

SUPERIOR COURT FOR KING COUNTY

STATE OF WASHINGTON) NO.
 : ss
COUNTY OF KING) AFFIDAVIT FOR SEARCH WARRANT

The undersigned on oath states: I believe that:

- ☒ Evidence of the crime(s) of Theft 1, and
- ☒ Contraband, the fruits of a crime, or things otherwise criminally possessed, and
- ☐ Weapons or other things by means of which a crime has been committed or reasonably appears about to be committed, and
- ☐ A person for whose arrest there is probable cause, or who is unlawfully restrained

is/are located in, on, or about the following described premises, vehicle or person:

Watermark Credit Union
206-382-7487-FAX
808 Howell
Seattle, WA

Key Bank

Judgment Processing
216-357-6595 –Fax

1-877-370-6177 Option #2

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My belief is based upon the following facts and circumstances:

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AFFIANTS'S EXPERIENCE

Your affiant is a Seattle Police Officer. I have been employed as a commissioned Police Officer by the Seattle Police Department since August 31, 1993. As a patrol officer for over 10 years, I was the primary officer on numerous thefts, burglary and fraud/forgery cases. I am currently assigned as a Detective with the Domestic Violence/Elder Fraud Unit. My primary duties include, but are not limited to, the investigation of crimes involving deception, forgery, theft and financial exploitation of vulnerable adults. I have attended specialized financial exploitation of vulnerable adults training.

SUMMARY OF FACTS

On May 20, 2008, I received a referral from Adult Protective Services. Rick Ockerman who is an attorney for Toyota of Lake City called in the referral. He stated that he was concerned that a woman named Katie A. Lambard was financially exploiting an elderly woman by the name of Margaret E. Martin. He said that Lambard came into the dealership and purchased three vehicles over the past 6 months. Lambard came in on December 12, 2007 and purchased a \$19,242.00 vehicle. She came in again on May 8, 2008 and bought a car with a check for \$39,900.00 from Margaret Martin's account. She came in yet again on May 10, 2008 and purchased a vehicle for \$25,200.00. Ockerman stated that the dealership became concerned about the multiple transactions and subsequently cancelled the last two, requiring Lambard to return those vehicles.

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Sean of Toyota of Lake City informed me that, each of the three times time a car was purchased, Katie Lambard initially came in by herself with the victim's checks. Eventually, she would bring Margaret in. After the first purchase, Sean felt that something was not right and asked Lambard to bring Margaret in to the dealership. Sean said he felt that they should not have participated in the sale of the other two vehicles because it appeared to him that Margaret was possibly being exploited. After Lambard bought the third car, Sean called her and asked her to return the last two cars to the dealership. Lambard did return the two vehicles. Sean told me that Katie Lambard then went to Toyota of Seattle and was able to purchase the same type of vehicles from that dealership.

On June 4, 2008, I met with Margaret Martin. She resides at the Ida Culver House, an assisted living facility in North Seattle. I explained to Margaret why I was there to see her. She told me that her mother's friend, Mildred, passed away several years ago and left Margaret with \$500,000. Margaret told me that about 10 years ago, she had become friends with Charlene Lambard, whom she had met at church. Charlene had three children: Tina, Michael, Sharon and James. Martin stated that Tina Lambard, one of Charlene's children, asked her to be their grandmother. Margaret said she was delighted at the request. She had her own car at the time but was unable to drive. Charlene and Margaret agreed to allow Tina to move in with Margaret, care for her, and become her driver. They agreed that the Lambard family would give Margaret \$600.00 per month in exchange for Tina's room and board. Margaret informed me that the Lambard family made three payments of \$600.00 to her and then stopped. Margaret responded by cancelling the contract. About one year ago, Tina collapsed in Margaret's home from either an overdose or suicide attempt. Margaret asked Tina to move out which caused a feud between Margaret and the Lambard family that is still ongoing. After Tina moved out, Katie Lambard, the wife of Charlene's son Michael, approached Margaret and offered to become her driver.

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Margaret told me that shortly after Tina moved out and Katie became her driver, she allowed Katie to use her car for Katie's personal use. Some time after that, Katie asked Margaret to sell her car and purchase a van. Margaret believes that they purchased the van from Huling Brothers. Margaret states that Katie then traded in the van for another car at a dealership in Ballard. She cannot remember the name of that dealership. Margaret said that after two months of using that car, Katie traded it in for yet another vehicle at a Toyota dealership. Margaret stated that she paid for one of the cars so Katie could drive her around. Margaret said she allowed Katie to use the car because she had a family and because Margaret felt it was reasonable payment for the help she received from her. Margaret also said that Katie told her that she needed another car for her husband, Mike, in case Katie couldn't drive her car. Margaret further stated that she bought yet another car for a friend of the Lambard's. She said that purchase was a loan.

In addition, Margaret told me that Dan and Sharon Lambard borrowed \$40,000 from her to fix up their house. Sharon is one of the Lambard children. Margaret told me that they have not paid her back. Margaret told me that James Lambard borrowed \$70,000 from her to start up a pizza restaurant in Magnolia. He has not paid her back either. I asked her if Katie and Mike Lambard have borrowed any money from her. She responded, "Katie does not owe me." Margaret has filed a civil lawsuit against James Lambard for non-payment of his loan. Margaret told me that Katie is helping her with this and is in disbelief that Katie would be exploiting her. Margaret feels that Katie loves her and would not do such a thing.

Margaret told me that in March 2008, she sold her home for approximately \$306,000.00 and ended up with proceeds in the amount of \$270,000. Her home was located at 352 N 81st St. Seattle, WA. When her home sold, Margaret moved into the Ida Culver House. On March 10, 2008, the \$270,000 from the sale of her home was deposited into Watermark Credit Union. I asked Margaret about her banking. She said she had joint accounts at Key Bank with Katie Lambard. She said that in July of 2007, Katie told her that \$10,000 was missing from one of her Key Bank accounts. Katie then convinced her to move all but one of her Key Bank accounts to Watermark Credit Union. Watermark Credit Union confirmed with me that

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Michael Lambard, Katie's husband, was an employee with them at the time. According to Diana Holt of Key Bank, Margaret's remaining account at Key Bank is a joint account with Katie Lombard. Margaret said she does not have any of her bank statements at her residence, and that Katie Lambard has all of them. She said she is only aware of the money she has in her checking account. I asked her about the balance owing on her credit card. She told me that she uses her card very infrequently. I asked her if she was aware there was a \$4900 balance owing on the card. She said she was not aware of that. Margaret signed a release of information for Watermark Credit Union so that I could look at the activity in her accounts.

On June 5, 2008, I called Watermark Credit Union and they told me that the total amount left in her account was \$43,757.00 with a Visa debt of \$4732.41.

Larry Glosser, Margaret's civil attorney, provided me with a printout of Margaret's most current account balances at Watermark Credit Union. It showed that Margaret has three accounts there. All of these accounts are joint with Katie Lambard and Michael Lambard. It further showed that as of July 3, 2008, her balance was down to \$34,412.86. The balance owed on the Visa Platinum card is \$4790.94. Larry Glosser also provided me with copies of loan-type documents from Katie Lambard. The first loan document is actually a letter. The letter states:

Michael and Katie have agreed that if Margaret bought the 2009 Toyota Camry that they would be paying her back in full. The amount that is currently owed is \$41,000. Michael and Katie have also agreed that they will be making payments every month in the amount of \$200.00 per month. This amount has to be paid by the end of each month. They can pay as much as they can at a time, but cannot be less than the amount stated. If they cannot make the payment they will have a three-day grace period. If they still cannot make the payment then Margaret Martin will take possession of the vehicle until the amount is paid.

It is signed by Margaret Martin, Katie Lambard and Michael Lambard. Larry provided me with a copy of another letter. This letter states:

This letter is in regards to the payment plan to Margaret Martin from Blair Boykin. Blair has agreed that if Margaret bought the 2008 Scion XB that she would be paying her back in full. The amount that is currently owed is \$23,428.79. Blair has also agreed that she will be making payments every month in the amount of \$1000.00 per month. She can pay as much as she can at a time, but cannot be less than the amount stated. If she cannot make the payment she will have a three-day grace period. If she still cannot make the payment then myself, Katie Lambard or my husband Michael Lambard will then take possession of the vehicle until the amount is paid. Sincerely, Margaret Martin.

Margaret Martin, Blair Boykin and Katie Lambard, signing as Power of Attorney, sign this letter.

Larry Glosser also provided me with a copy of a payment record for Blair. It indicates that on 5/23/08, Blair made two payments, one for \$500 and the other for \$300. On 6/23/08, she made a payment of \$300 and on 7/03/08 she made a payment of \$200. He also gave me a copy of a statement from Toyota Financial Services, which is the payment statement for the first vehicle that Margaret Martin purchased for Katie Lambard to drive her around in.

Margaret Martin has had a long time estate-planning attorney by the name of Rebecca Kinneson. On June 20, 2007, Kinneson assisted Margaret with a Durable Power of Attorney naming Katie Ann Lambard as the principal and Frances McDonald as an alternate attorney in fact. Frances McDonald is a long time friend/hair dresser of Margaret. The Durable Power of Attorney was to become effective at the point when

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a doctor deemed Margaret incompetent. In February 2008, prior to Margaret being placed at Ida Culver house a Mini Mental Status Evaluation was administered to assess Margaret's capacity. Margaret scored a 28/30. On July 14, 2008, an Adult Protective Services worker conducted another Mini Mental Status Evaluation of Margaret; on this one, she scored a 30/30.

In reviewing prior police reports regarding this victim, I discovered that in January 2008 a report came in indicating that Margaret has been a victim of a telemarketing scam. The report indicates Margaret Martin is the grandmother to Katie Lambard. Margaret Martin is not related to Katie Lambard.

On June 6, 2008, I called Chuck Tompkins of KMS Financial. He advised me that he has been Margaret's financial advisor for 8-9 years. He said that in 2003 and 2004 a friend of Margaret's left her some money of which she invested \$250,000 with him. He said that over the course of the last few years, Margaret has made withdrawals of \$10,000 to \$20,000 at a time. The withdrawals were monthly with them being bi-monthly occasionally. Chuck was aware that some of the money was going for a pizza business, but was not sure what Margaret was using the other money for. About 6 months ago her accounts were down to \$50,000.00. In January of 2008, all of her money was gone. In March or April of 2008, Margaret contacted him about investing \$50,000 long term. In May of 2008, Katie Lambard called him and said that Margaret needed money. He told Katie that Margaret's money was invested long term. Katie Lambard told him that Margaret's other money was now gone. Chuck said that he would have to talk to Margaret about it before he released any money. About 1 hour later, Katie called him back and said that she forgot the money was placed at the bank. Chuck also advised that Margaret had put money in some 529 accounts for several members of the Lambard family. He said that since the family feud about a year ago all of the money in the 529 accounts has been put into Katie Lambard's children's' names with Katie being the beneficiary. Chuck describes Katie as a pretty good actor.

I believe that Katie Lambard has Margaret Martin believing that she is the only person who cares about her and is available to take care of her. Katie has been isolating Margaret over the past year. She has assisted her in the sale of her house, moved her into an assisted living facility that is sparsely furnished and in which she has never even fully unpacked. Katie drives Margaret to all of her doctor appointments, to get her hair done, and to do other errands. Margaret told me that she used to go to church every Sunday, but now she no longer attends church. She told me the sermon time has changed. Every time I have gone to visit Margaret she is just sitting in her chair alone, listening to the radio.

On July 9, 2008, I went to see Margaret again. I updated her on what I have learned in my investigation. She just looked down at her lap and began to cry. She was very upset that this could possibly be happening. I explained to her that I would be freezing the funds in her bank account so Katie and Michael Lambard could no longer have access to her money. For the first time, she told me that she gave them half of the money from the sale of her house. I asked her how much that was and she replied, "\$135,000.00." I asked her why she had not told me about this transaction the first time I came and she just looked down at her lap. I believe that Katie has coached Margaret into saying that she gave her the money so she does not get in trouble. Margaret expressed fear that she could not get anything done without Katie's help. I explained to her that Ida Culver house has a small bus that can run her to her errands. She was most concerned about getting her hair done at the Northlake Mall. I explained to her that she could take a cab. She did not know how she would pay for the cab if her money were frozen. I told her that was something we could work out. On July 10, 2008, I received a phone call from Margaret Martin asking about getting \$400.00. I asked her why she needed so much money and she was quiet. I explained to Margaret that she could take a cab to Northlake Mall to get her hair done and that she could use her credit card to pay for things that day until things could be sorted out. In the past, when I have talked to Margaret when Katie was present, she would become very quiet and not answer any questions, or answer them only 'yes' or 'no'. She acted similarly in this conversation.

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Margaret said she feels that the other Lambard family members have taken advantage of her and that Katie is the one that is helping her get money back. I have seen no evidence in my investigation of Katie helping Margaret get any of her money back.

I believe there is evidence of Theft in the First Degree located at

Watermark Credit Union
808 Howell
Seattle, WA
and
Key Bank Judgment Processing
216-357-6595 –Fax
1-877-370-6177 Option #2

and request a warrant authorizing the seizure of:

Any and all records that Watermark Credit Union and Key Bank has in the name of or under the signatory control of Margaret Martin (Social Security Number XXX-XX-8791), Katie Lambard (Social Security Number XXX-XX-6618) and Michael Lambard (XXX-XX-1477) and all account information in the name of or under the signatory control of Margaret Martin, Katie Lambard and Michael Lambard, for the period of time from January 2007 through the present, including but not limited to signature cards and all account opening documents; monthly account statements; copies of checks (front and back); withdrawal items; offsets and withdrawal slips; deposit slips and deposit items and offsets; loans, equity lines of credit and credit cards for the above named account holder; correspondence regarding the account(s); and safety deposit box records.

Affiant

Agency, Title and Personnel Number

Subscribed and Sworn to before me this day of , 20 .

Judge

Issuance of Warrant Approved:

By Page Ulrey
Deputy Prosecuting Attorney

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