

Lauren Galicia

Defendant found not guilty of murder of CEO of Sunshine Medical Components

MONTEREY — Following a heated trial Thursday at the Monterey County Courthouse, the defendant Tobie Clark, was found not guilty of the murder of the CEO of Sunshine Medical Components last July.

The CEO of SMC, Kieran Sunshine and his company advisor, Clark planned on presenting the test results of SMC's new product, the ForeverFlex5000 on July 17. At 8 a.m. that day, Kieran was found by his holistic wellness coach, Gerrie Moayad, lying on his back with a fatal stab wound to his upper right abdomen by means of a champagne saber.

According to the prosecution, the forensic evidence pointed to Tobie Clark as suspect, with two sets of her fingerprints on the handle of the saber. Kieran and Clark's relationship had been strained since a meeting behind closed doors on Jan. 3.

Clark testified that that day, Kieran told her that there was a hiccup in the product. She did not learn that the ForeverFlex5000 was causing bacterial infections until a patent was already acquired. The prosecution questioned Clark not reading over the test results more carefully and her abrupt leave of the Bells Hotel July 17. The defense was impassive.

The defense argued that it was Gerrie Moayad, not Tobie Clark, who had the means and motive to kill Kieran Sunshine. “It was all too easy to commit and even easier to get away with,” said defence attorney Grant Xu.

Moayad and Emari Sunshine, testified to hearing Kieran arguing from across the hall with his back turned on July 16. In an intense cross-examination, both admitted they were not entirely positive if the other individual was Clark.

In the pre-trial motion, the defense filed a motion to quash the evidence obtained by geofence data, saying that the geofence was “overbroad, unnecessary, and lacked proper cause”. Detective Perren failed to obtain a second geofence warrant, making it an unrestricted dragnet search involving unaffiliated parties. After a rebuttal by pre-trial attorney Aaron Castillo, the motion was dismissed.

The night of the murder, Tobie Clark said she was in the gym, and the geofence did not dispute this. The morning of July 17, Moayad went with a spare key into the hallway to open Kieran’s door, despite their rooms being adjoined.

A partial shoe print from a Magnate shoe was found at the crime scene with three witnesses including Clark and Moayad sharing a similar size. Dr. Parker Turner noted that the tread was intact and relatively new, and when Clark was questioned, she revealed she had donated them, as they were battered.

Moayad was already an unlicensed professional, and if the ForeverFlex was not released, he would lose his job. The defense explained that upon Moayad's instruction, Kieran was "meditating and de-stressing after a long day," providing a perfect opportunity for Gerrie Moayad to plunge the saber and commit the fatal injury.

"It is important to distinguish how well an argument is presented in accordance with the underlying facts," said Judge William Litt. "There was room for reasonable doubt."