

COOPERATION AGREEMENT OF AMANDA BORTNER

In consideration for Amanda Bortner's complete and truthful cooperation during the prosecution of Chad Evans, and subject to the conditions set forth below, the State enters into the following agreement with Amanda Bortner:

THE OBLIGATIONS OF THE STATE OF NEW HAMPSHIRE

1. Except as provided herein, the State of New Hampshire will not prosecute Amanda Bortner for any crimes related to the death of Kassidy Bortner or any injuries sustained by Kassidy Bortner prior to her death, provided that Amanda Bortner complies with all of her obligations herein.

THE OBLIGATIONS OF AMANDA BORTNER

The above obligations on behalf of the State of New Hampshire are made subject to the following conditions:

A. During the pendency of the criminal proceedings against Chad Evans, including but not limited to the prosecution of Evans for the crimes arising from the death of Kassidy Bortner on November 9, 2000, injuries sustained by Kassidy Bortner prior to her death, and other crimes relating to Kassidy Bortner or Amanda Bortner (Indictments No. 00-S-888 to 00-S-896 and Information Nos. 00-S-934 to 00-S-935), Bortner must comply fully, truthfully, and in a timely manner with all reasonable requests of the State of New Hampshire within the scope of this agreement. All such cooperation must be completed in good faith and employ the best efforts of Amanda Bortner. A failure to so cooperate will constitute a breach of this agreement and release the State of New Hampshire from all its obligations hereunder.

B. During the pendency of the criminal proceedings against Chad Evans, including but not limited to the prosecution of Evans for the crimes arising from the death of Kassidy Bortner on November 9, 2000, injuries sustained by Kassidy Bortner prior to her death, and other crimes relating to Kassidy Bortner or Amanda Bortner (Indictments No. 00-S-888 to 00-S-896 and Information Nos. 00-S-934 to 00-S-935), Amanda Bortner must at all times provide information or testimony within the scope of this agreement that is truthful, candid, and complete. Making a material false statement or omission will constitute a breach of this agreement. In the event of such a breach, or any other breach of this agreement, the State of New Hampshire will be released from all its obligations hereunder and may initiate prosecution against Amanda Bortner for any crimes relating to the death of Kassidy Bortner or any injuries sustained by Kassidy Bortner before her death. Furthermore, Amanda Bortner will be prosecuted to the full extent of the law for perjury or obstruction of justice or

another appropriate offense in the event she is to make a material false statement or omission to investigators, State attorneys, a grand jury or trial jury in the course of fulfilling her obligations hereunder.

C. Amanda Bortner agrees that she will have no direct or indirect contact with Chad Evans. Amanda Bortner will inform the State of any direct or indirect contact initiated by Chad Evans with her. If Amanda Bortner initiates contact with Chad Evans or if Amanda Bortner fails to inform the State of contact initiated by Chad Evans, Amanda Bortner will be in breach of this agreement and that State can pursue charges against Amanda Bortner relating to that contact or relating to the death of Kassidy Bortner or any injuries sustained by Kassidy Bortner before her death.

D. Amanda Bortner agrees to waive the statute of limitations for any crimes relating to the death of Kassidy Bortner or any injuries sustained by Kassidy Bortner before her death, so that any such charges may be prosecuted by the State in the event that Amanda Bortner violates the terms of this agreement. Amanda Bortner agrees that she has consulted with her attorney regarding the waiver of the statute of limitations and that her waiver is knowing, intelligent, and voluntary.

This agreement constitutes the full and complete understanding between the parties. There shall be no modification to this agreement unless made in writing and signed by all the parties.

N. William Delker
Senior Assistant Attorney General

Date

Simon R. Brown
Assistant Attorney General

Date

I, Amanda Bortner, have read this agreement and have consulted with my attorney regarding the meaning of the terms and conditions of this agreement. Understanding its terms and conditions, I knowingly, intelligently, and voluntarily agree to them.

Amanda Bortner

Date

Patricia Wiberg, Esquire
Counsel for Amanda Bortner

Date

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