IN THE COURT OF COMMON PLEAS OF MONROE COUNTY, PENNSYLVANIA

IN RE: Summons for Witness, **ANN PARHAM**, to Testify in Idaho Criminal Proceeding Case No. CR01-24-31665	:	Docket No. MD-722-2025

AGREED MOTION TO SUMMON WITNESS, ANN PARHAM, AND CANCEL HEARING ON PETITION FOR SUMMONS FOR ANN PARHAM

The undersigned Petitioner ("Petitioner"), by agreement with Ann Parham ("Parham"), respectfully moves this Honorable Court to enter an Order summoning out-of-state witness Ann Parham to appear and testify in the above-referenced criminal matter pending in Idaho, and to cancel the hearing currently scheduled in this Court for June 30, 2025, and in support thereof states as follows:

1. On June 5, 2025, Petitioner filed a *Petition for Summons Directing Witness, Ann Parham, to Attend and Testify in Out-of-State Criminal Proceeding* pursuant to 42 Pa.C.S. § 5964, seeking to domesticate an out-of-state subpoena issued in the matter of *State of Idaho v. Bryan Kohberger*, currently pending in the Fourth Judicial District Court of the State of Idaho (Docket No. CR01-24-31665).

2. As required by 42 Pa.C.S. § 5964, attached to that Petition were the Sealed Certificate of Judge Steven Hippler of the District Court for the Fourth Judicial District of Idaho and a subpoena signed by Judge Hippler directing Parham to attend and testify during the Idaho criminal trial, which is scheduled to begin on August 11, 2025, and continue through November 7, 2025.

3. Pursuant to 42 Pa.C.S. § 5964, this Court scheduled a hearing on the Petition for June 30, 2025, to determine whether the statutory requirements are

satisfied, specifically whether Parham is a material witness and whether compliance with the subpoena will not cause her undue hardship.

4. The Certificate of Judge Hippler states that Parham is a material witness in the Idaho proceeding. Under 42 Pa.C.S. § 5964, such a certificate constitutes prima facie evidence of materiality.

5. On June 16, 2025, Parham executed a sworn Declaration (attached hereto as Exhibit A), in which she affirms the following:

a. She was served with, and has reviewed, *Petition for Summons Directing Witness, Ann Parham, to Attend and Testify in Out-of-State Criminal Proceeding*, the Order scheduling the June 30 hearing, the Sealed Certificate of Judge Hippler, and the subpoena directing her to attend and testify in the Idaho criminal trial. Parham Dec. ¶¶ 1–2.

b. She is a material witness in the criminal proceeding. Parham Dec. ¶ 4.

c. Compliance with the Idaho subpoena and attendance at trial will not cause her undue hardship. Parham Dec. ¶ 4.

6. In the Declaration, Ms. Parham knowingly and voluntarily waives her right to a hearing under 42 Pa.C.S. § 5964 and consents to this Court entering an Order summoning her to appear and comply with the Idaho subpoena. Parham Dec. ¶ 3.

7. Given the representations in Ms. Parham's sworn Declaration and the Certificate of Judge Hippler, the purpose of the hearing—i.e., to evaluate the

witness's materiality and potential hardship—has been satisfied by her express waiver and the supporting statutory presumption of materiality.

8. Accordingly, Petitioner respectfully avers that the hearing currently scheduled for June 30, 2025, is unnecessary and may be canceled without prejudice to the rights of any party or the authority of this Court under 42 Pa.C.S. § 5964.

WHEREFORE, Petitioner, by agreement with Ms. Ann Parham, respectfully requests that the Court: (1) Enter an Order summoning Ann Parham to appear in the State of Idaho in accordance with the out-of-state subpoena and 42 Pa. C.S. § 5964; and (2) Cancel the hearing scheduled for June 30, 2025, on the Petition for Summons.

Respectfully submitted,

Ann Parham

Date: June 16, 2025

MONTGOMERY, MCCRACKEN, WALKER & RHOADS LLP

/s/ Abigail Parnell

Carson Morris | Atty ID No.
Abigail Parnell | Atty ID No. 331830
1735 Market Street
Philadelphia, PA 19103
cmorris@mmwr.com
aparnell@mmwr.com

Date: June 16, 2025

EXHIBIT A

IN THE COURT OF COMMON PLEAS OF MONROE COUNTY, PENNSYLVANIA

IN RE: Summons for Witness, **ANN PARHAM**, to Testify in Idaho Criminal Proceeding Case No. CR01-24-31665	:	Docket No. MD-722-2025

DECLARATION OF ANN PARHAM IN SUPPORT OF AGREED MOTION TO SUMMON WITNESS ANN PARHAM AND CANCEL HEARING ON PETITION FOR SUMMONS FOR ANN PARHAM

I, Ann Parham, being an adult individual residing in Monroe County, Pennsylvania, hereby declare as follows:

1. I was served with, and have reviewed, the *Petition for Summons Directing Witness, Ann Parham, to Attend and Testify in Out-of-State Criminal Proceeding* filed in this matter on June 5, 2025, as well as the Order of Court requiring me to appear for a hearing on that Petition, currently scheduled for June 30, 2025.

2. I was also served with, and have reviewed, the Sealed Certificate of Judge Steven Hippler of the District Court for the Fourth Judicial District of the State of Idaho, and the subpoena issued by Judge Hippler, which requires me to attend and testify at trial in the matter of *State of Idaho v. Bryan Kohberger* (Docket No. CR01-24-31665). That trial is currently scheduled to begin on August 11, 2025, and continue through November 7, 2025.

3. I knowingly and voluntarily waive my right to the hearing provided under 42 Pa. C.S. § 5964 on the issues of materiality and undue hardship. I further consent to this Court entering an Order summoning me to appear and comply with the Idaho subpoena, including my attendance and testimony at trial in that matter.

4. I affirm and declare that: (a) I am a material witness in the referenced criminal proceeding; and (b) complying with the Idaho subpoena and attending the trial will not cause me undue hardship.

5. I am making this declaration voluntarily and of my own accord, and I affirm that I was not asked or encouraged by the Petitioner or anyone acting on the Petitioner's behalf to waive my right to a hearing.

I declare under penalty of perjury under the law of the Commonwealth of Pennsylvania that the foregoing is true and correct.

Ann J. Pacham
Printed Name

Signature

Signed on the 16 **day of** June, **2025**

at Monroe [County] Pennsylvania [State] United States of America [Country]

CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

MONTGOMERY, MCCRACKEN,
WALKER & RHOADS LLP

/s/ Abigail Parnell
Abigail Parnell | Atty ID No. 331830

Dated: June 18, 2025

AFFIDAVIT OF SERVICE

I hereby certify that I am this day serving upon the persons and in the matter indicated below the within *Agreed Motion to Summon Witness, Ann Parham, and Cancel Hearing on Petition for Summons for Ann Parham.* The manner of service satisfies the requirements of Pa.R.Crim.P. 576.

Service by First Class U.S. Mail

Ann Parham
775 Lower Mountain Drive
Effort, Pennsylvania 18330

MONTGOMERY, MCCRACKEN,
WALKER & RHOADS LLP

/s/ Abigail Parnell
Abigail Parnell | Atty ID No. 331830

Dated: June 18, 2025

IN THE COURT OF COMMON PLEAS OF MONROE COUNTY, PENNSYLVANIA

IN RE: Summons for Witness, **ANN PARHAM**, to Testify in Idaho Criminal Proceeding Case No. CR01-24-31665	:	Docket No. MD-722-2025

ORDER ISSUING SUMMONS FOR ANN PARHAM TO TESTIFY IN OUT-OF-STATE CRIMINAL CASE

AND NOW, THIS _____ day of _____, 2025, upon consideration of the *Petition for Summons Directing Witness, Ann Parham, to Attend and Testify in Out-of-State Criminal Proceeding, Judge Steven Hippler's Sealed Certificate Pursuant to 42 Pa.C.S. § 5963*, the *Agreed Motion to Summon Witness Ann Parham and Cancel Hearing on Petition for Summons*, and the *Declaration of Ann Parham* filed in support thereof, the Court finds as follows:

1. Ann Parham is a material and necessary witness in a criminal proceeding pending before the District Court for the Fourth Judicial District of the State of Idaho.

2. Compelling the attendance and testimony of Ann Parham will not cause undue hardship to her.

3. The laws of the State of Idaho, where the prosecution is pending, and of any other state through which Ann Parham may be required to pass by ordinary course of travel, provide protection to her from arrest and from the service of civil or criminal process while traveling to, attending, and returning from the proceeding.

For these reasons, it is hereby **ORDERED** as follows:

A Summons shall issue, with a copy of the certificate issued by the Honorable Steven Hippler, of the District Court for the Fourth Judicial District of the State of Idaho, pursuant to 42 Pa.C.S. § 5963 attached, directing Ann to attend and testify in the criminal proceeding pending in the State of Idaho on the dates of trial, which begins August 11 and ends November 7, with the specific date to be communicated to Ann Parham by Judge Hippler or Ann Taylor Law.

BY THE COURT:

_____

President Judge Arthur L. Zulick

IN THE COURT OF COMMON PLEAS OF MONROE COUNTY, PENNSYLVANIA

IN RE: Summons for Witness, **ANN PARHAM**, to Testify in Idaho Criminal Proceeding Case No. CR01-24-31665	:	Docket No. MD-722-2025

ORDER CANCELING HEARING ON
PETITION FOR SUMMONS FOR ANN PARHAM

AND NOW, THIS _____ day of _____, 2025, upon consideration of the *Agreed Motion to Summon Witness, Ann Parham, and Cancel Hearing on Petition for Summons for Ann Parham* and the *Declaration of Ann Parham* attached thereto, it is hereby ORDERED that the hearing on the Petition to Summon Witness Ann Parham, scheduled for June 30, 2025, is CANCELED.

BY THE COURT:

_____
President Judge Arthur L. Zulick