Origin:

Prior to Joseph McStay's disappearance, he owned and operated the "Earth Inspired Products" fountain company. Charles Merritt was identified as a laborer who worked for Joseph McStay. The following is a synopsis of several interviews conducted with Charles during the missing persons investigation by the San Diego Sheriff's Department Homicide Unit. I have bolded the date and time of each individual interview.

Investigation:

Charles "Chase" Ray Merritt
DOB 5-2-1957
CDL# N3535250
11660 Church Street #619
Rancho Cucamonga, CA 91730
(909)374-0102 cell

Idesign fountains (owner)
Metro Sheet Metal
525 Clydebank Avenue
Azusa, CA 91702
(626)812-4455 work

Earth Inspired Products (laborer)
Joseph McStay's company

On Wednesday, February 17, 2010, Detective S. Fiske attempted to contact Charles Merritt on the telephone. She left a voice message on Charles cellular telephone requesting contact.

On Wednesday, February 17, 2010, at 1154 hours, Charles returned Detective Fiske's telephone call. Charles agreed to meet with me and Detective Fiske to be interviewed. Charles informed Detective Fiske that he had an outstanding warrant. He was concerned that he would be arrested after the interview. Charles claimed he had a scheduled court date for Thursday, February 18, 2010. He assured Detective Fiske that he would clear his warrant as scheduled. Charles told Detective Fiske his initial crime was a commercial burglary which occurred about eight years ago. His warrant was a failure to appear warrant and he anticipated having to do about 23 days in jail when he was sentenced. Detective Fiske assured him that the interview was our primary concern and that we would not take him into custody if he met with us.

Charles provided Detective Fiske with the name and contact information for his attorney, Rosanne Scalozeno. Charles told Detective Fiske that he recently had a heart attack and his medical issues have been one of the reasons that he was unable to take care of his judicial responsibilities. He claimed that he wanted to be interviewed by detectives because he understood the importance of the investigation and he wanted to help Joseph and his family in any way that he could.

Charles agreed to meet us at his residence located at 11660 Church Street #619 in the city of Rancho Cucamonga. He claimed he typically spoke to Joseph on a daily basis and he had intimate knowledge of Joseph's family, relationships, and business. Detective Fiske asked Charles to estimate the driving time to his residence from San Diego. Charles asked her how far south we were located in comparison to Joseph's residence. He claimed it was exactly an hour driving time to get from his residence to Joseph's residence in Fallbrook. Detective Fiske asked Charles if we could meet him at his residence at about 1630 hours. He agreed.

Charles told Detective Fiske that he had viewed several news reports and blogs and he was shocked at the information that the news was able to publish about Summer McStay. He asked if law enforcement could stop the media from releasing negative news articles about her. He recommended that law enforcement look into the blogs and talk to the authors of the negative comments claiming Summer McStay was Columbian. He believed Summer was a U.S. citizen. Charles told Detective Fiske he looked forward to helping law enforcement and that he was unconcerned if he got arrested as a result of meeting with us. He wanted to do anything that would help find the McStays.

Charles claimed Joseph was "pretty much my best friend." Charles estimated that he talked to Joseph on the telephone 10-15 times a day over the past two years. Charles has been concerned about Joseph for several days since he has not been able to contact Joseph. He had attempted to contact Joseph every day and had been to Joseph's residence since losing contact with him. On his way home from Joseph's residence he stopped at Joseph's mother's house (Susan Blake) and asked her if she knew where Joseph was. He recommended that she contact law enforcement to report his disappearance. Charles decided to leave it to the family to report Joseph as missing.

On Wednesday, February 17, 2010, at 1626 hours, Detective Fiske and I met with Charles at the recreation room of the apartment complex where he lived located at 11660 Church Street in the city of Rancho Cucamonga. Charles told us he lived in unit #619 with his wife and his child.

I asked Charles to describe his employment with Joseph McStay's business. Joseph owned Earth Inspired Products. Charles owned Idesign. The two businesses were completely separate entities. Charles' business manufactured custom business waterfalls. Charles used subcontracted businesses to complete the manufacturing of his waterfalls. He claimed he "jobbed out everything now." He typically subcontracted businesses to complete the stainless steel work on the waterfalls with Metro Sheet Metal. Charles owned Idesign and he had no other employees. I asked Charles for the address of his business and he claimed he did not know it. Charles called a male named Dave on the telephone to verify the business address on the telephone. Dave was the owner of Metro Sheet Metal. The address provided was the address for the Metro Sheet Metal business.

I asked Charles if Joseph had ever visited the Idesign shop. Charles claimed Joseph had been to his shop on one occasion. Charles later told us that Joseph was probably at the Metro Sheet Metal Company on a couple of occasions as he recalled that they would take photographs of their products prior to shipping them to the customer.

At this point in the interview I was contacted, on the telephone, by the San Bernardino Sheriff's Department. I had previously requested the delivery of DNA swab kits to our location. Detective Fiske explained to Charles that we contacted the local law enforcement agency to receive the DNA kits to alleviate his possible fear that he would be arrested for his outstanding warrant. Detective Fiske told Charles he was not under arrest and he was not going to be arrested, for his warrant, during our interview. Charles told us he was more concerned about the interview than being arrested for his warrant. Detective Fiske told Charles she intended to follow up on the status of his search warrant in the future to ensure he actually cleared the warrant.

Charles claimed he last saw Joseph on Thursday, February 4, 2010, at about noon. Charles and Joseph worked together on a water feature project for a company in Saudi Arabia and also for the local Paul Mitchell hair salon corporate office. On Thursday, February 4, 2010, at about noon, Charles and Joseph met at the Chick-fil-A restaurant in Rancho Cucamonga (12190 Foothill Boulevard) to discuss the business project in Saudi Arabia and the Paul Mitchell account. Joseph bought lunch for both of them as they talked business.

During the lunch meeting at Chick-fil-A, Charles and Joseph discussed the specifications on the water features for the Saudi Arabia project and the Paul Mitchell project. They discussed where the electrical connectors would come out of the water features.

I asked Charles if Michael McStay was present during this meeting at Chick-fil-A. He confirmed that Michael was not at Chick-fil-A with him and Joseph. Charles told us he had very little contact with Michael in the past. He met Michael at Joseph and Summer's

wedding and then saw Michael again at one of Gianni McStay's birthday parties. Charles claimed at Gianni's birthday party Michael and Summer "clashed." Michael and his mother (Susan Blake) left the birthday party early as a result of the verbal conflict between Michael and Summer. Susan also "clashed" with Summer during this party. Charles described Summer as "very verbal." Charles also described Michael McStay as "verbal and very excitable." During that party, Summer said something about Michael's wife and Michael verbally defended his wife.

Charles claimed that Joseph told him that Joseph and Summer had difficulty getting along.

Charles told us he had talked to Michael more in the past week than he had ever talked to Michael in the past.

Charles had written notes to himself in preparation for this interview. I read the notes he had written and read the notes aloud. His notes read, "Payments to Metro. Got checks and rent. Went over when to write the checks. Quickbooks on-line. Decide to delete and start Quickbooks Pro 2010. Credit card for purchasing Quickbooks." Charles claimed Joseph had provided him with Joseph's credit card number to purchase the Quickbooks Pro 2010. Charles claimed Joseph wrote down his credit card number for Charles to use. Charles used the credit card number to order Quickbooks and then Charles disposed of Joseph's credit card number and did not use it again. Charles made these transactions two or three days after February 4, 2010.

Charles claimed Summer had no idea how much money Joseph actually made. He believed Summer never knew the amount of Joseph's income. Charles believed Summer had a problem with credit cards. Summer frequently shopped using credit cards. She enjoyed shopping at the Ross Department Store. Summer's abuse of credit cards "had come a big thing with Joseph." Joseph would not tell Summer how much money he made as he was concerned that Summer would continue to shop and waste the available funds.

I asked Charles if he knew how much money Joseph actually made. Charles claimed Joseph did very well selling the "customs" but he was not sure how successful Joseph was at selling the production waterfalls. Charles told us he personally does not do any production waterfalls. Charles claimed he was responsible for virtually all of Joseph's custom waterfall orders. There have been a few custom waterfalls that Charles did not do for Joseph but this was rare.

Charles showed me a handwritten document and he claimed it was a "running tab" of all of the business from January, 2009. The job total amount was $297,000. Charles was

not sure of the amount of profit he shared with Joseph but he estimated the amount at an unknown income above $100,000. Joseph was responsible for the purchasing of pumps, lights, and shipping of the custom orders. Charles estimated the cost of these items for a custom waterfall at $200-$600 depending on the waterfall.

I asked Charles to clarify the amount of money he and Joseph made off the custom waterfalls. Charles claimed the $100,000 was the approximate profit that Joseph made on his own. Charles received 65% of the money paid by the customer for a waterfall. Charles used the example; if a waterfall costs $10,000, I receive $6,500 and Joseph receives $3,500. Out of the moneys received, Charles purchased the stainless steel and the glass for the waterfall. Charles also transported the parts of the waterfall during various stages of the construction of the waterfall. Joseph was only responsible for the pump, lights, and shipping of the waterfall. All of the money not used in building the waterfall was profit for each man. Charles estimated his actual cost for the primary material used in a $10,000 waterfall to be $2,500-$2,750. Then Charles had to pay to have the waterfall constructed or produced. He estimated his production cost for the $10,000 waterfall at $1,500-$1,800. (using the numbers provided by Charles, the overall cost for Charles to build the $10,000 waterfall was between $4,000-$4,550. He received $6,500 from Joseph for this product giving Charles an overall profit of $1,950-$2,500)

Charles claimed he used to be able to construct the waterfalls on his own which saved him the production costs. His physical limitations now prevented him from doing the manual labor so he subcontracted the production out to other companies. His physical limitations were caused by a recent heart attack.

I asked Charles to describe Dan Kavanaugh's role in the business. Charles told us, "he's the Webmaster." Dan actually owned part of Earth Inspired Products. Joseph was in the process of buying Dan off. Charles claimed Joseph and Dan were not "real happy together." Charles corrected himself and claimed that Joseph was not happy about having to pay Dan so much money. Charles had no idea what the actual amount of money was paid to Dan for his services. Charles claimed that he had never met Dan.

The first time Charles talked to Dan on the telephone was in the past week when "all of this started." Dan had called Charles on the telephone and asked Charles, "Dude. What are we going to do?" Charles told Dan he did not know what they were going to do. Charles did not have access to Joseph's emails. Dan told Charles he would send him pertinent emails related to customer complaints or orders and Charles could deal with the customers. Dan and Charles decided to operate this way until Joseph got back to keep the business going. I asked Charles if he could remember the day when Dan called him. Charles guessed the date to be February 9, February 10, or February 11. Detective Fiske

asked Charles if Dan called him or if Charles called Dan. Charles believed that Dan called him because he did not have Dan's telephone number.

I asked Charles if there were any other employees who worked for Joseph. Charles stated, "Joseph owns Earth Inspired Products. Dan runs the website. He owns, Dan, I believe, owns the website. Joseph was buying the website from him and I know for a fact that Joseph only owed him two more thousand dollars. And it was paid off. Then he was only going to be paying him to run the website instead of paying him a percentage of sales. That's the extent that I know about Dan."

Charles claimed Joseph contacted him about two and a half or three years ago. Joseph requested that Charles build waterfalls for Joseph. Charles claimed he is not an employee of Earth Inspired Products. Charles just manufactured waterfalls. Charles claimed he had his own line of waterfalls. Charles stated, "Yeah. We're partners in getting waterfalls done and, you know, we make money but, he owns Earth Inspired Products. I own Idesign. He buys the waterfalls from me and pays me for them. And that's pretty much the extent." Charles claimed he knew of Joseph's financial status because Charles believed he was responsible for 75% of Joseph's income.

Charles claimed they were so close that Charles had Joseph's authority to purchase lighting and pumps with Joseph's credit cards. He described it as "comingling with the businesses." When questioned what bank or credit cards Joseph had, Charles claimed Joseph would verbally give him the credit card number to use to make the purchases. Charles believed Joseph had 8-10 credit cards that he used. Charles had knowledge that Joseph used PayPal to pay for some items. Charles was positive that Joseph had a UnionBank account. Joseph used checks from UnionBank to pay Charles.

Charles believed Joseph previously banked at Wells Fargo but after Joseph split from his dad (Patrick McStay) he opened his account at UnionBank. Joseph and his dad were in this business together at the very beginning because Joseph did not have any credit. Joseph went to his dad to help him establish a merchant account due to Joseph's lack of credit. After Joseph's credit improved Joseph eliminated his dad from "everything." Charles guessed it was about a year ago when Joseph separated from his dad financially.

Charles described how he sat with Joseph about 3-4 weeks ago when Patrick McStay called Joseph on the telephone. Patrick told Joseph that he had "some kind of bad debt." Charles told us Joseph talked to him about the conversation with Patrick after the call but Joseph did not describe the "bad debt." Patrick was being taken to court over the debt. Patrick was concerned as they were going to put a lean on all of his financial accounts. Patrick was concerned that his name may have still been on the Earth Inspired Products financial accounts. Charles stated, "From what I understand, Joseph's dad doesn't have

any money. You can't squeeze blood out of a turnip. But his dad was afraid they would try to get money from his accounts, Joseph's accounts."

Charles told us, "Up until the 4th, I don't think tha, I can't remember a day, I mean, I'm sure there has been days that I haven't talked to him. But I can't remember a day that I haven't talked to him, and almost every day, almost every day, 10-15 times. Almost every single day for the last two years." Charles encouraged us to check Joseph and his phone records to verify this statement.

Charles claimed he last spoke to Joseph on the telephone on February 4, 2010. Charles received an email from Joseph from Joseph's home around 1030 hours. He met with Joseph for lunch at Chick-fil-A at about 1200 hours. At about 1430 hours, Joseph left the Chick-fil-A in his vehicle. I asked Charles if he knew if Michael McStay talked to Joseph at Chick-fil-A when he was there. Charles claimed Michael was not there when he arrived and Joseph arrived after him. Michael was never with them at Chick-fil-A. I told Charles the reason I asked him that question was that it was my understanding from Michael's statement that Michael ate lunch with Joseph at Chick-fil-A on February 4, 2010.

I asked Charles why he needed to meet with Joseph face to face to discuss the business. Charles claimed there were physical business checks that they exchanged. Joseph gave Charles two checks which were made out to Metro Sheet Metal in the approximate amounts of $250 and $1,600. The checks were made out to pay for crating, insulation of electrical, lights, a light bar, and plumbing. Charles gave the two checks to Dave at Metro Sheet Metal on either February 4 or February 5. Dave possessed the two checks until after Joseph was reported as missing. Dave contacted Charles and asked him what he should do with the checks. Charles told Dave that he would contact Joseph's mom (Susan Blake) to see if it was a problem for Dave to deposit the checks knowing Joseph was missing.

Charles also received a check from Joseph at Chick-fil-A for himself. They discussed when the money was going to be coming in from Paul Mitchell and when Joseph's account would be positive enough for Charles to cash the checks. They also discussed where the electrical boxes would be mounted on the waterfall. He described the Paul Mitchell waterfall as a 24' long by 10' tall waterfall. He called it a "water wall." Joseph did not manufacture waterfalls. Joseph did the drawings for the waterfalls. Joseph brought his drawings and pictures to discuss the project with Charles.

Charles estimated Joseph would travel to Rancho Cucamonga to meet with him about 1-2 times a month. Charles claimed he would drive to Joseph's home more often than Joseph

drove to Rancho Cucamonga. Charles estimated that Joseph had been living in his new Fallbrook home for the past four months.

Charles helped Joseph move out of his residence in San Clemente and they packed the McStay belongings into storage PODS. Charles did the physical labor as Joseph was sick. Joseph had vertigo and he was sick to his stomach. Joseph had been seeing a doctor for his ongoing ailments. Charles believed Joseph had been sick since two months before moving out of the San Clemente residence. Joseph preferred to be lying in bed. Charles told us to check with Joseph's mother (Susan Blake) as she may know what his medical condition was.

Charles claimed Joseph was so sick that he would frequently work on his laptop computer from his bed. There were a few times that Joseph felt well enough to participate in men's soccer. Charles believed Joseph played soccer on two occasions in January, 2010.

Charles claimed the last time he talked to Joseph was well after their meeting at Chick-fil-A. Joseph had the plan for that issue at his residence. When Joseph returned home after meeting with Charles he called Charles. Joseph was "sitting at his desk at home." Charles could hear the kids in the background as he talked to Joseph on the telephone. Charles estimated the time of the telephone call at 1700-1730 hours on February 4, 2010. Charles also talked to Joseph on at least two occasions as Joseph drove home from Chick-fil-A. Charles stated, "He was just going home."

Charles described Summer as a "pain in the butt." He claimed Joseph was "pussy whipped." Joseph definitely loved Summer. Summer was verbal. Charles gave the example of his visit to the McStay residence a couple of months ago. They had ordered pizza and Charles had his own individual pizza. His pizza was topped with mushrooms and onions and the McStay's liked other toppings. Charles opened the pizza box and grabbed a slice of pizza. Charles said, "She went off on me. Because I was teaching her kids bad habits. You know. That isn't the way you eat food. You're not gonna eat that way in front of my children." Summer wanted Charles to get a plate and use a fork to eat his slice of pizza. Charles complied. That same night the adults discussed corporal punishment. Charles admitted having a "session" with his own child because his child was hard headed. Charles told Summer and Joseph that he paddled his son's butt. Since administering the punishment, Charles son had been doing as he was asked. Charles said, "She went off on me and told me that I broke his spirit, and you know, I mean, she just went off. What kind of father are you and corporal punishment is not something that you should ever do." Charles did not believe that Summer would get physical with anyone and he had never seen any domestic violence between Summer and Joseph.

I asked Charles if he knew Joseph's other son. Charles responded, "Jonah." Charles had met Jonah on several occasions. Jonah had not been around Joseph's residence lately. Joseph told Charles that Jonah was getting to the age where he is more independent. He knew Jonah was 13-years-old. Charles believed Summer loved Jonah. Charles did not think there was any relationship between Joseph and Joseph's ex-wife, Heather (McFadden). Charles did not think that Summer had a relationship with Heather either. Heather was a non-issue. Charles believed Joseph would have told him if there was a problem with Heather.

Charles believed Joseph was not a jealous person. He believed Summer would be a jealous person but he had not observed any of Summer's actions which would prove this theory.

I asked Charles what he believed happened to the McStay family. Charles claimed he had discussed this question with his wife several times. He had heard Joseph's mom's belief that the family went into Mexico and caught an airplane to another location. Charles did not believe that Joseph would take his children into Mexico for any reason. Charles recanted and told us that Joseph might take the children into Tijuana, Mexico, but no deeper into Mexico. Charles claimed Joseph did not have any enemies. Everyone loved Joseph. Joseph's finances appeared solid. Charles did not believe any person would gain from the death of Joseph or Summer.

I asked Charles how this is affecting him personally. Charles claimed if Joseph did not return, his business was lost and he was done. Charles denied any knowledge of the family's disappearance. Charles denied any involvement in the family's disappearance. Charles reiterated that with Joseph missing, no person had anything to gain and there were people who would have things to lose in his absence. Charles had been fielding business telephone calls in Joseph's absence. He had a difficult time pleasing customers as he is a builder of waterfalls and not a sales or design person.

I asked Charles if he and Dan were going to continue to run Earth Inspired Products in Joseph's absence. Charles claimed Dan planned on coming to him to discuss that option but Charles believed "there was too much" to do to run the business. Joseph did all the drawings and took telephone calls from customers. Joseph worked 10 hours a day, every day. Joseph had all the contact information for all of the pumps and lights for the waterfalls. Charles did not have this information. Charles hoped that Dan can step up and get things done to keep the business going. Charles had sold one waterfall since Joseph disappeared but it was a project that began while Joseph was around.

Charles believed Dan was flying in from Hawaii the day of this interview (Wednesday, February 17, 2010). I asked Charles if he actually believed Dan was living in Hawaii.

Charles believed Dan had been living in Hawaii for the past two years. Charles had never met Dan. Prior to Joseph's disappearance, Charles had not spoken to Dan. Charles knew of Dan's relationship and business with Joseph from Joseph's words. It was Charles belief that Joseph and Dan made a deal for Joseph to pay Dan $50,000 to manufacture and run the Earth Inspired Products website. Joseph had been paying this debt off and he was about $2,000 from finishing the final payment on the debt to Dan. When the debt was paid off, Joseph would own Earth Inspired Products and then pay Dan to run the website. This would eliminate Dan as a business partner. Charles knew that Joseph and Dan were "business partners" who mutually owned Earth Inspired Products. Joseph talked about this issue "all the time."

Charles knew that Joseph and Dan had a "spat" about 6-8 months ago. Joseph decided to pay Dan for the website. Dan was a computer hacker. Joseph feared Dan would be able to push a button and the website would be down. Dan had mentioned this threat in the past. The spat resulted in the agreement for Joseph to buy Dan out and then pay him to run the website.

Charles told us Summer typically drove the family's green pickup truck. Joseph would typically drive the family's white Trooper. Joseph was driving the white Trooper on Thursday, February 4, 2010 when he arrived at Chick-fil-A. There was no other person with Joseph. Charles did not know if the child seats were in the Trooper when he arrived at Chick-fil-A. When Joseph and Summer travelled together they would take the white Trooper. Charles had never driven the white Trooper but he had been a passenger in the Trooper. His last trip in the Trooper was about a month and a half ago. Charles was a front seat passenger as he and Joseph went to Camp Pendleton to play paintball.

Charles had visited the McStay residence on numerous occasions. Charles built the shed that the McStay's used as a doghouse in their backyard. Charles did not ask for money for his labor. Charles considered Joseph his best friend. Summer wanted the unassembled shed out of the garage to open up free space to receive the storage PODS and unload their property. Joseph asked Charles to build the shed for him as Joseph was physically unable to complete the task. I asked Charles if he knew where the PODS were being stored. He did not know. He loaded the PODS in San Clemente but they are stored at an unknown location. Summer and Summer's mother (Blanche Aranda) helped Charles pack the PODS when they moved away from San Clemente. Charles spent three working days at the San Clemente residence during this move. He described Summer's mom as not memorable. He believed Summer and her mother's relationship was normal. Charles described how he packed a third of the first POD while Summer and Summer's mother were away from the residence. Summer returned home and did not approve of Charles packing into the POD. She went off on Joseph and told Joseph to have Charles take the property out of the POD. Joseph and Summer argued for about five minutes in

front of Charles. Charles decided to unpack the POD to save Joseph from Summer's verbal attack.

I asked Charles if he knew why the McStay's moved out of the San Clemente residence. He knew the landlord had given them notice. Joseph told him the landlord evicted them because there was too much stuff in the driveway. The residence was a duplex and the driveway was covered with kid's toys for the boys. Charles described it as a "mess." The adjoining neighbor complained enough to have the landlord give them notice. Joseph had already been looking for a home to purchase. Joseph and Summer received a notice from the court related to the eviction. They did not respond to the court summons and they ended up legally evicted without much warning.

Charles described the interior of the McStay residence as messy. He claimed the children were a major cause of the mess in the residence. Summer would occasionally make her home spotless but most of the time there was stuff all over. They did not keep food out. There was dog hair all over their house.

I asked Charles when he first tried to contact Joseph after the Thursday, February 4, 2010 meeting and subsequent telephone calls. Charles believed he would have tried to call Joseph a few times a day every day after February 4. Charles went to Joseph's residence on either Tuesday, February 9, or Wednesday, February 10. Charles needed to talk to Joseph as they had work bids pending. Charles knocked on the door and rang the doorbell. The white Trooper was not at the residence. The dogs were barking. There were no notifications on the front door. Charles entered the backyard to check on the dogs. The water dish was inside the shed. There was no water in the dish. There was an empty bag of dog food in the shed. Charles filled the water bowl and placed it back into the shed. Charles claimed the dogs did not sleep in the shed. The dogs typically slept in the house with the family. The puppy would sleep in the upstairs laundry room. The dogs would be outside all day long when the family was home. Joseph was the person who would bring the dogs into the residence at night. Charles checked the doors around the house. They were locked. He did not check the windows.

Charles left the McStay residence and drove straight to Joseph's mom's house. Joseph's mom lived just south of Corona. Her house was on Charles' way home to Rancho Cucamonga. Charles knew where she lived because he had moved some of the McStay property to her house for storage when they moved from San Clemente. Charles informed Joseph's mom that he had not been able to contact Joseph for several days. She confirmed that she had not heard from Joseph either but she did not consider that unusual. She agreed to try to get ahold of Joseph. She also agreed to call Michael and to try to call Summer's cellular telephone. They talked for a few moments and Charles left.

Charles next called Michael on the telephone. He believed it was Friday, February 12, 2010. Charles informed Michael that he was going to return to Joseph's house to attempt to contact him again. Charles arrived and noticed that someone was taking care of the dogs. The water bowl was now in the backyard under the water spigot. The water was slowly dripping into the bowl. Charles called Michael and he called Susan to report his findings. Susan believed someone was taking care of the dogs based on Charles' observation. Charles confirmed that someone moved the water dish but Charles did not believe there was anyone specifically taking care of the dogs. Charles looked into the windows of the house. He noticed Joseph's rear office window was part way open. The screen was intact and on the window. He could see into the living room area from the front of the house. He called Michael and told him to call the police to report his findings. Michael did not call the police. Charles did not go into the residence. He considered entering the residence but he chose not to because he believed Michael would come down from San Clemente. Charles returned home.

Charles called Michael on Saturday, February 13, 2010, in the morning. He asked Michael if he wanted to meet him at Joseph's house. Charles claimed "everyone was upset" at this point. Charles was upset that no person had called the police. Michael and Susan had claimed that they knew Joseph and they believed he took a vacation. Charles encouraged Susan to call the police anyway. Charles called Michael and Michael agreed to call the police on Sunday, February 14, 2010.

On Sunday, February 14, 2010, in the midday, Michael, Michael's wife, and Michael's children met Charles at a gas station near Joseph's residence. Charles led them to Joseph's residence. Michael and Charles walked the neighborhood and checked with the neighbors to see if anyone saw the McStay family. Michael appeared upset after talking to the neighbors. Charles advised Michael that he should go into the house to check it. Michael went into the backyard. The dogs were still in the backyard.

Michael entered the office window. The blinds on the interior of the window were down. Michael pushed his way past the blinds as he climbed into the window. Michael met Charles at the rear sliding glass door. He unlocked the sliding glass door for Charles. Charles went to the front door and let Michael's wife and children into the residence. Charles noticed the office lamp was illuminated. He told us the office lamp is always illuminated and this was no exception. Joseph intentionally left the office lamp on because the McStay children would get up in the middle of the night. The children would walk downstairs to get water from the refrigerator. The lamp illuminated the staircase leading to the kitchen. Charles believed the entire family slept in the same bedroom. He had observed the blowup air mattresses in the master bedroom.

Michael's wife and children needed to use the bathroom. They all went to the bathroom in the house. Michael's wife used the downstairs bathroom. Michael's wife remained downstairs and never went upstairs. Michael went upstairs to look at the house. When they exited the house they locked the doors. One of Michael's children needed to go to the bathroom. Michael suggested having the child use a neighbor's bathroom as the house was locked. The neighbor allowed the child to go to the bathroom in their house.

Charles believed Joseph was in the process of buying the Fallbrook home when the family got evicted from San Clemente. After the immediate eviction they had to move to Susan's residence to wait for escrow to close on the new house. He believed they lived with Susan for about three weeks. Susan was not happy about this time period as she kept an immaculate house. The dogs and boys made a mess of her house.

I asked Charles for his consent to submit to a DNA oral sample as his DNA would be inside the residence. Charles had no problem volunteering for the consensual DNA sample.

Charles drove a white and gray 1999 Chevrolet 3500 pickup truck. Charles was 6'02" and 210 pounds at the time of this interview. Charles estimated Joseph to be 5'08" and about 175 pounds.

Detective Fiske asked Charles if he remembered when Joseph's cellular telephone quit going to voice mail. Charles claimed every time he called Joseph's phone the phone went to voicemail. On Charles last attempt to call Joseph, Charles left a voice message. The phone would ring 5-6 times and then go to voicemail. Charles did not notice any change in the number of rings on Joseph's phone.

Charles was not aware of any person that Joseph would know in Mexico to do business with. Charles denied doing any business with any person in Mexico. Charles last visited Tijuana about a year ago to purchase Viagra over the counter.

Detective Fiske asked Charles to try to recall what he did on Monday, February 8, 2010. She reminded him that it was President's Day. Charles had no specific memory of his actions on that date. He asked if he could call his wife to try to refresh his memory of what they may have done on that date. Charles called his wife and inquired. Charles wife informed him that they were all at home on that date. He placed her on speaker phone. She believed they were home all day.

Charles informed us that Summer always parked the green truck in the driveway of the residence. Summer had Joseph park the white Trooper in front of the residence on the

street. Summer did not like the Trooper parked next to the truck in the driveway as she would not have room to fully open the truck doors if the Trooper were in the driveway.

Detective Fiske challenged Charles claiming that during this interview he used past tense on occasion when he stated, "Joe was." She asked him if he had any knowledge that would indicate Joseph was dead. Charles denied any knowledge of what happened to Joseph or his use of past tense. Detective Fiske specifically told Charles he stated, "Joe was my best friend." Charles admitted that he likely made that statement but he believed Joseph is still his best friend.

Detective Fiske noticed a fresh injury to Charles' hand. Charles claimed he injured his hand on sheet metal. He walked by a piece of sheet metal and his hand ran into the edge of the stainless steel. The wound bled badly. He voluntarily showed us his arms and stomach to show us he had no other injury.

Charles had no idea why Joseph or the McStays would disappear. He did not think anyone disliked Joseph. Everyone loved Joseph. Summer did not know enough people to have enemies. Joseph's friends did not like Summer. Joseph's friends warned Joseph to not marry Summer. Joseph would laugh it off and tell them it's just because she's Columbian. Charles did not know if Summer was actually Columbian. It was Joseph who always claimed Summer was Columbian. Joseph used the Columbian reference in a positive way.

Charles claimed he and Joseph kept a running tab of income. They would owe each other up to $10,000 at any one time. It was common for them to exchange several thousand dollars at a time upon request. Summer did not like this arrangement between Joseph and Charles.

Charles admitted being financially strapped. He claimed his financial problems began with his heart attack. He owed $107,000 to the hospital for service related to his care for the heart attack. Business had slowed down recently and he was hoping for more business.

Charles claimed that Joseph used to use a pill called "E." Joseph described the pill as a pill that enhanced sexual arousal. Joseph stored the pills in the freezer in the kitchen. Joseph originally received the pills from a friend. Joseph offered the pills to Charles because Joseph did not intend to use it. Charles declined the offer and never saw the pills. Charles had never witnessed Joseph using drugs. Charles believed Joseph is religious and would not use drugs.

Charles had knowledge that when Joseph was younger he frequently took "E." Joseph's youth were days that Joseph referred to as his drug days. I asked Charles if the "E" was ecstasy. Charles was not familiar with ecstasy. Charles did not believe that Joseph would deal any type of drugs. I told Charles that we had previously heard that Joseph used to be a surfer who frequently smoked marijuana. Charles admitted that this information was accurate but that it was in Joseph's younger days.

Charles denied that he ever used drugs. Charles did not typically use alcohol either. Charles estimated that he drank a beer or two a year. Charles admitted trying marijuana when he was 22 years old. He remembered the first time when he smoked marijuana with his older brother. They were fishing on a boat on a lake. When they got in from fishing Charles drove a vehicle and ended up blacking out while he drove home. He woke and his vehicle was parked up on a curb. He never used marijuana again.

Charles and Joseph talked about Joseph's illness often. Joseph did not know what was wrong with him. Joseph was treating himself holistically.

Charles suggested that we interview Dan Kavanaugh and Joseph's soccer buddies to obtain more information about him. He claimed that Joseph and his brother, Michael, did not talk very often. Michael would call Joseph to borrow money. Summer did not like Michael at all.

Charles read an email he received from Joseph on Monday, February 1, 2013. It outlined the issues with the Paul Mitchell waterfall account. The money Charles expected to receive for the Paul Mitchell account was $7,775. The money he expected to receive for the Saudi Arabia job was $18,225. This was Charles portion of the two projects.

The email indicated Charles had been paid $173,000 over the life of the company. It indicated that Charles had been overpaid and owed Joseph some money. Charles claimed that they were even in monetary expenses after receiving money for the two projects. This concluded our interview.

On Tuesday, March 9, 2010, I received a telephone call from Charles Merritt. I had previously left a voice message on his cellular telephone requesting contact.

I told Charles that I was building a telephone call timeline for the case file. I asked him to verify dates and times of the calls he made to Joseph based on telephone records. Charles was very cooperative. I told Charles that Joseph's cellular telephone cell tower activity changed on Thursday, February 4, 2010, at about 1150 hours when the cell phone pinged off a cell tower near the McStay's residence in Fallbrook and then again on a cell

tower further to the north indicating Joseph was likely travelling toward Charles based on Charles previous statement.

I told Charles at 1252 hours Joseph called Charles from the area of the Chick-fil-A based on cell tower records. There was a second telephone call by Joseph to Walker Welding immediately after Joseph called Charles. Charles had no specific recollection of receiving Joseph's telephone call and he was not familiar with the business Walker Welding.

Charles called Joseph at 1301 hours. Joseph's cellular telephone pinged off a cellular telephone tower in the Ontario area. Charles sounded confused and claimed this would have indicated Joseph was on his way home.

Joseph then called Charles at 1530 hours and Joseph's cellular telephone pinged off of a cell tower in the Norco area. I told Charles that this series of cell tower pings only indicated that Joseph was in the area at those times but he was not with Charles.

The next telephone call was from Joseph to Charles at 1418 hours and Joseph's cellular telephone was pinging off a tower in the Fallbrook area indicating he was likely returning home. Joseph called Charles again at 1747 hours and Joseph's cellular telephone was in the Fallbrook area. Charles stated, "That sounds right. Because I was talking to him. I think I called…either I called him or he called me two or three times, three or four times after he left." I told him his recollection was accurate. He claimed they were still talking about the position of the electrical box installation on the waterfall for Paul Mitchell studios. They also talked about the mounting location for a dry box on the Saudi Arabia waterfall project. The waterfall was curved and the box was initially planned to be mounted in the center. Charles needed the box to be moved off center a few inches and he wanted Joseph's approval.

I asked Charles if the projects were finished. He confirmed that the Paul Mitchell project was finished and installed. The Saudi Arabia waterfall was finished and was about to be shipped. I asked Charles how the business was going in Joseph's absence. Charles claimed that he would be looking for alternative employment in the next week as business was not good. Charles told me business had been sparse for the past couple months with the exception of the Paul Mitchell and Saudi Arabia projects. They were now complete and he had no business.

Charles said since Joseph's absence business had "evaporated." There were customers who had called to make an order but they declined with the lack of communication. Dan had taken over the website and in Charles' opinion; Dan was not doing it well. Dan was not organized and it was a bigger project than Dan could handle. Charles was at a

Starbucks as he spoke to me. Charles was reviewing "tons of emails" that Dan had forwarded to him to resolve. Charles felt Dan should be answering the emails and not him. Dan would typically hold onto customer emails for several days and then forward them on to Charles. By the time Charles got in touch with pending customers, they were angry. I interrupted our telephone call as I had business to take care of at my desk. I told Charles I would call him right back.

I called Charles a few moments later. Charles told me while he waited he had called Walker Welding to inquire about Joseph's telephone call. The man Charles talked to on the telephone had no recollection of a conversation with Joseph McStay. Charles determined Walker Welding was a stainless steel sheet metal business. Charles was aware that Joseph was looking for another stainless steel business to help out but Charles was not familiar with Walker Welding.

I informed Charles that I believed Joseph may have left his residence in Fallbrook on Thursday, February 4, 2010, at about 1945 hours. The last telephone call Joseph makes on his cellular telephone is to Charles at about 2030 hours. The telephone records indicated the telephone call was 1 minute long.

I reminded Charles that his telephone call with Joseph was 3 minutes long at 1745 hours but it was only 1 minute at 2030 hours. Charles stated, "5:45, let me see a minute, um, I know that one of the calls that he made, I know for a fact that he was sitting at his desk. Because he was on his computer at home. I'm almost positive that he was sitting at his desk. Because he had to look up something specifically that he had in his office. And that's what he was calling, that, and, I saw that when he called me then, it was when he had just got home. Um, I think, I'm not positive. But I think he said that he had just gotten home. And he called me to give me the exact dimensions that the, um, electrical box, or the through box, was going to be in, in ahh, Paul Mitchell." I asked Charles if Joseph made any comments about leaving home again that night. Charles claimed Joseph made no statements indicating he was leaving. Charles had no recollection of the incoming telephone call at 2028 hours. I told Charles the ping on the cell tower for Joseph's cellular telephone at 2028 hours was in the Fallbrook area.

Charles told me to check the Italian restaurant near a freeway near Joseph's house. The McStay family liked that restaurant. Summer particularly liked that restaurant because of the salad they served. Charles again talked about his belief that the parents would not take the children into Mexico. Charles believed Summer or Joseph would go into Mexico but the parents would not take the kids into Mexico.

Charles told me he had talked to Michael about the video showing a family near the border of Mexico and Michael did not believe it was the McStay children as one of the

kids looked like a girl. I told Chase the local news had aired a video of a family that I too did not believe was the McStays. The video the news aired was not part of my investigation. I told him the two children in the video I possessed were likely wearing beanies. Charles stated, "Oh shit. Because Joseph's kids, probably, matter of fact I am sure you can, quite sure, Mikey gave you all the videos and stuff? I can tell you probably 85% of the time, Joseph and his two boys wear beanies." Charles described how Joseph's normal routine was to wake in the morning and put a beanie on his head. By the mid-afternoon, Joseph would brush his hair and remove the beanie. Sometimes he never took it off during the day. Joseph wore a beanie most of the time. Especially in cold weather. Whether he is in the house or not.

I asked Charles if Joseph was wearing a jacket or a beanie when he last saw him on Thursday, February 4, 2010. Charles stated, "He was wearing a beanie. Yes." It was a single dark gray colored basic knitted beanie. Charles did not remember Joseph wearing a jacket. He believed Charles was not wearing a jacket.

I stopped our interview to talk to Sergeant Martinez (my supervisor). My desire was to send Charles a still photograph of the four persons that law enforcement had discovered crossing the USA/Mexico border on Monday, February 8, 2010, at 1900 hours. That image had not been released by the Sheriff's Department but I wanted Charles to see if the images matched the McStay family. Sergeant Martinez and I decided to send Charles a still image from that border crossing video. Charles asked me to send the image and then allow him to hang up the telephone to view the photographs on his cellular telephone. I asked Charles to have an open mind and determine if he could recognize the size, stature, or clothing of the persons to compare that to his knowledge of the McStay family members. I told him I did not know if the images were the McStays but I wanted his opinion.

I asked Charles about the several PayPal cash transfers from Joseph's account to Dan Kavanaugh on February 16, 2010. I told Charles the monetary amount of the transfers were $3,000, $2,447.99, $2,000, and $1,000. I asked Charles if there was a good reason for these financial actions. Charles told me it was more than likely valid transfers. Charles is not familiar with how PayPal worked but he was pretty sure there are limits for each single transaction. Charles believed Dan needed to get $1,000-$2,000 to Charles to complete the Paul Mitchell project. Dan also made a payment to an internet company. I asked Charles if Dan gave him a paycheck. Charles told me he did not work for Earth Inspired Products and that is not how he was paid. He was paid off the profit from building of the waterfalls. If Charles did not build a waterfall, he did not receive a paycheck. Charles claimed there was no payroll agreement between him and Joseph. I asked Charles to view the two photographic images I forwarded to his cellular telephone. I asked him to call me back as I disconnected our call.

A few moments later he returned my call. Charles thought the photographs were only silhouettes. I told him law enforcement believed it "could be" the McStay family. I told him other McStay family members believed it "could be" the McStay family. I asked him what his belief was. He asked me if the image of the male in the video was carrying a backpack. I told him I believed it was a shadow but I would view it again. I told him I believed the children may be wearing a backpacks based on my observations. Charles told me the older of the two McStay boys "was in love with his backpack." The older McStay boy treated his backpack like a security blanket. Charles stated, "He wore it everywhere. When he got up in the morning he put it on and he wore it everywhere." He thought the child holding the male's hand in the images I sent was the same size boy as the older McStay child. Charles believed if this child was wearing a backpack, it could be a possible sign that it was the older McStay boy. Charles did not believe the older McStay boy would go anywhere without his backpack. The backpack would typically contain a couple of toys and some snacks. Charles did not specifically remember the younger boy wearing a backpack.

Charles believed the grainy photographic image I had sent him possibly showed the adult male in the image wearing a backpack too. He told me Joseph also had his own backpack. Joseph used his backpack to carry his computer and electronic equipment for charging the computer and telephone. Joseph also typically carried his backpack with him. Charles did not think Joseph would walk into Mexico without his backpack as the contents were "his life."

I told Charles I was observing all of the still images from the USA/Mexico border crossing video. I told him I believed the male was wearing a light brown or light colored jacket. Charles told me Joseph always wore a Khaki colored jacket. I told Charles that the male's jacket appeared to have a hood attached or the male may be wearing a hoodie sweatshirt under the jacket. Charles told me Joseph's Khaki jacket had a hood. I sent the image I was viewing to Charles for him to view. Charles agreed that the male was not likely wearing a backpack. He thought the jacket in the image was white in color. Charles described Joseph's hair as Joseph wore beanies as typically being pulled back. Joseph would comb his hair in a backward motion and then place the beanie on his head. The exposed hair below the beanie was all in the back of Joseph's head. Charles described the older boys backpack as medium blue and had a black center pocket. Charles was not positive about his description of the backpack but it was his memory of the backpack. Charles could not say the images I sent him were the McStay family. Charles also told me he could not say the images were not the McStay family.

Charles told me he was not familiar enough with Summer to make an evaluation of her clothing. Charles did not care for Summer. She reminded him of his ex-wife. He did not believe that Summer treated Joseph very well.

I asked Charles if he took care of the outstanding warrant against him. He claimed he had been to the court but the warrant was still in the system. When he went to court the day after our first interview the court was dark and they would not talk to him. He intended to go back to court four days later. His attorney was on jury duty when the next appointment came. He was in the process of getting an appointment with his attorney to resolve his warrant.

I asked Charles if he believed Dan would withdraw money from the business account and get the money to Joseph. Charles told me he does not know Dan so he could not have an opinion. Charles does not trust Dan at all but he could not make that evaluation. Charles was concerned that Dan was destined to "screw up the business royally." This ended our telephone calls for the day.

On Tuesday, June 8, 2010, I called Charles on the telephone. I informed him we had filmed an "America's Most Wanted" episode related to this case. It was expected to air soon. I told Charles that I had received a couple of Earth Inspired Products customer complaints on my work telephone. The customers had claimed that they paid for water features and they had not received a product. The customers could not reach any persons from the Earth Inspired Products business. I asked Charles to handle the customer complaints as they had nothing to do with the investigation.

Charles apologized. Charles told me he had just received his Visa to leave the country. He intended to fly to Saudi Arabia next week to install the waterfall for the Saudi Arabia contract. He also received another project from a local welding shop.

Charles described a problem he was having with Dan over the Saudi Arabia project. He claimed he had obtained his Visa and bought his airline tickets to go to Saudi Arabia to finish the project. Dan had communicated with the Saudi Arabia customer and told them that Charles did not represent the Earth Inspired Product company. Dan told them that if Charles installed the waterfall, he would not warranty the waterfall. Dan assured the customer that he would find someone else to complete the installation. The Saudi Arabia customer called Charles and cancelled his planned trip to Saudi Arabia at Dan's direction. Charles explained to the Saudi Arabia customer that he was the only person in the country who could properly install the waterfall ordered. They cancelled Charles' services.

Three days later the Saudi Arabia customer called Charles and told him that Dan was not able to find an installer for the waterfall. They requested Charles come to Saudi Arabia to finish the project. Charles wanted to oblige but he was about to go into a 23 day custody period for the sentencing on his failure to appear warrant. Charles contacted the court and requested an extension for the start of his in-custody time. He was granted a 45 day extension to report to jail. Charles accepted the offer to go to Saudi Arabia to install the waterfall. Saudi Arabia was paying Charles $4,000 to fly to Saudi Arabia to install the waterfall.

Charles explained the Saudi Arabia debacle to show how Dan was screwing up the company and making customers angry. I told Charles that one of the companies which called me to complain claimed they sent Dan a check for $6,250 for a waterfall on February 23, 2010. It was also believed that Dan sent Charles $5,000 to manufacture that waterfall. Charles claimed Dan never sent him any money for that project and Charles was aware of the company which was complaining.

Charles believed Dan or Susan had paid a welding shop in Azusa $2,300 for money owed by Earth Inspired Products but no one was paying Charles for the manufacturing of waterfalls. It was Charles belief that Susan had obtained a "Doing business as (DBA)" license for Earth Inspired Products to try to keep the business going. Charles had knowledge that Susan opened a checking account titled "EIP" or something similar. Susan opened the account to enable her to cash incoming checks to Earth Inspired Products.

Charles is having financial difficulty as a result of Joseph's disappearance. Charles was having a hard time finding work. Charles believed Earth Inspired Products now owed him $14,000 for projects that he completed for the company.

Charles believed Dan took in "a huge amount of money" at Earth Inspired Products since Joseph disappeared but Dan was not paying bills. Charles had met Dan, and Charles impression of Dan was that Dan "was a little prick." Charles did not want to communicate with Dan.

I advised Charles that the waterfalls contracted through Earth Inspired Products was a civil issue with Earth Inspired Products. I warned Charles that a company had contacted me and complained that they sent a check to Cathy Jarvis (Charles' wife) for a final payment on a waterfall contracted through Earth Inspired Products. This changed the civil issue to his problem. Charles claimed he had finished that waterfall and he was shipping it to the company. I directed Charles to call the company which complained to clear up the issue. This ended our telephone conversation.

On Monday, October 4, 2010, I contacted Charles on the telephone. Charles immediately told me he was not able to find work since Joseph disappeared. I asked Charles if he could update his contact information for me. He questioned how I located his new telephone number. I told him I used law enforcement resources.

I asked Charles which vehicle Joseph was driving on Thursday, February 4, 2010, when he last saw him. Charles confirmed it was the white Trooper that Joseph drove that day. Charles confirmed that Joseph claimed he was headed home after the meeting. I asked Charles where he was living. He provided an address of 6146 Walnut Grove Court, Rancho Cucamonga, 91739. Charles believed he would be moving from this residence as he was unable to pay his bills. He did not know where he would live after he moved from this location.

Charles claimed he had tried to keep in touch with Dan Kavanaugh for a while after Joseph went missing but he no longer talks to Dan. I asked Charles to continually update me with his contact information as it appeared to frequently change.

I asked Charles about his business relationship with Walker Welding. Charles told me in a previous interview I asked him about Walker Welding in Rancho Cucamonga. Charles took it upon himself after that interview to go to Walker Welding to inquire about Joseph's alleged telephone call to Walker Welding. No person at Walker Welding knew of Joseph McStay or Earth Inspired Products. Charles eventually contracted Walker Welding for the construction of two waterfalls after his initial contact with them. This ended our telephone call.

On Wednesday, June 9, 2011, at about 1105 hours, I attempted to locate Charles as his cellular telephone number was no longer in service. Tracy Russell suggested that I contact Aragon Construction in Pomona as Tracy's husband had been told that Charles was working for Aragon Construction. I called Aragon Construction and reached Charles on the telephone.

Charles had moved out of his residence in Rancho Cucamonga and was now living in a motor home in the Pomona area. Charles did not have an active cellular telephone account as he was out of money.

Charles told me he was contracted by Joe Aragon to build some cabinets for him. It was a small job that employed Charles for a couple of weeks. Aragon was paying Charles $20 an hour to build the cabinets.

Charles told me his wife and children were about to move to Arizona. They would live in one of Cathy's mother's three homes in Arizona. They could no longer afford to live

together in California. Charles claimed he may move to Arizona in the next year but he called his relationship "iffy." Cathy and the kids were waiting for the end of the school year for the actual move to Arizona. Cathy and the kids were living in a hotel awaiting the Arizona move.

I asked Charles if he had been following the case in the media. He confirmed that he had been reading the updates of the case in the news. I told Charles that I had been contacted by several media outlets and the media outlets were looking for Charles for an interview. Charles claimed he had no problem with talking to the media about his knowledge of the case. Charles didn't think his information would help to find the McStays.

I asked Charles if he was willing to participate in a polygraph to show me his honesty with his knowledge in this case. Charles immediately said, "Yeah. No problem." I asked him when he wanted to do the polygraph. He agreed to set the polygraph appointment for Wednesday, June 16, 2011. I asked him where he wanted to do the polygraph. I told him to pick a spot or we would have to do it at a law enforcement agency in his area. Charles told me he was going to check with Joe Aragon to see if we could use a business office at Aragon Construction. I provided my telephone number to Charles and asked him to call me when he located a spot for the polygraph.

I asked Charles if he had any involvement in the purchase of Quickbooks Pro during the time period when Joseph went missing. He confirmed that Joseph and he met on Thursday, February 4, 2010. One of the issues they talked about was the fact that Dan had access to Joseph's PayPal account, Joseph's Quickbooks account, and Joseph's checking account. Joseph wanted to stop Dan from having access to his financial accounts. Charles admitted that he too had access to Joseph's Quickbooks account at that time. Charles told me that he could write checks from the business account. Charles could not specifically recall if it was Joseph or him who ordered Quickbooks Pro as they were going to switch to the Pro version of Quickbooks to eliminate Dan from accessing the Quickbooks account. I told Charles the telephone call for the order of Quickbooks Pro came from Charles old cellular telephone. Charles stated, "Yeah. Then it was probably me." I asked him if he knew why the order was sent to Joseph's old address in San Clemente. Charles had no idea why the product was sent to San Clemente. I told Charles there was an on-line download portion of the Quickbooks Pro product. An unknown person attempted to download the product. Charles believed it was probably he who attempted the download but he could not specifically remember.

Charles and Dan had a major falling out after Susan tried to help Dan run Earth Inspired Products. Charles quit talking to Dan altogether. Charles claimed there was also a money issue prior to their falling out. Charles claimed he wrote checks from the Earth Inspired bank account all of the time. The account became frozen after Charles had

written checks for the Saudi Arabia job. He was not paid so he contacted Dan. He asked Dan if Dan could access the business account through PayPal. Charles had checked with Susan and she authorized payment to Charles if Dan could access the business account. Charles told Dan that he was going broke and needed the money. Dan refused to help Charles or to pay him.

I asked Charles if Dan ever threatened to hurt Joseph. Charles said, "No. No. No." Joseph constantly complained about having to pay Dan more than Dan was worth but there were no threats. Joseph was paying Dan off for the website when Joseph went missing. Charles believed Joseph owed Dan a few hundred dollars to buy the website outright. Charles could not remember exactly what Joseph agreed to pay Dan for the website but he believed it was about $22,000.

Charles and I considered our options for a location for the polygraph again. He agreed to come to the Pomona Police Station for the polygraph if needed. He told me he was living in the cities of Pomona and Hesperia in his motorhome. We set the appointment for Thursday, June 17, 2011, at 1000 hours. I gave him the address of 490 West Mission Boulevard for the Pomona Police Station.

On Monday, June 14, 2011, I called Aragon Construction in an attempt to contact Charles. The telephone receptionist placed me on hold while she looked for Charles. Charles answered the telephone. I asked him to confirm our appointment for the polygraph at the Pomona Police Department. He confirmed that he would be there.

Charles claimed he was suffering from an inner ear infection and that he was considering going into the hospital for treatment. He purchased homeopathic medication for the infection and he was feeling much better.

I asked Charles to keep his polygraph out of the public eye. If any media talked to him I did not want him to tell them about the polygraph as the public may believe he was a suspect. He agreed.

On Wednesday, June 16, 2011, I received a voice message from Charles on my desk telephone. He claimed he was on the way to the hospital and he would not be able to make the polygraph appointment. He told me he would be at Arrowhead Community Hospital. Charles claimed he would reschedule the polygraph after he was medically treated. He was taken to the hospital by his sister.

On Sunday, June 20, 2011, at about 1640 hours, I attempted to contact Charles on the telephone. I received his voice mailbox. I left a message for Charles to return my telephone call. I told him I had received a telephone call from an Attorney Phillip

Vondra who was retained by Charles' sister. I explained that Charles was not a suspect in the case and Attorney Vondra was a civil attorney. I advised Charles that he could receive all the legal advice he desired but a telephone call from Attorney Vondra telling me I could not contact Charles was not within the scope of the law.

I encouraged Charles to call me to reschedule the polygraph as it was his decision to participate or to decline. I needed to hear from Charles for his decision.

On Monday, June 21, 2011, Charles returned my telephone call. Charles told me he spoke to his attorney and his sister. His sister hired the attorney and spent her money to pay for the attorney. I advised Charles that he was not a suspect in the disappearance of the McStays.

Charles told me he was concerned as the media was all over him at the beginning of the case. Charles asked me if I was familiar with the Hillside Strangler homicide case from about 25 years ago. I told him I was vaguely familiar with the case. He claimed his brother was arrested as a suspect in the Hillside Strangler case. His brother remained in jail for about four months. His brother's name was broadcast nationwide as the Hillside Strangler. His family's reputation was ruined from the arrest and the media coverage. Charles was tormented by neighbors and friends. Their family lost the family business located in Victorville. Charles mother ended up in the hospital as a result of the media coverage. Charles claimed he was avoiding me as a result of his past experience.

Charles also shared his experience that he was arrested for his outstanding warrant shortly after conducting his interview with us at the beginning of the case. He believed Detective Fiske guided the local law enforcement personnel to his residence to make the arrest. I advised him that I did not believe Detective Fiske had anything to do with the arrest but regardless of his belief, he had an outstanding warrant that needed to be resolved and law enforcement could arrest him at any time for the warrant. I told him it was more likely that our contact with the local law enforcement agency when we were looking for him may have alerted local law enforcement personnel to his warrant. It was his warrant and any arrest would have been legal.

Charles assured me that he wanted to find Joseph as much as anyone. Charles believed Joseph's family took advantage of the situation. He thought the family's actions were "crazy." He did not understand why the family did not report Joseph as missing until Monday, February 15, 2010. He was aware that Joseph was missing on Monday, February 8, 2010, and he asked Michael and Susan to report Joseph as missing. The family told Charles they would rather wait to report him as missing as it could upset Joseph. Charles confronted Michael and Susan with the fact that he talked to Joseph on a

daily basis up to 15 times a day and he had not contacted Joseph since Thursday, February 4, 2010.

Charles was also upset with Joseph's family as he made a strong effort to help save Earth Inspired Products after Joseph disappeared. The family ran it into the ground and Charles lost all of his income. Charles was also upset that Susan listened to Dan while they all tried to save the business. Charles referred to Dan as a "twit." Charles chuckled and stated, "If I were ever going to commit murder it would be with him (Dan)."

Charles reflected on a statement Dan made to him in the past that bothered him. Dan told Charles, "People who buy waterfalls, um, manufacture waterfalls, are a dime a dozen. I am the one, I'm the reason this business exists."

I asked Charles if the anticipation of a polygraph caused his medical condition which caused him to go to the hospital. Charles admitted the stress of a polygraph was great but it was not the reason for his medical problems.

Charles assured me that he would participate in the polygraph if it would help us find Joseph. He also wanted me to know that if a polygraph was being administered to appease the family, he did not care about the family any longer.

I told Charles that both of our interests were focused on finding the missing McStays. I told him that I continued to remain focused regardless of negative feelings by family members. I shared that Patrick McStay had expressed his displeasure in the investigation but that would not deter me from my job. Charles told me he spoke to Patrick for several hours on the telephone and he thought that Patrick was a person who lived for "trauma." He believed Patrick had very little in his life to live for so Patrick made this case more traumatic than it needs to be. Charles believed Michael McStay had the same personality as Patrick.

I told Charles I still wanted him to participate in a polygraph. I wanted to determine that he was being completely truthful with me. I also wanted to verify that he was not withholding information that could help me find the McStays. Charles told me he was not specifically concerned about the polygraph exam. Charles civil attorney advised Charles that the polygraph could indicate he was lying even if he was not lying. I explained to Charles for me to become a law enforcement deputy, I was required to take a polygraph. They can be used affectively to determine if a person is truthful even if it is not related to a crime.

Charles asked me to wait for him to contact the attorney again to discuss the polygraph issue. I explained how I wanted to ensure Charles was being truthful of his previous

statements about Dan's access to Joseph's financial business accounts. Charles again told me that fact was true, prior to, and after Joseph's disappearance. Charles admitted that he too had access to Joseph's PayPal account. Charles had access to Joseph's financials also. Charles claimed he quit using the accounts altogether after Joseph went missing. He warned Joseph's mother to get Dan out of Joseph's financial accounts as he did not trust Dan.

Charles expressed his concern that he believed we should investigate this case as a criminal case and not a missing persons case. I informed him that I was doing both. I had not found any link to criminal activity which would have caused the McStay disappearance therefore, search warrants were difficult. I was receiving a good amount of investigative information without a search warrant. I told Charles that law enforcement continued to track down every lead on the case. We followed up on every tip on the case. Charles again told me he would talk to his attorney and call me back with an answer on the polygraph. He thanked me for explaining everything to him and keeping him calm. This ended our conversation.

On Wednesday, June 23, 2011, I contacted Charles on the telephone. Charles claimed he had not been able to get ahold of the attorney. Charles told me he planned on participating in the polygraph. He claimed he had just injured his hand and received 23 stitches yesterday. He was concerned if he was on pain medication his polygraph would be affected. He was prescribed Vicodin. He figured he would be off the Vicodin by the end of the week. We tentatively set an appointment for Tuesday, July 5, 2011, in the mid-morning for the polygraph. This ended our conversation.

On Wednesday, June 30, 2011, I contacted Charles on the telephone. He confirmed the Tuesday, July 5, 2011, at 1000 hours, polygraph appointment. I asked Charles if we could come to Phelan to conduct the polygraph. He told me he believed we would be able to meet at his attorney's office in the conference room. The office was located at 3936 Phelan Road in the city of Phelan.

On Wednesday, June 30, 2011, I received a voice message from Charles. He confirmed that he would participate in a polygraph at Civil Attorney Phillip Vondra's office in Phelan, California. He agreed to meet at the office on Tuesday, July 5, 2011, at 1000 hours. The attorney would not be at the office but the attorney gave his consent for us to use the conference room.

On Tuesday, July 5, 2011, at about 1000 hours, Polygrapher Paul Redden conducted a polygraph with Charles in the conference room of Attorney Phillip Vondra's office located at 3936 Phelan Road in the city of Phelan. See Polygrapher Redden's report for details.