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7 Attorneys for Plaintiff  
 8 United States of America

9 UNITED STATES DISTRICT COURT  
 10 CENTRAL DISTRICT OF CALIFORNIA  
 11 SOUTHERN DIVISION

13 UNITED STATES OF AMERICA,	)	Case No. SA CR 08-180-DOC
	)	
14 Plaintiff,	)	PROPOSED VOIR DIRE QUESTIONS
	)	
15 v.	)	Trial Date: September 17, 2013
	)	Time: 2:00 p.m.
16 MOSES ONCIU, <u>et al.</u> ,	)	Place: Courtroom of the
	)	Honorable David O. Carter
17 Defendants.	)	

18 Pursuant to Rule 24(a)(2)(B) of the Federal Rules of  
 19 Criminal Procedure, plaintiff United States of America  
 20 respectfully requests that the court include the following  
 21 questions in its examination of prospective jurors during voir  
 22 dire in the trial of the above-entitled case. The government

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1 also requests leave to submit supplemental questions during voir  
2 dire as may be necessitated by the answers of prospective jurors.

3 Dated: September 15, 2013.

4 ANDRÉ BIROTTE JR.  
United States Attorney  
DENNISE D. WILLETT

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6 Assistant United States Attorney  
Chief, Santa Ana Branch

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8 \_\_\_\_\_/s/  
LAWRENCE E. KOLE  
9 Assistant United States Attorney

10 Attorneys for Plaintiff United  
11 States of America  
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1 Attitude Toward Government and Law Enforcement

2 1. Have you, or any member of your family, or any of your  
3 close friends ever had a dispute with or been involved in a claim  
4 or lawsuit against an agency of the United States Government? If  
5 so, what were the circumstances and outcome?

6 2. Have you, any member of your family, or any close  
7 family friend ever been stopped, questioned, or arrested by any  
8 law enforcement officer other than for a minor traffic  
9 infraction? If so:

10 a. When and for what kind of crime?

11 b. Do you feel you were [he or she was] treated  
12 fairly?

13 c. Would that experience in any way affect your  
14 willingness or ability to deliberate fairly in  
15 this case?

16 d. Do you have any positive or negative feelings as a  
17 result of that contact?

18 3. Have you, or any member of your family, or close  
19 friends, ever had any unpleasant contact with any law enforcement  
20 officer?

21 4. Do you have any beliefs about, or experience with, law  
22 enforcement officers that would make it in any way difficult for  
23 you to be an impartial juror in this case?

24 5. Do you have any feelings against the Federal Bureau of  
25 Investigation ("FBI") or any particular person who works for FBI?  
26 If so, what are those feelings and what is the basis for them?

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1           6.    Have you, any member of your family, or any close  
2 family friend ever filed a complaint, claim, or lawsuit based on  
3 the conduct of a law enforcement officer?  If so, what were the  
4 circumstances and outcome?

5           7.    Have you, or has any member of your family or any close  
6 friend of yours, ever been incarcerated in a jail, prison, or  
7 correctional institution for any length of time?  If so:

8               a.    When and for what kind of crime?  Felony or  
9                    misdemeanor?

10              b.    Do you feel you were [he or she was] treated  
11                    fairly?

12              c.    Would that experience in any way affect your  
13                    willingness or ability to deliberate fairly in  
14                    this case?

15           8.    Have you, any members of your family, or any of your  
16 close friends had any contact with the FBI?  If so:

17               a.    When did it occur and what was the nature and  
18                    result of the contact?

19               b.    Do you feel that you or your family member or  
20                    friend was treated fairly by the agency?

21           9.    Have you, any members of your family, or any of your  
22 close friends had any contact with the Federal Reserve Bank?  If  
23 so:

24               a.    When did it occur and what was the nature and  
25                    result of the contact?

26               b.    Do you feel that you or your family member or  
27                    friend was treated fairly by the Federal Reserve?

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1 Investigative Techniques

2 10. Do you have any negative opinions about the use of  
3 persons acting undercover to investigate crime?

4 11. Do you have any negative opinions about prosecution of  
5 someone for conduct towards a government agent using an assumed  
6 identity instead of a citizen who was a victim of a crime?

7 12. Do you have any negative opinions about a law  
8 enforcement agent recording conversations with someone who is  
9 being investigated without that person knowing it?

10 13. Do you believe that a person should not be convicted  
11 unless law enforcement is able to obtain types of forensic or  
12 scientific evidence against that person? If so, what type(s) of  
13 evidence?

14 Investing and Investments

15 14. This case involves marketing of investments. Have you,  
16 any member of your family, or any of your close friends ever  
17 worked at business, or as a self-employed person, selling,  
18 managing, or advising people on investments? If so:

- 19 a. In what capacity?  
20 b. At what business, when, and for how long?  
21 c. Does your experience or knowledge of that person  
22 cause you to have any positive or negative  
23 feelings about investing?

24 15. Have you, any member of your family, or any close  
25 friend ever filed a complaint, claim, or lawsuit based on your  
26 interaction with an investment firm, broker, or other person  
27 handling investments? If so:

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- 1 a. What were the circumstances and outcome?  
2 b. Do you feel that you or your family member or  
3 friend was treated fairly?  
4 c. Would that experience in any way affect your  
5 willingness or ability to deliberate fairly in  
6 this case?

7 16. Have you, any member of your family, or any of your  
8 friends ever had any unpleasant experience with a person or firm  
9 that sells, manages, or advises people on investments? If so:

- 10 a. What was the experience and when did it occur?  
11 b. Do you feel that you or your family member or  
12 friend was treated fairly by the person or firm?

13 17. Do you have any personal experience buying or selling  
14 stocks or bonds, or choosing investment funds? If so:

- 15 a. Would that experience in any way affect your  
16 willingness or ability to deliberate fairly in  
17 this case?  
18 b. Have you had any negative experiences?

19 18. Do you have any personal experience buying or selling  
20 foreign stocks or bonds, or investment funds that hold foreign  
21 assets? If so, what was the nature of your experience?

22 19. Do you believe that there are investments available  
23 that have no risk?

24 20. Do you think that the financial system in the United  
25 States is unfair? If so, for what reason(s)?

26 21. Would any of you prefer, for any reason, not to be  
27 jurors in a case involving investments?

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1 22. Have any of you previously acted as a juror in a case  
2 involving allegations of fraud? If so, would that experience  
3 prevent you from giving either the government or the defendant a  
4 fair trial in this case?

5 23. Have any of you previously acted as a juror in a case  
6 involving investments? If so, would that experience prevent you  
7 from giving either the government or the defendant a fair trial  
8 in this case?

9 Prior Litigation

10 24. Have any of you or a family member or close friend  
11 ever been a party in a civil lawsuit? If so:

- 12 a. What type of case?  
13 b. Which party were you or your associate?  
14 b. Do you feel that you or your associate was treated  
15 fairly?  
16 c. Would that experience in any way affect your  
17 willingness or ability to deliberate fairly in  
18 this case?

19 Knowledge of the Law

20 25. Do you have any legal training?

21 26. Do you have any family members or close friends who are  
22 lawyers or who work for lawyers? If so, does your knowledge of  
23 that person cause you to have any positive or negative feelings  
24 about lawyers?

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1 Role as Juror

2 27. The potential punishment for the crimes charged in this  
3 case is a matter exclusively for the Court to determine. Is  
4 there any one of you who has concerns about the potential  
5 punishment for the crime charged?

6 28. Is there anything about the charges in this case, or  
7 anything else that you now know about this case, that makes you  
8 unwilling or reluctant to serve as a juror or causes you any  
9 reservations about your ability to hear the evidence, deliberate  
10 and return a fair and impartial verdict?

11 29. Do any of you have any difficulty with your language  
12 skills, hearing, sight or have medical problems that could impair  
13 your ability to devote your full attention to this trial?

14 Credibility

15 30. Does anyone feel that they are not a good judge of  
16 credibility?

17 31. Does anyone feel uncomfortable judging the credibility  
18 of the witnesses who are going to testify at trial because they  
19 do not have enough experience judging whether people are telling  
20 them the truth?

21 Deliberation

22 32. Has anyone not had experience making group decisions  
23 either in their workplace or in their family life?

24 33. Does anyone have any belief that it is difficult to  
25 make decisions as part of a group?

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1           34.    If you are selected as a juror and hear this case, you  
2 will be required to deliberate with 11 other jurors. This will  
3 require you to discuss the evidence and the law in this case with  
4 the 11 other jurors. Does anyone anticipate that they will have  
5 difficulties engaging in such group discussions?

6 Miscellaneous

7           35.    Do any of you have any objection to the manner in which  
8 the American criminal justice system operates?

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