IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF OKLAHOMA

(1) KELLI FENDER,)	
Plaintiff,)	
vs.)	
* D0)	Case No. 13-cv-00512-RAW
(1) DILLON MUNHOLLAND and)	
(2) THE CITY OF McALESTER,	Ć	
)	
Defendants.)	

<u>AFFIDAVIT</u>

STATE OF OKLAHOMA)	
)	SS
COUNTY OF PITTSBURG)	

- I, Gary Wansick, of lawful age being duly sworn upon my oath state:
- 1. I am the Chief of Police of the McAlester Police Department in McAlester, Oklahoma.
- 2. As Chief of Police, I am the head of the McAlester Police Department.
- 3. The McAlester Police Department is a publicly funded entity.
- 4. I directed my subordinate officers to conduct an investigation into the events and circumstances surrounding the incident at issue between Dillon Munholland and Kelli Fender to give me their opinions and recommendations regarding Officer Munholland's use of force.
- 5. I requested opinions and recommendations on Dillon Munholland's use of force from department and shift supervisors and defensive tactics instructors, both internally and as external consultants.
- 6. The advisory opinions, recommendations, and communications were generated in



relation to my requests and I have personally reviewed those materials.

Each of the advisory opinions, recommendations, or deliberations are pre-decisional.
Each document was prepared in order to assist me in arriving at a decision pursuant my deliberations based on those documents. However, I was unable to issue a final decision, due to Officer Munholland's resignation notice with the McAlester Police Department on November 20, 2013, thus rendering the investigation moot.

FURTHER AFFIANT SAYTH NOT.

Gary Wansick, Chief of Police McAlester Police Department

Subscribed and sworn to me before me this day of April, 2014.

Notary Public

My Commission Expires:

My Commission Number:

10.30.16

SHEILA RENEE LOVETT

Notary Public, State of Oklahoma Commission # 00017738