most part, so that's been good. I could see maybe that the opening statement was about confusing the jury and just telling them, Alex Murdaugh, blah, blah, blah, this whole Murdaugh mess, the law firm, Bank of America, blah, blah, blah. And then they're like, what is even happening? I could see that as a strategy.

[00:26:22] **Liz Farrell:** Do you think that it is an effective message that Russell wasn't the only one who missed all the red flags about Alex Murdaugh, if that's what the defense is doing?

[00:26:37] **Mandy Matney:** It's just not.

[00:26:39] **Liz Farrell:** Like does that sway you?

[00:26:40] **Eric Bland:** I'm not buying it. Here's why. There's a doctrine in the law called last clear chance. So a whole bunch of people can blow it, miss the signals, but who's the guardian at the gate? Russell's the guardian at the gate. He controls the money. All he had to say was "No,



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it's against banking regulations." "No, you're overdrafted by a hundred thousand dollars." "No, you're such a credit risk, Kiddie City wouldn't give you a credit card." No, no, no, no. That's all he had to say. And he also was a, in addition to being a banker and having the last clear chance, he was a conservator, which means you have to be the guardian at the gate for the Plyler money and you have to protect it and preserve it and you can't take it for yourself and build a swimming pool because if he defaulted on his own loan, who's the guy that has to prosecute the loan? The default. He does. Is he gonna sue himself? Hello, Russ. This is Russ. You know what? You're 30 days past due on your payment and I'm gonna sue you. Well, thank you Russ. I'll see you in court. Well, good. Go get your own lawyer. I mean, come on man. It's ridiculous that we're even having these discussions. Russ is the guy that should have stopped Alex.

[00:27:58] So when I go to a trial and I'm watching it, I watch lawyers 'cause I wanna learn and I learn. You guys are jurors. You're sitting as jurors. I'm not sitting as a juror. I'm sitting as a lawyer looking at lawyers. So I want to hear, you guys are jurors sitting there, what do you think?

[00:28:13] **Liz Farrell:** Well, I'm gonna be a biased juror. I want them to put more dirt on the record about PMPED and what was going on there because I feel like that is.

[00:28:23] **Eric Bland:** But that's not the trial we're at.

[00:28:25] **Liz Farrell:** I understand that.

[00:28:26] **Eric Bland:** You don't want to create an appellate issue.

[00:28:29] **Liz Farrell:** I'm fine with an appellate issue. I wanna know more about PMPED and I want.

[00:28:33] **Eric Bland:** Well, you'll know that when Alex is on trial for his financial crimes. That's why.

[00:28:38] **Liz Farrell:** I can't wait for 2030.

[00:28:39] **Eric Bland:** I hear what you're saying now. I hear that you want to know more.

[00:28:42] **Liz Farrell:** I wanna know more. I think this is sort of the opportunity, so if Russell is going to come at it from a, I'm being unfairly targeted and singled out and these other people were doing these things, too, or these other people, you know, were problematic, too, then I wanna hear more about those problems.



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[00:28:57] **Eric Bland:** I'd like to see a little more passion from the government because this is our banking system that we have to, we have to trust our banking system. And these are, you know, depositors' money. Depositors. People that put their money in the bank. The Pinckneys, the Badgers, and the Plylers. And we have to have a system. I wanna see Emily say, "We can never let this happen in our banking system," you know what I'm saying? The banking system is the most important thing that drives our commerce. So maybe we'll start to hear passion the more the victims come in, but it's a little sterile right now, if that's a criticism I can level.

[00:29:38] **Liz Farrell:** Anything about the defense, Mandy?

[00:29:40] **Mandy Matney:** I just think that, I mean, it's hard because on one side, I would like them to get a lot of things on the record, and I do understand their point that like, why is our guy the only guy in this whole thing? That's a huge mess and there's lots of, there's millions of dollars. Ain't no way it's just Russell who should be charged with federal crimes right now. But I also understand Judge Gergel's point of like, look, it's your guy who's on trial right now. It doesn't, don't, I don't care about the other guys. We can get to them later, but Bart did make a good point today when he said like, this is PMPED, and they're going to testify in this case. These lawyers are going to, and their credibility does matter.

[00:30:30] **Eric Bland:** Do you think we're gonna have lawyers testify in the case? It's a very dangerous thing to put on a lawyer because then you open yourself up to a lot of cross-examination.

[00:30:40] **Liz Farrell:** Right, which that's what I wanna see, obviously. Yeah, that would be a good show for me. So now, you guys have both been chomping at the bit to talk about something super special. And that is the first cousin that we were introduced to in the last week of Russell Laffitte's, and that is a woman who calls herself Sara Allen. So Sara Allen says that she was a former investigative journalist and a former news anchor, and it looks like she created.

[00:31:08] **Eric Bland:** Former, former, former?

[00:31:09] **Liz Farrell:** Former, former. Current, I think she sells makeup now.

[00:31:12] **Mandy Matney:** She's not a practicing journalist.

[00:31:15] **Liz Farrell:** There you go. She's not a practicing journalist. And yet this came outta nowhere on Friday.

[00:31:21] **Mandy Matney:** Liz calls it Russell TV.



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[00:31:23] **Liz Farrell:** It was a video that was uploaded to YouTube. And it was the strangest thing. I think it's better if we just let Eric say what he thinks because it'll just really tell you guys what this video did to all of us.

[00:31:34] **Eric Bland:** Was it contrived interview with softballs where Russell tried to say, I did this, and Hannah and Alania were paid back every dollar. But he didn't do part B of that statement. They were paid back every dollar because Alex took the money from other conservatorship accounts. It was a self-serving interview.

[00:31:57] **Liz Farrell:** And, you know, long shots and closeups and.

[00:32:02] **Eric Bland:** Well, I've already subpoenaed episodes, whatever, two, three, and four because it said episode one there. I also subpoenaed, we're subpoenaing the uncut versions because a lot of it was merged, so I want to see all the outtakes. How many different times did he have to say something? That's all gotta be preserved.

[00:32:23] **Liz Farrell:** We'll be right back.

[00:32:36] **Mandy Matney:** It's been a long day. Let's get Justin on.

[00:32:37] **Eric Bland:** Who's Justin? Oh, JB? Yeah. Oh, yeah.

[00:32:43] **Justin Bamberg:** Hey, what's up y'all?

[00:32:45] **Eric Bland:** Come on man, really? Do you have slippers that have the crowns on 'em in the front? Come on. Talk. Tell me. Listen, are your initials carved on the chest of that robe? I want to say, does it say "JB" on that robe?

[00:33:04] **Justin Bamberg:** There are no initials, but, you know, it is kind of the, you know, it's got the look going on.

[00:33:11] **Liz Farrell:** You're celebrating, huh?

[00:33:13] **Justin Bamberg:** Yeah, it has been a long day.

[00:33:17] **Eric Bland:** JB, you didn't hear today? Evidently, when I was walking from the parking garage to the courtroom, Bart made a motion to almost gag me because I've been tweeting during the trial at different times and texting in the courtroom and that somehow I'm



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trying to affect the outcome of the trial. Yes, sir. But Judge Gergel, to his credit, said, "Do you guys ever hear the First Amendment? I'm not doing prior restraint here. This is a public trial." Thank god Judge Gergel shut it down. But yeah. Second time that Bart has tried to shut me down.

[00:33:59] **Justin Bamberg:** But his client literally just dropped a whole YouTube. Yeah, self-promotion, marketing pitch.

[00:34:08] **Liz Farrell:** Justin, what did you think when you saw that video the first time? How did you hear about that video?

[00:34:14] **Justin Bamberg:** So somebody sent me the link and I couldn't believe it. I was just kinda sitting there and.

[00:34:22] **Eric Bland:** What did you think when you pressed the link and all of a sudden he comes up and he's sitting on a chair in front of — house. What was the first thought that went through your mind?

[00:34:31] **Justin Bamberg:** Who is this? And who is he pretending to be? That's the first thing came to my mind. It's like he's trying to present like this down-to-earth dude or whatever, as though he didn't run around for all this time like pretending to be better than everybody else. That's what I thought.

[00:34:53] **Eric Bland:** Well, what did you think as a lawyer? Would you have said if that was your client who did that without your permission, would you not walk into the court and say, I make a motion to be discharged. I have irreconcilable differences with my client?

[00:35:06] **Justin Bamberg:** Without a doubt.

[00:35:08] **Eric Bland:** Without a doubt. I think it was a, if the lawyers are involved, I told the girls it's the dumbest legal move I've ever seen in my career.

[00:35:16] **Justin Bamberg:** It's definitely not smart. It's definitely a gamble. And with.

[00:35:22] **Eric Bland:** But Justin, Justin, they've been complaining about unfair press for Russ. What was the, wasn't that a purpose for him to infect the potential jury pool?



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[00:35:34] **Justin Bamberg:** He didn't put it out as a private video only viewable by his family and friends. They put it on an internationally open platform for the sole purpose of getting his story out in a manner whereby real journalists could not check him or call him on the tough questions. It was a propaganda piece in advance of trial. That's exactly what it was. None of the tough questions were asked. Just the basic question: can you read? And hand him the paperwork from the court that literally says in big, bold letters, no disbursements to be made without prior approval of the, well, not just that. And then if you look, the Malik Williams case, right? You had cases where Russell got, I wanted, I wish that the cousin would've asked him, but you've gone before the court before for like a nominal \$2,500 conservator fee. Why didn't you do it for the really big ones? 60 grand, 25 grand, right? These are the questions that a real journalist would've asked since he wanted to be heard, right? He's the one that wanted to be heard. They should have asked that. And instead, it was just a giant propaganda piece, which is funny because people go and fuss and yell at us, Eric, me and you as lawyers for talking to the press and informing people in the public when the defendant himself did it. If I was sitting there, I would've liked to ask him, so tell me how I can borrow that kind of money with a negative checking account balance.

[00:37:24] **Eric Bland:** And five loans, and five loans in default. Can you loan me that kind of money?

[00:37:29] **Justin Bamberg:** Dude, I love you, Eric, but no. No, I wouldn't make, I'd be hesitant to make that kind of loan to even a family member of mine if things were that bad, right? Because you got the loans, but then you also have the, he knows the money's messed up because he's the conservator on these cases where Alex is doing this and doing that, so you already know that Alex is having money management issues or cash flow issues.

[00:37:59] **Eric Bland:** JB, it came out today in the trial Russell's real personality and it didn't come out where somebody said they were trying to make a point about his personality; that he's really not this low-key guy; that he's pretty intense and will get in your face. Norris Laffitte, he was testifying and said when he told the executive board that he's going to give the \$680,000 to PMPED, Norris said, well, wait a minute here. We need to vote on it. And he said, Russell snapped and said, "It's a done decision. I'm giving him the money. We already decided and you can't do anything about it." It was like he was telling you, "I make the decisions around here. I'm the big dog and I'm eating."

[00:38:49] **Justin Bamberg:** I have had people in the banking industry, okay, with larger banks, smaller banks tell me about interactions that they had with Russell. The interactions that were described to me don't fit the mantra of quiet, meek, scared, humble Russell Laffitte, who sits on country front porches giving YouTube interviews.



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[00:39:24] **Mandy Matney:** Yeah, and I just remembered this. In the opening statement, Bart mentioned that he did the football snacks on the weekends.

[00:39:32] **Eric Bland:** Again?

[00:39:33] **Liz Farrell:** Yeah, no. I didn't, I don't remember that.

[00:39:36] **Eric Bland:** God, they're throwing that concessions in my face.

[00:39:38] **Mandy Matney:** If that's the one thing, if that's one thing that you have going for you, that somebody has to say over and over again about why you're a nice person, that you do concessions. And as Liz pointed out, there's a lot of cash in those concessions.

[00:39:54] **Justin Bamberg:** With him doing that video, I think it is telling. Obviously, everybody has a right to plead the Fifth and not self-incriminate. That is optional. It can be waived. But if you go and you do what Russell Laffitte did in putting out a handcrafted like speech basically to the public about why you're not guilty of what you're charged or whatever the case is, then you need to get up there in the hot seat and testify.

[00:40:25] **Eric Bland:** Don't you think he was trying to manipulate the justice system, JB?

[00:40:29] **Justin Bamberg:** I absolutely do. I think that it was a strategic ploy to, again, it's a trend we're seeing from people who are only concerned about themselves in the hot seat. Still, no "I'm sorry." There was no "I'm sorry" in that YouTube video for all the people who got screwed over and hopefully, you know, at minimum in court you take the stand and say "I'm sorry."

[00:40:54] **Eric Bland:** Apologies go a long way. We're human and we like to see humanity, and the one thing that I didn't see in Bart's opening statement was, he was defiant. He did the right thing. It was not bank fraud. It shouldn't be criminally charged. It should be applauded. He could have come out and said, you know what? Russell apologizes and feels really bad that he let his guard down. He's already said that he's negligent and he, if he just came out and showed contrition for his clients, say, he is so sorry. You're going to hear from him about it; that it haunts him to this day; that he didn't give his best as a conservator for these people; and it bothers him and he feels bad about it and he apologizes. His actions are not criminal. They weren't right. He regrets them. That would've been a different story, and I think that goes a long way when you can show humanity. Look, you're a legislature. You codified that doctors can come to patients and their families and admit they've done something wrong and it can't be used in a legal action against them. Let's just see a little humanity, JB.



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[00:42:05] **Liz Farrell:** Final question. Should there be an Alex TV?

[00:42:08] **Justin Bamberg:** I'd probably have to watch it just so I'd know what the heck was going on.

[00:42:12] **Mandy Matney:** But it raises a good point, which is that I think this case is so crazy and bananas and insane and all these people are just pulling out Hail Mary's 'cause that's all they have. I think that we're gonna see another version of Russell TV in some way in this case where like wannabe journalists wanna have their little YouTube moments with these like super gross people for their sides of the story 'cause it's the only part that hasn't been told.

[00:42:43] **Justin Bamberg:** You know, I just cannot for the life of me understand why that, you know, there's this, the only one person whose story hasn't been told. That's because he chose not to tell it. He chose not to say anything for all this time. That is a choice. That is an option that he exercised. And then to make it seem like but no one was willing to report what he had to say. He wasn't talking.

[00:43:09] **Mandy Matney:** Yeah. He could have gone to so many TV journalists and sat down. He could have gone to a lot of people and sat down.

[00:43:17] **Justin Bamberg:** He did like this and just went like Facebook Live. That is very, very simple. Or he could have just, again, "I apologize to anybody who was hurt," you know? Just some humility. But it's a trend. Alex? No humility. Russell? No humility.

[00:43:36] **Eric Bland:** Cory?

[00:43:37] **Justin Bamberg:** No humility. You know? It is something with the group like it's okay in life for people to make mistakes, including professionals 'cause nobody's perfect. But have enough humility if you screw up. At least apologize and mean it.

[00:44:05] **Outro:** This Cup of Justice bonus episode of the Murdaugh Murders Podcast is created and hosted by me, Mandy Matney, with co-host Liz Farrell, our executive editor, and Eric Bland, attorney-at-law, AKA The Jackhammer of Justice. From Luna Shark Productions.