

C. Mark Luke White aka “Big”

Young introduced Kimmel to Mark Luke White aka “Big,” another pimp. Young told Kimmel that White had disfigured some of the females working for White as prostitutes by burning them. Kimmel learned of White’s violent behavior first hand, when White brought a girl named ██████ to Kimmel for dental services. ██████ had been beaten severely, and lost several teeth in the beating. Kimmel took before-and-after photos of ██████ and kept them on his computer. According to Kimmel, Kimmel and White used the “barter system” to pay for work Kimmel performed on ██████ Kimmel provided the dental work in exchange for two hours of sexual favors

by one of the prostitutes working for White, for Kimmel's friend. Kimmel told White that this was Kimmel's birthday gift to Kimmel's friend.

On September 23, 2005, at approximately 12:38 p.m., (Session 15 on Kimmel wire), White called Kimmel on Kimmel's office telephone. Kimmel and White discussed dental work Kimmel had performed on White. Kimmel then asked, "By the way, you ever hear from that asshole Jody [Spears]?" White responded, "Naw, have[n't] heard of him, or anything about him, or from him." Kimmel said, "Okay, well if you ever do, let me know. . . . I'm still looking for him." White stated, "Man, I told you what to do Doc, you just don't listen to me man." Kimmel said he had checked with legal authorities and could be sued if he followed White's advice. White said, "Man, that fool ain't goin to sue you man, he's duckin three four five different law agencies man. See Doc, sometimes you just got to do things from the street you know. . . . You can't just do things by the book all the time, cause you ain't playin with people that play by the book." Kimmel responded, "Well I know that. . . . Yeah, I know, it's not a fair playing field that's for sure, he's got the advantage cause I can't do things illegally. . . . That's the real problem." When White asked why Kimmel doesn't just repossess the car, Kimmel explained that he and Spears were listed as co-owners on the title; Kimmel and White then discussed how Kimmel's various potential responses could affect Kimmel's credit score.

Later, during the same call, White asked Kimmel if he could perform additional dental work on [REDACTED] whom White reminded Kimmel also went by the name "Barbie." Kimmel told White that he normally charged \$950 per tooth, but would do it for \$400 per tooth, for White, because he had already fixed [REDACTED] teeth once before. White said he was interested, and White and Kimmel discussed scheduling. White said, "Hey man, thanks man, I love you man, you know we goin to

keep on, we goin to keep on scratchin' each others back, you know.” Kimmel responded, “Okay, that’s good.”

White then stated, “Hay, what’s up with your one boy? That dated Special.” Kimmel said, “What’s that now, oh, um, Special. No, he loved her. . . . It’s my guy [REDACTED], the old guy. What about him?” White said, “Yeah, yeah, yeah; he enjoyed that man?” Kimmel responded, laughing, “Oh boy did he, he’s still talkin about it, he says where’s she at, when can I see her again? . . . He thought that was great. . . . He must of told ten or twelve people I knew about that. He says, ‘Doc gave me a present.’” White said, “Yeah, that’s a beautiful one there. That’s a hell of a fuckin present, ya know what I’m sayin, especially as old as he is, you know?” Kimmel said, still laughing, “Yeah, fuck yeah, I said, you’re lucky you didn’t have a heart attack or something.” White responded, “Yeah, that’s what the broad was talkin about, like I’m goin to kill this man.” Kimmel said, “Yeah, it was good. Yeah he loved that. . . . That was a good thing; I was happy with that one.”

IV. CONCLUSION

The above is an outline of the evidence that the government will introduce to establish that a conspiracy existed involving defendant Kimmel and his co-conspirators. This Court should find,