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Jul. 12, 2010
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SUMMERLIN COSTCO STORE: Slaying of Army veteran shocks friends

Man shot by police was West Point grad

By [LAWRENCE MOWER](#)
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The man shot by police outside a Summerlin Costco store on Saturday was a graduate of the U.S. Military Academy at West Point with a master's degree from Duke University, friends said.

Army veteran Erik Scott, 39, was at the store near Charleston Boulevard and the Las Vegas Beltway with his girlfriend before three officers fatally shot him in a confrontation.

Friends and an attorney speaking on behalf of Scott's relatives, described him as a good man from a military family. His father was in the Air Force, and his grandfather fought in World War II, friend Mike Pusateri said.

"The most loyal, honest, trustworthy, salt-of-the-earth guy you could meet," said Pusateri, 38. "You only meet one or two of those kinds of guys in your life, and Erik is one of them."

Scott worked for Boston Scientific, a medical devices manufacturer, as a sales representative for the company's pacemakers. Attorney Ross Goodman, who represents Scott's family, said Scott was one of the company's top sales employees.

Pusateri and Goodman said Scott and his girlfriend were at the Costco because they were moving in together and wanted to buy the things they needed. The two men declined to discuss the events that led to the shooting.

According to Las Vegas police, officers were called to 801 S. Pavilion Center Drive at 12:47 p.m. by a store worker who said a man was destroying merchandise. Police were told the man had a gun.

Capt. Patrick Neville described Scott as "kind of going berserk." Workers evacuated the store. Officers stopped Scott outside as the customers were leaving.

Neville said an officer tapped the man on the shoulder and identified himself as police. Scott then spun around and reached for a gun, law enforcement officials said.

"They ordered him to the ground," Neville said of the officers on Saturday. "He does not comply with that order. He reaches for the weapon, pulls the weapon out, at which time, the weapon was out of the waistband."

Three officers fired multiple times, killing Scott.

One witness interviewed Saturday and three others interviewed Sunday by the Review-Journal

gave accounts that differed from what police described.

With a few minor variations, the witnesses recounted matching sequences of events. The witnesses interviewed did not see what happened inside the store that prompted workers to call police. Three of the witnesses, upset by the event, asked that their names not be published.

Once Scott was outside, none of the witnesses saw him brandish a weapon or make any movement that would seem like he was brandishing a weapon.

The first witness already had made his purchases and was waiting in line for a worker to check his receipt when he saw an officer enter the store. The officer whispered something to the worker checking the receipts. The first witness then heard that employee turn to another employee and say, "He said we should let him through."

The four witnesses described a calm rush of customers exiting the front of the store after Costco workers told everyone to leave.

Attorney David Amesbury said he arrived in time to see shoppers leaving. He described the customer exodus as being "like the aftermath of Disneyland."

A customer told Amesbury that he couldn't go in, so the attorney waited on a bench west of the entrance. He said he had a clear view of two officers standing beside the entrance with their guns drawn.

All four witnesses said they were within 20 feet of the store's main entrance. They said Scott walked out of the entrance with the crowd.

They described an officer shouting at Scott, then a quick succession of gunshots.

The witnesses differed in their recollection of what one of the officers said.

Amesbury heard, "I told you to stop. Stop."

Two witnesses interviewed Sunday heard, "Drop it."

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A second anonymous witness said Sunday he saw Scott pull up his shirt and turn toward the shouting officer. Then he saw the man get shot, drop to his knees and fall face-first in front of the entrance.

"There wasn't even time for someone to react," the second witness said. "The guy didn't pull a gun. There was no gun in his hand, there was no gun on the ground."

The second witness said he was interviewed by homicide detectives and gave them the same account.

The first anonymous witness also didn't see Scott make a threat.

"I certainly did not see the guy do anything with a gun that would threaten anybody," the first witness said Sunday. "It appeared to me that if he had guns on him, that they were literally in his pocket or in his waist."

The first witness also was interviewed by homicide detectives about the shooting.

Amesbury said he did not see the man get shot, but, "When I go around the corner, I see this guy laid out. I didn't see a gun." Amesbury's view of the shooting was blocked by stone pillars. He was not interviewed by police.

Before the shooting, Scott was walking with a woman that three witnesses thought was his girlfriend. They said she became distraught after the shooting. The incident also left the witnesses shaken.

It's just incredible "with all these people around that Metro would provoke something there," the second witness said. "I don't want to second-guess the police, but wouldn't it have been better to confront him out at his car?"

After the shooting, some people in the crowd panicked. An elderly woman was knocked down and cut her elbow in the chaos, the second witness said.

Only Scott was struck by gunfire .

Police said Scott had two handguns on him when he was shot. Goodman said Scott had a concealed-weapons permit.

Pusateri said his friend was a "safety freak" around guns. He said that "absolutely not in a million years" would Scott be careless with them around others.

Scott graduated from West Point, in New York, in 1994 and was stationed for a time at Fort Hood, Texas, as a tank platoon leader. In 2003, he graduated from Duke University in North Carolina with a master's degree in business administration.

Friends said they noticed nothing strange about Scott in the days before the shooting.

On Friday, Scott's vehicle was struck by another vehicle while he was rushing a pacemaker to Summerlin Hospital Medical Center, Pusateri said. Scott was not injured in the collision, and a firefighter took the device from the crash scene to the hospital, he said.

Friends were distraught and puzzled as to why police shot and killed Scott.

"He's a stand-up guy in the community," Goodman said. "This guy is not somebody to put himself in a situation like that."

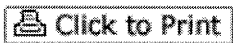
Pusateri, who also sells medical devices, said Scott worked closely with patients in his job. He called Scott's job the "pinnacle" of the business.

"It's very, very sad," Pusateri said. "I'm shocked by it. It's the tragic loss of a great man."

Contact reporter Lawrence Mower at lmower@reviewjournal.com or 702-383-0440.

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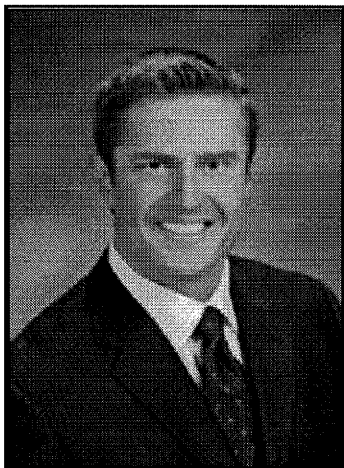
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Nevada Slaying of Army veteran shocks friends; Four witnesses contradict police account

July 13, 2010 posted by [Michael Leon](#) · [13 Comments](#)



Army Veteran Erik Scott
Killed by Nevada Police

Another veteran killed by police, this time in Nevada. From Maine to Nevada what the hell is going on?

Man killed by police was West Point grad, "The most loyal, honest, trustworthy, salt-of-the-earth guy you could meet."

By Lawrence Mower in the *Las Vegas Review-Journal*—The man shot by police outside a Summerlin Costco store on Saturday was a graduate of the U.S. Military Academy at West Point with a master's degree from Duke University, friends said.

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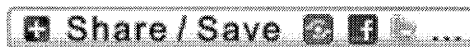
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ada Slaying of Army veteran shocks friends; Four witnesses contradict police account"

1. *Glenn* says:
[July 13, 2010 at 11:45 am](#)

So let me go out on a limb here. I will guess the slain veteran had recently filed for VA C&P, or he was being treated at his local VA hospital? He perhaps made note of the poor service at the VAMC to his senator, or asked for a higher percentage from the VARO? These actions "flagged" the veteran to VA

managers. These VA managers promptly ordered the VA police to “take care of the problem”. Then the VA police, through their inter-departmental services section, simply got on the phone with the local “good ole’ boy” cops. If for no other reason that a cop is a cop is a cop, no matter the jurisdiction, they even have their own bars they all hang out at. So, the 3 local good ole’ boy cops were given, oh a wild number, \$20,000 each by the VA to solve the VA’s problem. Its all easily done because the local cops assigned a small number of their many, MANY police informants to follow the target veteran around all day, and once the snitches and the cops decided the location was ideal, the cops did “the hit”. The news media, incompetent and complicit as always, virtually ignores the story, the American public goes back to watching the football game, the gold ole’ boy cops get a quick \$20,000 then go back to their daily routine of drug dealing child sex trafficking or tasering bed-ridden old ladies, and the VA has one less mouth to feed and BIGGER BONUS CHECKS FOR ALL! Any of this getting through to you people? Didn’t think so. Rest assured, veterans, this sort of thing is going on all across the nation, every day of the week, and best of all it is coming to a town near you very, very soon. Don’t say you were not warned. P.S. where is Duff’s glorious and heroic retired fbi pal?

- o Michael Leon says:
July 13, 2010 at 3:16 pm

Geez Glenn,

But it surely does not sound like this guy deserved IT.

A good man is dead.

Why the sarcasm?

- rick dimbath says:
July 13, 2010 at 6:12 pm

Michael Leon is with megaphone adl/splc/jdl aipac of lunatics.

GLENN WAS NOT BEING SARCASTIC

- o MK says:
July 13, 2010 at 5:13 pm

Dear Glenn,

The story is horrifying. Your explanation, is credible and even more horrifying. Have you experienced similar stories? Is this what happened in Maine? This is so wrong.

MK

- Glenn says:
July 13, 2010 at 6:44 pm

MK, to answer your question, yes. My little story over at Fox News made me an enemy of the VA, but I don’t mind that. What I do mind is unmarked Roanoke county police cruisers trying to run me off the road on my way back from an appointment at the VA hospital. Had I not been paying attention, I would probably be road pizza right now. Sounds weird, I know, but keep in mind I am only a few miles from the VAMC and I ride a 50cc scooter to and from my appointments. Mr. Leon thinks I am being sarcastic, but in my opinion the execution of Erik Scott was no accident. Just as war is the logical extension of foreign policy, murdering veterans is nothing more than the VA “cleaning house”. One look at the VA bay Pines fiasco (thats now gone into Round 2), and the off-the-scale insanity displayed by the subhuman VA

police in Waco Texas, and any sane person will see these are not random aberrations, they are status quo.

2. *Dan* says:

July 13, 2010 at 4:22 pm

“Three officers fired multiple times.” Even if Scott was drawing a gun, these three should have tackled or wounded him, and typify the kind of coward joining police departments today. My uncle, a purple heart veteran of the 101st Airborne in WWII, was a sergeant detective in the NYPD. He walked in on an armed robbery in a stationery store and was shot by one of the hoods before he could draw his gun, which he did, and he shot the man in self defense. The other hood ran out the door, and rather than fill him with lead, my uncle, who was wounded and bleeding, chased him down the street, tackled him, and made the arrest. We have a photo of him getting an award from Mayor Wagner. What a difference between the time when cops were men and today when police departments apparently keep the sociopaths off the street by hiring them.

3. *rick dimbath* says:

July 13, 2010 at 6:09 pm

FOR MANY YEARS NOW PATRIOTS IN THE U.S. ARMED FORCES
ARE BEING KILLED OFF/ SETUP / “SUICIDED” BY THE CABAL OF GANGSTERS RUNNING
THE GOVERNMENT.
WE ARE ALL ON A FEW LISTS , WE ARE REALLY RUNNING OUT OF TIME !!

4. *rick dimbath* says:

July 13, 2010 at 6:20 pm

check out

<http://www.veteranstoday.com/2010/07/07/gordon-duff-did-the-military-stop-cheney-from-destroying-the-world/>

more servicemen dying off/ having “accidents” / too many coincidences

5. *James* says:

July 14, 2010 at 5:52 pm

Oh boy reading Glenn’s comment make me think somethong weird is going on in America these days: incumbent prez who didn’t show any credentials (BC, diplomas, trascripts, etc.); MSM is corrupt; VA hospital contaminating veterans HIV-H1B’s; goon cops killing veterans; voters need not to show ID to cast vote; etc...

What is going on??? WHERE ARE THE GOOD PEOPLE IN THIS COUNTRY – ARE YOU OUT THERE???

6. *Charlie* says:

July 14, 2010 at 9:12 pm

This is nothing but cold-blooded murder if it went down the way the story reads. It needs to be investigated by the FBI, the same as those in New Orleans are now being investigated. Some of these cops are using their title to commit murder on public citizens everyday. Anybody who watches the results of jury trials on veterans cannot help but see that veterans are being treated much different than their civilian, non-veterans when they go to trial. The justice system in this country is out to get veterans and has been since the end of the Vietnam war. Vets organizations need to wake up and see what is going on.

7. *Walter* says:

July 18, 2010 at 9:35 am

The police will have a difficult time explaining this as a justified shooting. There are too many variables that are not consistent. First, when a police officer is not in a barricaded or concealed position a police officer will wait for a person to pull out a gun, then shoot.

In this case, Scott was in an open parking lot and the officers were obviously within talking distance. If Scott reached for a weapon he would have obviously been shot. However, the officers are saying he brandished a weapon. Is it reasonably safe to assume that each officer watched Scott pull out a weapon and point it in the air? If this is the case, what danger were each officers in? In addition, why would each officer wait until Scott pull his gun out of his waistband point it in the air then shoot him? The officers are obviously fabricating the events.

8. *Bubba* says:

August 22, 2010 at 11:29 pm

In the description that I read, from several different sites, the description of the last few seconds before they gunned this guy down sound weird at best, and I am not referring to the obvious. Three cops respond to a MWG call, and they order the store cleared. Witness hears a cashier mumble to another employee that "[the cops} said to let him through", and then, the store's customers exit, en masse, including Scott. Then, as two wait/approach Scoot in the throngs of people leaving the store, and one of the cops COMES UP BEHIND AND TAPS SCOTT ON HIS SHOULDER. VERY shortly thereafter, the guys is dead. They all shoot at a guy who is RIGHT IN FRONT of their partner, who could have and should have taken Scott down IF there all wonder that the video is "missing". was a need to do any Smthing.

9. *dan* says:

September 6, 2010 at 2:31 pm

A cop pulled me over the other day, he asked do you know why I pulled you over? I said because you got C's in High School.

Pretty much sums up cops.

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Michael Leon

Website: <http://malcontends.blogspot.com/>



Michael Leon is a writer living in Madison, Wisconsin. His writing has appeared nationally in The Progressive, The Advocate, In These Times and CounterPunch, and locally in Madison in the Isthmus, the Capital Times and Corporate Report Wisconsin. Leon works as a staff writer, editor and veterans' advocate at Veterans Today, and as a writer/editor and PR consultant based out of Madison. [Read Full](#)
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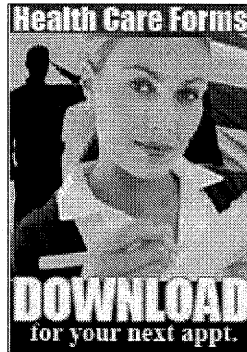
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Important Information for Veterans: Asbestos products were often used on military ships and within military housing, and Veterans may have been exposed. Previous exposure to asbestos is the only known cause of [mesothelioma](#), a fatal cancer that has no cure and affects countless Veterans and loved ones. For more information regarding military asbestos exposure visit [Mesothelioma.com](#)
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EXHIBIT 3

EXHIBIT 3

-APPLICATION-

Title _____

Title of Work: Slaying of Army veteran shocks friends. Man shot by police was West Point grad.

Completion/Publication _____

Year of Completion: 2010

Date of 1st Publication: July 12, 2010

Nation of 1st Publication: United States

Author _____

▪ **Author:** Stephens Media LLC

Author Created: text

Work made for hire: Yes

Citizen of: United States

Domiciled in: United States

Copyright claimant _____

Copyright Claimant: Righthaven LLC

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Certification _____

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Date: September 9, 2010

Applicant's Tracking Number: 0001998

Registration #:

Service Request #: 1-484454258

Application Date: 09-09-2010 21:14:24

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