

## **CHRONOLOGY, PART III**

### **PRE - REICHSTADT DEPOSITION**

**1987, Late February** - Mary Jane Duchene returns to the United States to resolve the legal matters and there has been little progress I long distance. She stops en route to Minnesota in Washington D.C. to meet with Dr. B. William Murphy and request that he act as a medical expert in the upcoming probate. Mary Jane has sent on the neurological reports, CAT scan reports and psychometric results with the pathology report on ahead.

**1987, Late February until May 1** - Mary Jane stays with Mary Walker, an old friend from high school and work.

**1987, March 3** - State Certifies copies of death certificate of Jane Duchene. See B-59.

**1987, March and April** - Mary Jane Duchene obtains affidavits from various people who knew her parents, her mother, her father, her character and from people who had information on Jane's behavior which might be important for forensic psychiatric evaluation in probate in addition to affidavits obtained from Alan Johannesen, Keith Marsh and Margaret Finch from Europe.

**1987, early April** - Mary Jane issues ordinary subpoenas to all medical providers who saw her mother during 1986 and obtains all of the nursing home records from Wedgewood only. All others, refuse to comply with the subpoena and it is necessary for Mary Jane to seek a court order.

**1987, April - June** - Mary Jane is informed by Tony Dana that he is going to have his license to practice suspended, and she must look for a new attorney. She finds Stan Zahorsky, whose offices are in Edina, Minnesota, to continue the case in early June of 1987.

**1987, late April** - Mary Jane has an appointment with Richard Enga of the Dakota County Attorneys Office about her complaint and request for investigation

into the death of Jane Duchene. Richard Enga send Mary Jane letters which confirm that he only followed up on the suspicion regarding chemotherapy that Mary Jane suggested in her complaints filed earlier in the year. Investigation file is closed.

**1987, April** - Mary Jane Duchene purchases a Rottweiler dog for protection when she moves into the family home.

**1987, April** - Ken Reichstadt and Jeff Batzel, make major purchases just after the investigative file is closed. Verified in the investigative report of private detective, George Viens, hired by Mary Jane to look into misconduct and the death of Jane Duchene, in late October, 1987.

**1987, May 01** - Mary Jane Duchene moves back into home and with a Rottweiler for protection, after discovering that Briguet's friends, the Flemings, have moved out. She has a locksmith change the new locks Briguet and the Krauses have put on. The fiance of Pastor Ruhnke's eldest son, Sandra Rivera, moves in with Mary Jane because Mary Jane is frightened to live in the house alone because of the past [police involvement in her family affairs and the legal complication around her mother's death. Stan Ottinger, Ruth's husband, starts wearing a hard hat when he goes for a walk because of the presence of the Rottweiler.

**1987, May 22** - Sue Cornelius, Assistant Dakota County Attorney files memo to Shirley McConnell Social Services Department Director of Duchene has filed a Notice of Claim that her and her mother's civil rights were violated by Dakota County Vulnerable Adult Workers and giving orders to this department not to release any files or discuss the case or facts surrounding the matter without the consent and representation of the County Attorney's Office.

**1987, June** - Stan Zahorsky files a motion requiring a court order compelling all medical providers for Jane Duchene to release their records.

**1987, July 2** - Probate Court , Judge Lacy, grants Mary Jane's motion to compel all medical health care providers to release their records to Mary Jane Duchene and her counsel.

**1987, July - August** - Mary Jane obtains medical records from Corbett and Lerner and others. Untied Hospital records were obtained in December of 1986. These records sent to Dr. Murphy (copies).

**1987, early August** - Sandra Rivera marries Jeff Ruhnke and moves out of Mary Jane's home. Harassment from West St. Paul police and Dakota County agencies, of Mary Jane Duchene and people around her, begins and continues for many year, that is to date.

**1987, early August** - Stan Zahorsky meets with Dennis Briguet and persuades Dennis to let him go through Dennis Briguet's files on Jane Duchene by pretending to dislike Mary Jane as much as Dennis says he does. Zahorsky finds memorandum from Reichstadt to Briguet about Wedgewood nurse, Louise Erickson , dated November 30, 1986 and Briguet's three page itemized bill to Jane Duchene.

**1987, August** - Mary Jane receives homeowner's insurance payment for lawn mower apparently removed from home after providing dated photos of mower in garage in 1986 and neighbor using the same apparent item in 1987.

**1987, about August 10** - Stan Zahorsky obtains probate Court order compelling Ken Reichstadt and Dakota County to release the name of the reporter of alleged abuse by Mary Jane Duchene because it is pertinent to the issue of undue influence by the Krauses who benefited by the abuse allegations and sought to become heirs of the Duchene estate as a result of these allegations being made.

**1987, August 13** - Ken Reichstadt deposed. Takes fifth amendment. Resists releasing vulnerable adult file. Refuses to disclose name of reporter. Reichstadt refuses to comply with the court order. Admits that he knew that the accusations against Mary Jane could not be substantiated by late evening of March 20, 1986 yet persists in continuing to try to defame Mary Jane. States for the first time that there never were charges hanging over Mary Jane's head and that he did not inform Mary Jane of that in 1986. Admits that his educational training is limited to a B.A. in social work and business. Admits he has worked with Nancy Massman before. States that there were over 600 cases of alleged abuse in Dakota County since the Vulnerable Adult law was instead in 1985, which works out at over 300 per year and that more than 50% of these were regarding money. Admits the potential for abuse of the vulnerable adult law to discredit bonafide heirs and family members by greedy third parties. This deposition cost Mary Jane

\$1000.00. Deposition ends in call to Judge Lacy about refusal to comply with court order to disclose name of reporter and setting of a hearing for the next day in Probate Court on this issue.

**1987, August 14** - Stan Zahorsky files a written motion, affidavit and memorandum of law {summarizing the contents of the deposition of Reichstadt in reference to Reichstadt's admission that he knew Mary Jane had committed no abuse of her mother and pointing out the legal grounds for discovery being undue influence by the Krauses by their direct benefit from these allegations against Marty Jane} urging Judge Lacy not to rescind his earlier order. Reichstadt is present in court and tries to say there is a continuing investigation into the death of Jane Duchene therefore the file is active and should not be released. The discernment between their allegations against Mary Jane and current investigation into alleged misconduct by parties other than Mary Jane is made;- and Judge Lacy asks Reichstadt "are you claiming she is still abusing her mother, her mother is dead". Notwithstanding, Judge Lacy rescinds his order compelling disclosure of identity of reporter. Zahorsky and Mary Jane see this as an indication that the Dakota County Attorney is exerting influence behind the scenes. Stan Zahorsky begins to get nervous because of the apparent involvement by Dakota County with the court and starts to fear the probate court is biased against Mary Jane because of Dakota County interests. JUDGE LACY ISSUES AN AMENDED ORDER REQUIRING DAKOTA COUNTY SOCIAL SERVICES TO RELEASE THE VULNERABLE ADULT FILE THEY HAVE ON JANE DUCHENE, BUT ALLOWS THE AGENCY TO DELETE THE NAME OF THE REPORTER.

#### PRE - PROBATE TRIAL

**1987, Mid-August up to Probate in January of 1988** - Mary Jane Duchene send Dr. Murphy all depositions, the vulnerable file and all other evidence obtained and available so he is fully informed of all psycho-social aspects of this case and precisely what happened in 1986. The medical question at this time is whether Jane Duchene was competent of March 20, 1986 and July 2, 1986 to sign all that she signed. THERE IS NO LEGAL OR QUESTION OF WHETHER JANE DUCHENE WAS MURDERED BECAUSE MARY JANE STILL DOES NOT KNOW WHAT CAUSED THE SUDDEN DEGENERATION OF HER MOTHER

JUST AFTER OCTOBER 23, 1986. ALL OF THE ATTENTION TO STUDY OF THE MEDICAL RECORDS IS PLACED PRIMARILY ON THE PERIODS FROM 3/20/86 UP TO JULY 2, 1986.

**1987, late August to mid -September** - Stan Zahorsky starts to show reluctance to continue the case because he feels the court and “system” is stacked against Mary Jane and feels she will not win no matter how much evidence she has and whether she is right or not. He advises her “The court is against you. You are in a dangerous situation. You should go back to London.”

**1987, October 01 - approx.** - Dakota County finally releases the Vulnerable Adult File on Jane Duchene to Mary Jane. The file contains a 20 minute taped interview of Jane Duchene on March 20, 1986 in the evening, by Reichstadt and Batzel, with the Krauses (Roger and Bessie) present. The memorandum from Reichstadt to Briguet about Louise Erickson, dated 10/30/86, is not in the file. Mary Jane sends this to Dr. Murphy and he feels he can do a accurate analysis of Jane’s mental status from the taped interview. He is shocked by the conduct of the county vulnerable adult workers, towards Jane and their failure to obtain immediate mental status evaluations before doing anything about her fiscal and legal situation. Until he receives the tape, Dr. Murphy doubts that he can provide a evaluation of Jane Duchene, because he did not see her in March or July, 1986. The tape gives changes this greatly.

**1987, early September** - Mary Jane obtains the files and records of Kathy Tuzinski, the home health nurse who came to see Jane at home in 1986, using the July 02, 1987 court order. These notes reveal that Nancy Massman was the reporter of the alleged abuse by Mary Jane as Mary Jane had guessed, deducing that the mention of a “professional” that Reichstadt claimed contacted him when he came to Mary Jane’s home the evening of March 20, 1986 [denying at the same time that the Krauses had anything to do with his presence], would logically be Nancy Massman as she had been so openly hostile to Mary Jane when Mary Jane spoke with her on, about, February 08, 1986. These notes reveal that Ms. Tuzinski saw no abuse and that she was perplexed and kept in the dark about the sudden take over by Roger Krause. She was not permitted to see Jane at the Krause home. Jane had no nursing help at the Krause home from March 20, 1986 until April 23, 1986 when she was placed in Wedgewood, that is known of.

**1987, late September to early October** - Stan Zahorsky formally resigns.

**1987, mid - October** - Mary Jane Duchene, by happenstance, meets Carol Lofthouse when she buys a dog kennel for the Rottweiler from Carol's husband, Derek, and they come to install the kennel for her. Carol can see how distressed Mary Jane is and befriends her, telling her to call if she has any more problems with harassment because of her dog, whom Carol has met and loves. Mary Jane dog call Carol because more harassment continues, a neighbor, knocks on the window to make the dog bark and then calls the police to complain;- in the course of the conversation Mary Jane reveals around her mother's illness and death;- and Carol discloses she is a retired criminal attorney who currently works as a private investigator with George Viens.

**1987, early to mid November** - Mary Jane and Carol Lofthouse met with George Viens and bring him documentation to review. George takes the case and recommends several attorneys, most of which have a conflict of interest as they either have in the past or do represent Dakota County. Meagher, Gear, Markham and Andersen (Tim Ridley) take the case, limiting their representation to the probate. George Viens and his associates are all retired Minneapolis policemen.

**1987, mid-November - January, 1988:**

- a) Nancy Massman deposed
- b) Bessie Krause deposed
- c) Dennis Briguët deposed
- d) Jeffrey Batzel, West St. Paul Policeman, deposed
- e) Dr. B. William Murphy writes 120 page case study of the Duchene case and includes extensive study of the psycho- social factors after reading all of the evidence and depositions. He writes abbreviated 9 page report for probate court.
- f) George Viens speaks with Dr. Plunkett twice because the autopsy report is not standard, because Dr. Plunkett has not signed the death certificate of Jane Duchene and because the corpse was embalmed before autopsy. Dr. Plunkett told George the reason he did not sign the death certificate was because HE COULD NOT TEST THE BODY FLUIDS, which Mary Jane did not make sense of at the time but which stuck in her subconscious.
- g) George Viens is concerned for Mary Jane's safety;- he discerns a pattern of official corruption and a possible scam by vulnerable adult workers, he

investigates Batzel and Reichstadt and finds they have assets above their means and no mortgages or debt. Carol Lofthouse observes Batzel parked a block away from Mary Jane's house and is concerned Mary Jane could be a target because of the evidence being uncovered.

#### PROBATE TRIAL

**1988, mid - January** - Probate trial, before Judge Lacy, no jury, lasts for ten days:

1. Bessie Krause's case, via attorney Hendrickson is:
  - a) has no witnesses to substantiate any emotional tie between her, Roger and Jane Duchene.
  - b) Massman, Batzel and Reichstadt do not testify because they have been compromised by their depositions.
  - c) Dennis Briguet and his associate Lanoue testify; as Dennis is the personal representative of the estate. Briguet had endeavored to be both personal representative and attorney for the estate and Bessie Krause; however, Tim Ridley threatened to report him to the Lawyer's Board, and Briguet withdrew, making it necessary for Bessie Krause to pay for Hendrickson.
  - d) Dr. Corbett is the primary witness regarding Jane Duchene's mental competence. Dr. McCafferty provided a video deposition and his testimony was hindered because he did no scientific testing and evaluation appropriate for organic brain syndrome. See C-1 through C-11, the testimony of Dr. Victor Corbett. Dr. McCafferty is embarrassed by reference to a call from Bessie Krause on or about September 9, 1986 in his notes to the effect that "she is calling about the Jane problem and wants things speeded up because of her husband", and he refuses to read his notes aloud making it necessary for Time Ridley to read these. McCafferty is subpoenaed by Mary Jane and is an unwilling expert in the

case.

2. Mary Jane Duchene's contest of the will, by Tim Ridley, is:
  - a) Dr. B. William Murphy testifies regarding his extensive study for about 2 days; substantiated by psychologist Dr. Boller (video deposition) and the psychometric testing results; the report of Dr. Dahlquist; the pathology report and CAT scan report.
  - b) Pat Gallagher and Pastor Dennis Ruhnke testify that they observed Jane Duchene was not competent. Pastor Ruhnke testified that Jane Duchene had told him of how proud she was of her daughter when Jane joined his church in 1985. Pat Gallagher's testimony incriminates of Briguët and Reichstadt.
  - c) friends of Jane Duchene's such as Georgia Ek and her daughter Carol Leopold; friends of Jane and Mary Jane who knew Mary Jane's and her mother's relationship as close, and normal (e.g. Mary Walker, Eugene Edie); Julie Skarda from Oakes and Knatz; Mary Meyers from Wedgewood; character witness from Mary Jane's high school (teacher s an counselors); affidavits of Alan Johannesen and Keith Marsh; evidence of long standing joint tenancies on real and pecuniary assets between Jane and Mary Jane.
3. The ruling of Judge Lacy is that the joint tenancies between Mary Jane and Jane were "convenience accounts" and that the rights and obligations of those accounts could be disregarded for the purposes of the probate, that the joint tenancy in the house could be disregarded and that Jane Duchene could be deemed competent because Dr. Corbett said she was. Judge Lacy's ruling received in mid - February. Tim Ridley files a Motion for Reconsideration and Motion for Amended Findings of Fact and Law.

**1988, March** - Mary Jane is very ill with a flu virus for about three weeks and is so ill she cannot get of of bed for most of that period. This is the first period Mary Jane has to slow down. The statement of Dr. Plunkett that he couldn't test the body fluids or the blood, therefore he did not sign the death certificate; went through Mary Jane's mind when she wasn't sleeping. The question of "what was in the blood that needed to be hidden" came to her thoughts. The idea of blood sugar came to her mind in late March like a light bulb going on. She was well



enough to get out of bed and did so to check the Wedgewood medical records and found Dr. Corbett's insulin orders and the aftermath recorded in these medical records. Dr. Murphy was informed and was incredulous. He observed that one often does not see what is ego alien to oneself and that one can miss the obvious if you don't know it is there. He affirmed Mary Jane's observation as having no medical purpose except to kill Jane Duchene.

#### POST DISCOVERY OF CORBETT'S 10/23/86 ORDERS

**1988, March through April** - Mary Jane Duchene wishes to appeal the probate decision when the motions of Tim Ridley are denied in late March. Tim Ridley does not wish to pursue the appeal. Dr. Murphy is astonished by the ruling of Judge Lacy because the scientific evidence is so strong. Doug Thompson, a attorney specializing in criminal law and friend of Carol Lofthouse, files the Notice of Appeal as a favor to Carol, particularly because of the issue of homicide of Jane Duchene that is now apparent. George Viens has been looking for an attorney who will handle the appeal and finds Barry Reed and meet with Mary Jane and Barry Reed. Reed decides to take the case and is interested in other litigation on a contingency basis.

1988, May 27 - Dr. Murphy writes to Dr. Plunkett informing him of the apparent homicide of Jane Duchene by withdrawal of her insulin. See C-12 through C-14.

**1988, July 12** - Dr. Murphy writes again to Dr. Plunkett as he has received no reply; this time registering the letter, and enclosing copies of Corbett's insulin orders of 10/23/86. See C-15 through C-22.

**1988, JULY, THROUGH AND INCL. 1998** - DR. JOHN PLUNKETT HAS NEVER RESPONDED TO DR. MURPHY'S LETTERS OR PROVIDED A SOUND MEDICAL REASON AND ALTERNATE EXPLANATION AND CONCLUSION FOR DR. CORBETT'S 10/23/86 INSULIN ORDERS RESULTING IN SYMPTOMS OF KETOACIDOSIS AND DEATH WHICH WOULD JUSTIFY HIS FAILURE TO ACT ON THIS CASE AS A FIRST DEGREE MURDER. HE HAS NEVER STATED THE CAUSE OF JANE DUCHENE'S DEATH OR SIGNED HER DEATH CERTIFICATE. THE ONLY RESPONSE HAS BEEN FROM THE COUNTY ATTORNEY'S OFFICE, IN EFFECT CONCEDING THAT DR. CORBETT'S REASONS CITED IN HIS AFFIDAVITS OF NOVEMBER 21, 1989 ARE NOT

VALID FROM MEDICAL DATA SENT TO THAT OFFICE BY MARY JANE DUCHENE;- HOWEVER THEY DON'T KNOW BECAUSE THEY ARE NOT DOCTORS. Verified by letter from the Dakota County Attorney's Office, 1989.

**1989, August onward** - letters are sent to Hubert H Humphrey III regarding the failure of the Dakota County Attorney to prosecute. Hubert Humphrey III writes back in about October of 1988 and acknowledges that it must be terrible to know that Jane Duchene's death does not appear to have been from natural causes but that he cannot intervene unless he is invited by the County Attorney to do so. He recommends that Mary Jane investigate the matter herself using civil proceeding to do so. It is doubtful that Mr. Humphrey was unaware that damages in Minnesota under the wrongful death statute are limited to loss of earning and similar claims, making claims for senior citizens in nursing home impractical because the legal fees would likely be higher than any damages recovered.

**1988, September 30** - Dr, Murphy, shocked at the total failure of law enforcement in Minnesota and Dakota County, writes a summary of the case to the Federal Bureau of Investigations pursuant to a possible civil rights complaint, which Mary Jane has written to this agency about.

**1988 through 1991** - Mary Jane Duchene contacts the Dakota County Attorney several times about Dr. Murphy's reports that remain unrefuted by the Dakota County Coroner. The official position of the county is that they are unwilling to prosecute because they believe that Dr. Corbett did not intend to kill Jane Duchene when he withdrew her insulin and failed to restore it after she developed ketoacidosis. This suggests that the county is stating that Dr. Corbett did not know the consequences of his actions, notwithstanding that he is a specialist in diabetes treatment; or that Dr. Corbett was simply incompetent .

**1988 and 1989** - Mary Jane Duchene contacts the Ramsey County Attorney's Office, because Ramsey County also has jurisdiction over Corbett's action on and after October 23, 1986; because all his actions were done in Ramsey County. Eventually, Ramsey County produces a copy of a report supplied by the Dakota County Sheriff which is denigrating of Mary Jane, stating to the effect that Mary Jane claims her mother was murdered and she also reported in 1980 that

her father sexually abused her. This is enough to discredit Mary Jane at that time although Mary Jane was not in the USA in 1980 and her father died 15 years before 1980.

**1988, November 18** - Barry Reed commences wrongful death action against Dr. Victor Corbett and Wedgewood Healthcare Center, Inver Grove, Minnesota.. Barry Reed cites Dr. Murphy as the expert relied upon for probable cause to bring the action. Mr. Reed is obliged to submit a affidavit by an expert within six months according to statute.

**1989, January** - Minnesota Court of Appeals affirms Judge Lacy's decision; mainly on the basis of Dr. Corbett's testimony on competence. They state in the opinion that Jane Duchene was incompetent one month before her death, but fail to give a specific reason for that finding. The insulin orders were mentioned in this appeal.

**1989, January** - After receipt of the Court of Appeals decision, Barry Reed writes to Mary Jane, disputing Dr. Murphy's findings on the basis of his own medical knowledge as he has found no other medical expert to give expert opinion. Reed's statement is to the effect that we're a long way from proving that there is a murder. Mary Jane sends Reed's comments to Dr. Murphy, who responds to Reed in his letter of January 30, 1989. See C-24 through C-27.

**1989, June** - Barry Reed quits the wrongful death case. Mary Jane continues with he case and obtains an extension of time for six months to obtain an affidavit from an expert.

**1989, June** - Dr. Murphy writes a Summary of the Terminal Illness of Jane Duchene. See C-29 through C-36.

**1989, late August** - Dr. Murphy has a massive stroke and cannot continue to work on the case because of his medical condition, until he improves, if he improves.

**1989, November 21** - Dr. Corbett files his affidavit of this date. His story is that a fasting blood sugar level of 67 is a significantly low blood sugar, which contradicts his testimony in probate court. He purports that he is preventing insulin shock by radically reducing Jane Duchene's insulin, however, even were

that true; he fails to explain why he failed to restore Jane Duchene's insulin dosages to a therapeutic level. See C-22 and C-23.

**1989, December 21** - Anne Thul files her affidavit on behalf of Wedgewood Health Care Center. Thul claims that she was only following the orders of Dr. Corbett. See C-28.

**1994** - Mary Jane Duchene discovers, in the course of filing a Writ of Mandamus to compel Coroner Plunkett to do his job that Dr. Plunkett spoke to Mr. Reed shortly after Dr. Murphy sent his letter of July 12, 1988 to Dr. Plunkett. This is discovered because Dr. Plunkett submits his hand written notes to the Court of Appeal and Mary Jane Duchene in an effort to allay the grant of the extraordinary writ. These notes state that Dr. Plunkett told Mr. Reed that he would not look into the case unless he was under subpoena or for retainer. Barry Reed told Mary Jane that he had spoken with Plunkett at the time in 1988, however he did not convey the extremity of what Plunkett said, only that Plunkett was uncooperative. It is doubtful whether Plunkett ever read the Wedgewood records of Jane Duchene. See: C-8 and C-39.

**1994, October** - Mary Jane Duchene meets Jack Graham in Brainerd and send him copies of Dr. Murphy's letters. Mr. Graham is Crow Wing County Attorney at this time. Mr. Graham writes to Mary Jane and states that, if Dr. Murphy is correct, Dakota County officials who fail to act to prosecute could be guilty of aiding a criminal to avoid prosecution, a crime under Minnesota Statutes. Mr. Graham send a copy of this letter to James Backstrom.

**1996 through 1998** - Mary Jane Duchene works with Jack Graham on a case involving Sharon Andersen in 1996 and seeks his help in bringing the matter of her mother's murder before a grand jury, for criminal indictment;- by requesting that a special prosecutor be appointed. Both agree that a medical expert, a pathologist of experience and repute, would need to provide a written report showing probable cause; as an essential component for this process to succeed.

**1998-to date:** Web Development

END OF PART III