

AFFIDAVIT OF WILLIAM NOEL

STATE OF TEXAS       §  
                                  §  
COUNTY OF CORYELL §

1.       “My name is William Noel. I am incarcerated in the Texas Department of Criminal Justice, Hughes Unit. This statement is based on my personal knowledge and is true and correct.

2.       “I testified in Mark Crawford’s murder trials in Rockport, Texas and San Antonio, Texas in 1997. Before both of these trials, I called Bill May many times in an attempt to talk to him about information I had about the case, but Mr. May never accepted my calls. I called Mr. May collect, because I was calling from either the Nueces County or Victoria County jails. Mr. May never came to visit me to discuss the case. The only time I recall talking to Mr. May outside of trial was one time in the Rockport courthouse on a break from trial, for about five minutes.

3.       “After the San Antonio trial, I sent letters to Mark Crawford saying that I would testify at his federal trial. I never said that I would commit perjury or give false testimony for money. Neither Mr. May nor anyone on Mark Crawford’s defense team visited me or contacted me about testifying in the federal trial.

4.       “If I had been subpoenaed in the federal trial, I would have testified. I would have testified that, on the night I was arrested, Mike Beckom called me and told me to leave Nick Brueggen’s briefcase at a house that Mark Crawford used to live in. I

would have testified that, to my knowledge, Mark Crawford did not kill Nick Brueggen, but that Mike Beckorn framed Mark Crawford.

5. "I declare under penalty of perjury that the foregoing statement is true and correct."

Signed this 11 day of August, 2006.

  
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WILLIAM NOEL

1                                   **DECLARATION OF BILL MAY**  
2                                   **IN SUPPORT OF MOTION FOR APPOINTMENT OF**  
3                                   **INVESTIGATORS AND EXPERT WITNESSES**

4           My name is Bill May. I am the attorney for Mark Crawford. I have represented him in the  
5 capital murder trial in Texas and am familiar with the facts of the case. The same facts form the  
6 basis of the governments allegations of retaliation in the instant indictment. There is a necessity  
7 for the appointment of an investigator.

8           The defendant was arrested in Gulfport, Mississippi by state and federal agents. At that  
9 time there was a warrant for his arrest in the instant case as well as a state murder warrant. The  
10 defendant needs to investigate the circumstances of his arrest and booking in order to establish  
11 that he was in federal custody on this indictment. This would establish a violation of the Speedy  
12 Trial Act since he was not tried or even taken before a magistrate during the applicable times.

13           The defendant conducted an investigation of the background Nick Breuggen, the witness  
14 against whom the defendant is accused of retaliating, and in that investigation found judgements  
15 against him in civil cases which established that Nick Breuggen would falsely represent himself  
16 as having authority to collect premiums, bind coverages, and write insurance for legitimate  
17 companies without their knowledge or consent. The defendant intends to show at trial that this  
18 occurred in this case. He intends to show that Charles Mugredician, the CEO of Ararat, was  
19 connected with Nick Breuggen in fraudulent schemes before this instant fraud. After the  
20 defendant was indicted for defrauding Ararat the government indicted Charles Mugredichian for  
21 perpetrating the same fraud. The government has alleged in a pleading that Charles Mugredician  
22 was a bond risk and that among his business ties was a tie to Pacific Rim Equity Investments.  
23 The defendant proved at his trials in state court that Nick Breuggen was associated with Mulch  
24 Raj Dass in insurance fraud, and frequently used his name as an alias on bank accounts and other  
25 businesses. Mulch Raj Dass was associated with Pacific Rim Equity Investments and documents  
26 in the possession of state agents which have been turned over to the federal government  
27 demonstrate this fact. The defendant intends to show that Nick Breuggen and Charles  
28 Mugredichian acting together fraudulently represented that they were authorized to write  
insurance in California when in fact the defendant had not authorized this, and that the receipt of

1 premiums and writing of policies was done without the defendants consent or knowledge. In this  
2 regard it is necessary to incur the expense of an investigator to acquire documents and witnesses  
3 which prove these facts.

4 The defendant showed in State Court that persons other than the defendant had a motive  
5 to kill Nick Breuggen. The deceased had a business relationship with a company named BHW  
6 Inc. This company sold warranties on new residential construction. These warranties were  
7 backed by insurance provided by the deceased under the name Peoples Ins. This insurance  
8 company was no longer in existence and was not licensed in any state to write insurance. Its  
9 office was a post office box. Approximately 70,000 dollars per month were paid into accounts  
10 controlled by Nick Breuggen under the alias Mulch Raj Dass. After Breuggen was subpoenaed to  
11 the grand jury concerning the defendants insurance company writing insurance in California it  
12 was decided that Frank Bochiccio would take over this business from Breuggen according to the  
13 accountant. Accounts were set up for Mr. Bochiccio to receive these funds. Mr Breuggen set up a  
14 separate account without the accountants knowledge in Mr. Bochiccio's name without a power of  
15 attorney at a bank 30 miles outside of Houston where a friend employed by the bank helped him  
16 open this account. A signature stamp for Mr. Bochiccio was used to write checks. On the Friday  
17 before Mr. Breuggen's death he took a check from the accountants which had been sent to Mr.  
18 Bochiccio and deposited it into this secret account. The bank officer in charge of the account  
19 testified that on the same day Mr. Bochiccio called the bank and discovered that hte check had  
20 been deposited and asked if any checks had cleared. On Monday Nick Breuggen was murdered.  
21 On the following day Mr. Bochiccio cashed a \$5,000 dollar check out of the account and within  
22 the week transferred all the money to another account which he set up. During the ensuing  
23 months the account received approximately \$70,000 dollars per month in wire transfers from  
24 BHW Inc.

25 The first person to inform authorities of the murder was Kurt Johnson who confessed.  
26 Mr Johnson admitted he went to the authorities because he feared that Mr Beckom wanted him  
27 out of the way and would turn him in for the murder. Mr Johnson was secretly having an affair  
28 with Mr Beckom's girlfriend and he feared that he had been discovered, and he was afraid that

1 Mr. Beckom had discovered he was an informant for the DEA.. Mr. Johnson turned himself in to  
2 a close friend in the DEA. He received de facto immunity from federal prosecution and received  
3 ten years deferred a adjudication probation in State Court.

4 Mr Johnson said that he was supposed to kidnap Breuggen so that his accounts could be  
5 cleaned out since he had stolen some money from a man who may be named Frank. This reason  
6 was given to him by Mike Beckom. This motive negates an element of proof and is therefore  
7 relevant. All of the documents which had been admitted into evidence that demonstrated this  
8 were seized by state authorities and then turned over to the federal government. Despite repeated  
9 requests these exhibits have no been returned for use in trial. An investigator needs to acquire  
10 documents and interview witnesses concerning BHW inc and its ownership. This also requires  
11 out of state travel.

12 In the records of the Texas State Board of Insurance there were records of an  
13 investigation of Mr. Breuggen writing insurance in California as Peoples Insurance prior to the  
14 Viking allegations. This investigation was referred to the California State Board of Insurance. IN  
15 addition there were notations that the persons behind the killing of Mr. Breuggen was a Mr Green  
16 and an Andy Jalonkowiz who were associated with BHW inc. According to the memo these  
17 individuals feared exposure of their fraudulent insurance schemes by Breuggen. Allegedly this  
18 included a scheme in which they insured overseas risks in an amount exceeding a billion dollars.  
19 During December of 1995 Mr. Breuggen traveled to Italy with another individual involved in  
20 writing insurance overseas. His girlfriend Amber Miller admitted this under oath. The passport of  
21 Mr. Breuggen did not show a trip to Italy. Mr. William Noel testified that Breuggen used a set of  
22 identification identifying him as a merchant seaman Nicholas Cain which he used a substitute for  
23 a passport. The P.O. Box kept by Mr. Breuggen included this alias. It is necessary for an  
24 investigator to acquire documents and interview witnesses in connection to these travels and  
25 other related insurance fraud.

26 During the investigation thus far it has been established that Mr. Breuggen did  
27 fraudulently misrepresent himself as being able to write insurance in Houston Texas in regards to  
28 Asbestos removal. When claims were made and not paid the insurance company was notified.

1 The insurance company claimed that Mr. Breuggen was not authorized to write insurance for  
2 their company. During the lawsuit it was shown that Breuggen was not authorized to write this  
3 insurance had not forwarded the premiums to the company and that the company had not known  
4 he was doing this. There are several other suits in which the same scheme was used by Mr.  
5 Breuggen. This evidence is evidence of a scheme or plan which would exonerate the defendant as  
6 being part of any insurance fraud. These facts need to be investigated by an investigator as well.

7 In order for a jury to understand the insurance fraud in this case it will be necessary for a  
8 defense expert to educate the jury about the insurance business. In particular it is important to  
9 show the jury that the owner of the insurance fraud need not be involved when an unauthorized  
10 person is masquerading as an authorized agent. Therefore an expert in insurance and insurance  
11 fraud is a necessary defense expert.

12 In the trial in State Court the defense consulted with a forensic expert Max Courtney. He  
13 was an expert in duct tape and also gathered scientific evidence from the box which Nick  
14 Breuggen had allegedly been killed in. At issue in the case was whether a piece of duct tape  
15 which had the defendants fingerprint was associated with tape used to seal the box to suffocate  
16 Nick Breuggen. He would provide evidence that they were not associated and show that several  
17 different types of tape were present at the defendants shop.

18 In the trial in State Court the defense secured the testimony of an expert in the installation  
19 of TV satellite dishes. The body of Mr. Breuggen had been found in a hole which had been dug  
20 by another person ostensibly for a satellite dish at the defendants request. The State attempted to  
21 show through an expert that the hole was not suitable for satellite installation and was really a  
22 grave. The defense expert testified that he went to the area and determined that in fact the hole  
23 was the best location for the satellite dish and the size of the hole was appropriate given the type  
24 of soil.

25 In the trial in state court an issue was the cause of death of the deceased. The Nueces  
26 County Medical Examiner called as a State witness testified that the cause of death was  
27 asphyxiation by automobile exhaust by history. He admitted that he found no evidence showing  
28 that this was the cause of death, and ruled as so only because this was what the accomplice had

1 said had happened. The government maintains that the deceased was locked in a large metal box  
2 to which a hose from an exhaust was attached. The expert hired by the defense examined this box  
3 and found no evidence of any trace elements from exhaust in the box. The defense would use  
4 another medical examiner to establish an alternative theory of the cause of death, namely that the  
5 deceased may have died from an insulin overdose. A quantity of insulin and a syringe was  
6 recovered by law enforcement from Mike Beckom when he was arrested. Insulin would also  
7 cause death in fashion similar to asphyxia deaths where a large enough dosage is given. A theory  
8 of the defense used in the State trial was that the defendant was killed elsewhere and his body  
9 taken to the defendants building in order to frame him. William Noel testified at trial that Mike  
10 Beckom framed Mark Crawford and had asked him to plant the briefcase of the deceased at the  
11 house of Mark Crawford.

12 I declare, under penalty of perjury under the laws of the State of California, that the  
13 foregoing is true and correct on information and belief.

14 DATED: May 13, 1998.

15 Respectfully submitted,  
16 LAW OFFICES OF BILL MAY

17  
18 BY:  \_\_\_\_\_

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