

STATE OF TEXAS

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COUNTY OF BEXAR

§

AFFIDAVIT

On March 28, 2022, appeared before me, Fred Olivares, and after being placed under oath made the following statements and affirmed their truth:

My name is Fred Olivares. I am over the age of 18, am mentally sound, and am fully capable of making this affidavit. I have personal knowledge of the facts stated herein and they are true and correct.

1. I am a private investigator licensed in the State of Texas, (Texas Department of Safety, Private Security Board, license number A20784) who performed investigative services for Mr. Bradley Croft in *United States v. Bradley Croft*, Criminal Case No. 18-CR-00603, in the United States District Court for the Western District of Texas, San Antonio Division.
2. Prior to being a private investigator, I was a Special Agent for the Federal Bureau of Investigation for over 26 years. In my capacity as an FBI Special Agent, I investigated white collar crimes such as fraud, Ponzi schemes, and other complex financial crimes. I was stationed in the San Diego and San Antonio Divisions of the FBI. During the course of my service, I testified in Federal Court to include trials, suppression hearings and before Federal Grand Juries.
3. Following my career in the FBI, I established Talon Investigations (Texas DPS, PSB number A20784) and have worked Federal and State criminal and civil matters for Thomas McHugh and other attorneys.

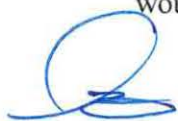
Fees and Testimony

4. I have come to learn that Cameron Croft has filed a grievance on behalf of her father, Bradley Croft. I understand that the Crofts have alleged that I was paid


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\$15,000 to testify. That is not correct. I was not paid to testify. I was paid for the investigative services that I performed.

5. My timesheet, which is attached, indicates that I billed a total of \$42,993.75, between September 20, 2018 and October 16, 2019. The timesheet also shows that I consistently reduced my hourly rate for Mr. Croft until I was billing at a rate of \$50/hour. The rate of \$50/hour is less than half of my normal rate of \$125/hour. With my training and qualifications, the rate of \$125/hour is on the low end of the fair market rate for an investigator of my caliber. The timesheet also shows that I was originally engaged by a retainer of \$15,000.00 and that retainer was depleted by December, 2018. Following the depletion of the retainer, I continued to work on the case and track my time and activities. By the end of trial, my balance on the timesheet shows that I had received payments totaling \$30,068.75 and that Croft still owes a remaining balance of \$12,025.00.
6. The Defense was interested in having my testimony regarding the potential loss amounts attributed to the alleged fraud. However, as time came for trial, that defense goal was met by cross examination of Government witness Joe Vigil.
7. Ultimately, the decision was made that I would not testify. Mr. Croft's backlog of financial issues and problems were extensive. I had performed an examination of the financial documents and Mr. Croft's finances. Due to my knowledge of Mr. Croft's financial activities, it was the Defense's strategic decision that I would not testify and, accordingly, not subject myself to cross examination during which I would have to honestly answer questions about aspects of the investigation that would not be beneficial to Mr. Croft.



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Subpoenas

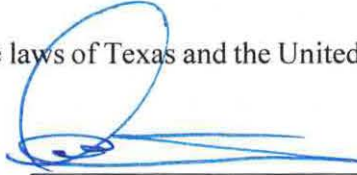
8. During the course of trial preparation and case review, I helped draft subpoena requests, serve subpoenas, and review subpoenaed materials.
9. On November 6, 2018, I received an email from Bradley Croft in which he requested subpoenas be issued for Midlothian Police Department and Red Oak Police Department for email communications between Brad Croft (through his personal and Universal K-9 email addresses), Wes Keeling, Garland Wolf, Dustin Bragg, and other combinations of those persons.
10. On November 13, 2018, one week following the request, the subpoena was issued and ready for service. The subpoena was addressed to Robin West, the Custodian of Records for Midlothian Police Department. The subpoena was more specific than the one requested by Croft. Croft's request was for email communications, the vast majority of which we already had through Croft. The subpoena we had issued also requested "The personnel file of Wesley Lynn Keeling." My normal practice when serving a subpoena on a law enforcement agency is to call the agency and inquire as to their preferred method of service. My recollection is that I learned that Midlothian PD would require in-person service and I informed the rest of the defense team of the same.
11. On December 12, 2018, Bradley Croft forwarded me an email from he received from Paul A. Torres, a civil attorney in San Antonio. Croft had previously engaged Torres to sue Keeling. My recollection is that Torres was locating a local process server in the Midlothian area to personally serve Keeling with the Petition in the JP



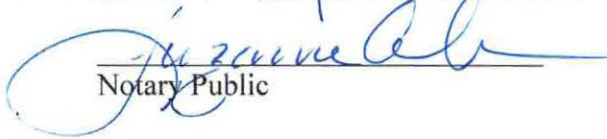
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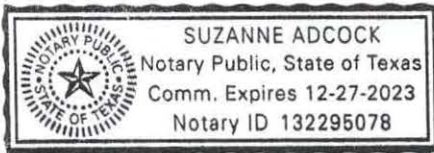
suit. Due to Croft already having a relationship with that attorney and their plans of finding a local process server, my recollection is that the subpoena on Midlothian PD was to be served by that same person. Since Croft had stated he would take care of arranging the subpoena service, I went on to address other aspects of trial preparation.

I declare under penalty of perjury under the laws of Texas and the United States of America that the foregoing is true and correct.
AFFIANT FURHTER SAITH NOT.


Fred Olivares

Sworn and subscribed before me on this the 6th day of April, 2022.


Notary Public




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