

CASE NO. 2015-ME-0447 / SFPD-2015-48801

MARSH, Eleanor Anne | DOB: 03/22/1969

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**MINNEHAHA COUNTY MEDICAL EXAMINER'S OFFICE**

Sioux Falls Police Department — Homicide Unit

HOMICIDE — arrest warrant issued 12/04

tox confirmed — digoxin — RGA — 11/22/2015

**FINAL CASE RESOLUTION SUMMARY**

Case No. 2015-ME-0447 / SFPD-2015-48801 | MARSH, Eleanor Anne | FOR SOLUTION REFERENCE ONLY

<b>ME Final Report</b>	<b>November 22, 2015</b>	<b>Case Status:</b>	<b>CLOSED — HOMICIDE</b>
Cause of Death:	Acute digoxin toxicity	Manner of Death:	HOMICIDE
Pathologist:	Dr. R.G. Adeyemi, MD — Minnehaha County ME	Sign-off Date:	November 22, 2015
Arrest:	Craig Daniel Ellsworth — December 8, 2015	Charge:	First-Degree Murder; Securities Fraud
Arrested:	December 8, 2015 — Minnehaha County	Bond:	Circuit Court — held without bail

**WHAT HAPPENED — FULL CASE NARRATIVE**

Eleanor Marsh had been CFO of Apex Financial Group for four years when, in August 2015, she identified anomalies in the Q3 client account reconciliations that could not be explained by accounting error. Over six weeks she quietly reconstructed a parallel set of transactions — a shadow ledger — that revealed COO Craig Ellsworth had been systematically diverting client investment funds through a network of shell accounts for approximately eighteen months, embezzling in excess of \$4.1 million. The evidence she assembled — account records, wire transfer confirmations, and internal emails that Ellsworth apparently believed were deleted — was stored on a small black USB drive she kept in her desk drawer. She labeled the paper folder on her desk 'Q3 — parallel.' She told no one except her attorney.

On October 13, 2015, Eleanor met with Heinrich Vrenner, Esq., a financial crimes and whistleblower attorney she had retained in secret two weeks earlier. Vrenner advised her that her findings constituted a serious securities violation, that she had potential personal legal exposure if she delayed reporting, and that she should go to regulators within 48 hours. After Vrenner left, Eleanor returned to her desk. She was frightened but resolved. At 11:47 p.m. she emailed Ellsworth — not to threaten him, but because she still believed he might do the right thing. The email told him she had found the parallel accounts, that she could not continue to sign off on reports she knew to be false, and that she intended to contact the SEC and the South Dakota Division of Banking the following morning unless he contacted her first.

Ellsworth read the email that night. He did not call. Instead, he drove to the office.

Ellsworth had his own Suite 712 access card. He entered the building through the lobby — Patrick Herne was briefly away from his desk — using a duplicate contractor card he had arranged as a potential red herring (a copy of Ramon Fuentes's card, made from the card's RFID data during a moment when Fuentes had left it unattended during a bathroom break the previous week). That duplicate

**MINNEHAHA COUNTY ME — FINAL**

generated the 22:47 badge entry attributed to 'Fuentes.' Ellsworth then used his own Suite 712 card to enter the office. Eleanor was at her desk. He was calm. He may have told her he wanted to talk. He used the opportunity to go to the breakroom – the regular coffee pot was still warm – and add a prepared solution of digoxin to her mug while she was not watching. He then took the USB drive from her desk. He stayed long enough to confirm she had drunk the coffee, then left. He was gone before midnight. The 7th floor hallway camera, which he had arranged to be disabled three days earlier through a proxy tenant complaint, recorded nothing.

Ellsworth arraigned 12/08 – held w/o bail – MLS

Digoxin is a cardiac glycoside used therapeutically in heart failure and arrhythmia management. In toxic doses – particularly in a patient already taking Lisinopril, which potentiates its effect by lowering potassium – it causes progressive bradyarrhythmia and ventricular fibrillation. Death can occur within two to four hours and, in a 46-year-old woman with documented mild coronary artery disease and hypertension, the presentation is nearly indistinguishable from sudden cardiac death. Ellsworth knew about Eleanor's heart. He knew about Dr. Taft's referral to cardiology. He had listened to enough of her conversations with Diane Kowalski over four years.

What Ellsworth did not know: that Eleanor had suspected she might be in danger. The laptop forensic examination recovered a private browser session from October 11, 2015 in which she had searched the terms 'digoxin interactions lisinopril,' 'symptoms digoxin toxicity,' and 'how to detect poisoning before it happens.' She did not know how she might be targeted or when. She told Diane that 'things here are not what they appear to be.' She cancelled the following week's calendar because she intended to be in a very different place by then – either a federal reporting office, or somewhere safe. She ran out of time by hours.

**EVIDENCE THAT CONFIRMS THE SOLUTION**

Clue / Evidence Item	What It Proves
Tox results (MCME-TOX-2015-0841) –	Digoxin detected Toxic 8 mg/mL Ellsworth prescribed by the
EV-A – coffee mug: regular (caffeinated)	The mug was Ellsworth's Marsh never returned from after regular
Badge entry 22:47 – card #CC-2015-0	Ellsworth created duplicate was done a red herring to impl
Suite 712 door unlocked at discovery	Ellsworth used his own COO access card to enter and exit. H
7th floor camera offline Oct 11-14	(The 2015-10-11-14) 'nt' on Oct 11 was placed by a burner pho
Missing USB drive – not recovered at	Ellsworth took it, found in residence search of his vehicle on De
EV-J – email Marsh to Ellsworth, 23	Establishes motive Ellsworth knows she was going to the SE
Laptop forensics – browser search	Eleanor suspected she was being targeted, she did not know
Kowalski: 'things here are not what	Ellsworth told her the person she trusted most that someth
Dr. Taft: Ellie said 'nothing that	Ellsworth prescribed her medication early Sep 2015 digoxin s

**CASE CLOSED — HOMICIDE**

**THE PEOPLE — WHERE THEY ENDED UP**

Person	Outcome
Craig Ellsworth	Arrested Dec. 4, 2015. Charged: First-Degree Murder, Securities Fraud (7 counts)
Ramon Fuentes	Cleared of all suspicion. The badge anomaly traced entirely to Ellsworth's badge
Heinrich Vrenner, Esq.	Voluntarily came forward after Eleanor's death became public. His testimony was key
Diane Kowalski	Key prosecution witness. The personal notepad entries were entered into evidence
Dr. Susan Taft	Provided expert medical testimony re: digoxin-Lisinopril interaction. Later cleared
Gregory Marsh (spouse)	Cooperated fully. Received a civil settlement from Apex Financial Group's insurance
Apex Financial Group	Receivership, November 2015. Client funds (\$4.1M) substantially recovered via

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