



Emily J. Will, D-BFDE
Board Certified Document Examiner
P.O. Box 58552
Raleigh, NC 27658

Phone: 919-556-7414
Fax: 858-712-0803
E-mail: ewill@Qdewill.com
<http://Qdewill.com>

June 7, 2018

Mr. Eric Remington
Ward and Smith, P.A.
1001 College Court (28562) | Post Office Box 867
New Bern, NC 28563-0867

Examination of Documents - Supplemental Report

Background: This report incorporates all Materials, Questions, Propositions, Procedures, Observations, Discussion, Opinion Scale, Illustrations and Conclusions of my December 12, 2017 report. There have been no changes to that report. The reason for this supplemental report is to respond to the recently submitted second report of Mr. Durward Matheny dated May 1, 2018.

Materials: In addition to the materials listed in my December 2017 report, I have now been provided the May 1, 2018 (2nd Report) of Durward Matheny which includes Exhibit K which I have not examined previously.

Question: What are the areas of agreement and/or disagreement with the report of Durward Matheny? After reading the 2nd Report of Mr. Matheny, are there any revisions to my December 2017 report (Will)?

Procedures: The 2nd Report (Matheny) was carefully read and compared to his first report. All observations and conclusions in both reports were considered, and the December 2017 report (Will) was also read and considered. Illustrations accompanying both reports were reviewed.

Observations: The following additions or deletions were made to Mr. Matheny's first report resulting in the 2nd Report.

1. Two additional known documents were submitted to Mr. Matheny, listed as J and K in his report. Document J was already reviewed and listed as K9 in the Will report. Document K is a 2006 document not previously examined by Will. In appropriate locations in the 2nd Report, Matheny updates the documents listed to include J and K, however there is a misstatement in the first paragraph under "Examination Requested." The statement about "...known signatures of Ruth B. Smith Waters on Exhibits C through K" is incorrect because Exhibits G, H, and I do not contain signatures of Ruth B. Waters. The correct statement would refer to known signatures on "Exhibits C through F and Exhibits J and K."

2. An introductory statement has been added at the start of the “Results of Examination” section, which does list the known documents for Ruth B. Waters correctly.
3. In the fourth paragraph under “Results of Examination” the term “Highly Probably” has been corrected to “Highly Probable.”
4. A sentence has been added to the end of the fourth paragraph of “Results of Examination” which reads, “There are differences noted in the formation of letters, R, u, t, S and T in the signature on Exhibit A when compared with known signatures of Ruth B. Smith Waters on Exhibits C, D, E, F J and K.” Since there is no upper case “T” in the signature, this probably refers to the lower case “t” in “Waters.”
5. In paragraph 5 of both reports, Mr. Matheny begins by suggesting that the original or a better copy of Exhibit A be obtained. There has been a change to the sentence that follows. In the first report, the second sentence was “This would aid in removing any doubt in my opinion of authorship of the questioned signature on Exhibit A.” But in the 2nd report that sentence reads, “This would aid in determining authorship of the questioned signatures on Exhibit A.” Also, note that Exhibit A has only one questioned signature.

The content of the 2nd Matheny report and the additional documents he reviewed do not in any way change anything in my December 2017 report (Will).

Discussion: The sequence of reporting in this matter has been:

1. Matheny Report 1 dated April 21, 2015
2. Will Report dated December 12, 2017
3. Matheny 2nd Report dated May 1, 2018

Therefore it is reasonable to think that the 2nd Matheny report might have been requested and issued in response to the Will Report. However, the disagreements with the first Matheny report stated in the December 2017 Will report still remain. The addition of two known signatures does not change that, and review of the heretofore unseen Exhibit K does not change that either.

Although there has been no change to the Opinion Scale used or Conclusion reached since December 12, 2017, I will restate those here for clarity.

Opinion Scale: The opinion scale used is detailed in The Modular Forensic Handwriting Method.¹ Conclusions are intended to convey the degree of support provided by the observed evidence for one proposition versus another proposition. The levels available are:

- A. The evidence provides very strong support for proposition X over proposition Y.
- B. The evidence provides qualified support for proposition X over proposition Y.
- C. The evidence provided approximately equal support for propositions X and Y.
- D. The examination was inconclusive.

Conclusion: It is the examiner’s opinion that:

1. The reproduction quality of Exhibit A (Q1) is too poor to permit a forensic examination and a reliable forensic opinion. If the original document or a better reproduction is submitted, additional examinations can be conducted.

2. The evidence provides very strong support for the proposition that the three questioned signatures Ruth B. Waters on Exhibit B (Q2) were written by Ruth B. Waters as opposed to the proposition that someone other than Ruth B. Waters wrote those signatures.

A handwritten signature in dark ink, appearing to read "Emily J. Will". The signature is written in a cursive style with a large, looped initial "E".

Emily J. Will
Board Certified Document Examiner

1. Found, B. J. & Bird, C. (2016). The Modular Forensic Handwriting Method. Journal of Forensic Document Examination. Vol. 26, PP. 7-83