

THE HONORABLE RICHARD A. JONES

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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
BERNARD ROSS HANSEN  
and DIANE RENEE ERDMANN,  
  
Defendants.

No. 2:18-cr-00092-RAJ

**DECLARATION OF  
BENJAMIN BYERS IN SUPPORT OF  
DEFENDANTS' MOTION TO  
EXCLUDE CERTAIN EVIDENCE  
RELATED TO THE SALE OF  
MS. ERDMANN'S PERSONAL  
COLLECTION OF PRECIOUS  
METALS**

***ORAL ARGUMENT REQUESTED***

**NOTED FOR HEARING:  
July 16, 2021**

I, Benjamin C. Byers, declare as follows:

1. I am over the age of 18 and competent to testify. This declaration is based on my personal knowledge and belief.
2. I am an associate attorney at Corr Cronin LLP. I am one of the attorneys representing the defendant Ms. Diane Erdmann in this case.

1           3.       This declaration is in support of Defendants’ Motion to Exclude Certain  
2 Evidence Related to the Sale of Ms. Erdmann’s Personal Collection of Precious Metals.

3           4.       On July 1, 2021, I met and conferred with Brian Werner, counsel for the  
4 government, via telephone. During that telephone call, Mr. Werner expressed his belief that  
5 this evidence was relevant because it showed defendants had gold “buried” in their backyard  
6 that they used to fund their lifestyle.

7           5.       On June 1, 2021, the government provided defense counsel with the  
8 “Government Second Preliminary Exhibit List” via email. A true and correct copy of that  
9 document is attached as **Exhibit A** to this declaration.

10          6.       As part of discovery in this case, my firm has received the following  
11 documents:

12           a.       A purchase order from Williams Gold & Silver, dated August 2, 2016,  
13 FBI302\_012411-2. A true and correct copy is attached as **Exhibit B** to this declaration.

14           b.       A report of an FBI interview of Steven Campau, dated July 24, 2017,  
15 FBI302\_012456-7. A true and correct copy is attached as **Exhibit C** to this declaration.

16           c.       A report of an FBI interview of John Rickey, dated August 3, 2016,  
17 FBI302\_007451. A true and correct copy of an excerpt of the report is attached as **Exhibit D**  
18 to this declaration.

19           d.       A transcript of proceedings before Judge Christopher Alston in the  
20 matter of *IN RE: NORTHWEST TERRITORIAL MINT, LLC*, Case No. 16-11767-CMA,  
21 GOV00735186. A true and correct copy of an excerpt of the transcript is attached as  
22 **Exhibit E** to this declaration.

1 I declare under penalty of perjury under the laws of the United States of America that  
2 the foregoing is true and correct.

3 DATED: July 2, 2021 at Seattle, Washington.  
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5 s/ Benjamin C. Byers  
6 Benjamin C. Byers, WSBA No. 52299  
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**CERTIFICATE OF SERVICE**

I hereby certify that on July 2, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

DATED: July 2, 2021 at Seattle, Washington.

s/ Benjamin C. Byers  
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