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8 UNITED STATES DISTRICT COURT
9 DISTRICT OF ARIZONA

10 United States of America,
11 Plaintiff,
12 v.
13 Jarrett B. Maupin, II,
14 Defendant.

CR09-052-PHX-DGC

**STIPULATION OF THE PARTIES
AS TO DRAFT TRANSCRIPTS**

15 WHEREAS certain law enforcement agencies have prepared draft transcripts of
16 consensual audio recordings made during criminal investigations which may be pertinent to the
17 charge against defendant,

18 AND WHEREAS the government is willing to produce those draft transcripts to the
19 defense, provided the government is not bound by the versions of the draft transcripts produced,

20 IT IS HEREBY STIPULATED AND AGREED by and between the undersigned parties,
21 as follows:

22 1. The defense agrees that the draft transcripts will not be used for cross-examination of
23 any government witnesses at any pretrial hearing or at trial; and

24 2. The parties agree that the United States retains the right to edit and modify the draft
25 transcripts as it prepares for trial, and the evidence of any such edits or modifications shall not
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1 be introduced or argued at trial, or provide any basis for cross-examination of any government
2 witnesses.

3 Respectfully submitted this 20th day of February, 2009.

4 DIANE J. HUMETEWA
5 United States Attorney
6 District of Arizona

MORRISON SKUPIN PLLC

7 s/ Gary Restaino
8 RACHEL C. HERNANDEZ
9 GARY M. RESTAINO
10 Assistant U.S. Attorneys

s/ Michael Skupin with permission
R. MICHAEL SKUPIN

11 CERTIFICATE OF SERVICE

12 I hereby certify that on this date, I electronically transmitted the attached document to the
13 Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic
14 Filing to the following CM/ECF registrants: R. Michael Skupin.
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UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

United States of America,

 Plaintiff,

 v.

Jarrett B. Maupin, II,

 Defendant.

CR09-052-PHX-DGC
**ORDER AS TO DRAFT
TRANSCRIPTS**

THIS MATTER COMING BEFORE THIS COURT on the stipulation of the parties for entry of an order concerning the disclosure and use of draft transcripts of audio recordings produced by the government in this matter, and good cause appearing,

IT IS HEREBY ORDERED:

1. The draft transcripts disclosed by the government shall not be used for cross-examination of any government witnesses at any pretrial hearing or at trial.
2. The United States retains the right to edit and modify the draft transcripts as it prepares for trial, and the evidence of any such edits or modifications shall not be introduced or argued at trial, or provide any basis for cross-examination of any government witnesses.