

1 BOERSCH SHAPIRO LLP
2 David W. Shapiro (CA Bar No. 219265)
3 Dshapiro@boerschshapiro.com
4 Martha Boersch (CA Bar No. 126569)
5 Mboersch@boerschshapiro.com
6 Lara Kollios (CA Bar No. 235395)
7 Lkollios@boerschshapiro.com
8 235 Montgomery Street, Suite 835
9 San Francisco, CA 94104
10 Telephone: (415) 500-6640

11 Attorneys for Defendant
12 DAVID ALAN HESLOP

13 UNITED STATES DISTRICT COURT
14 CENTRAL DISTRICT OF CALIFORNIA

15 UNITED STATES OF AMERICA,) Case No. CR-12-441(A)-MWF
16)
17 Plaintiff,) PARTIES' JOINT JUROR
18) QUESTIONNAIRE
19 v.)
20)
21 GARY EDWARD KOVALL, DAVID)
22 ALAN HESLOP, PAUL PHILLIP)
23 BARDOS, AND PEGGY ANNE)
24 SHAMBAUGH,)
25)
26 Defendants.)

JUROR QUESTIONNAIRE

Please fill out this form as completely as possible and print clearly. Since we want to make copies for the attorneys and the court, do not write on the back of any page. If you need more room, continue at the bottom of the page. If there is anything on this form that you do not want to talk about in open court, please write "Private" beside the question number. Thank you for your cooperation.

1. Your name: _____

2. Your age: _____

3. The city where you live: _____

4. Your place of birth: _____

5. Do you rent or own your home? (circle one) rent own

6. Your marital status: (circle one)
single married separated divorced widowed live with partner

7. What is your occupation, and how long have you worked in it?
(If you are retired, please write "retired" and describe your main occupation when you were working.)

8. Who is (or was) your employer?

9. How long have or did you work for this employer? _____

10. Have you ever owned your own business?

_____ Yes _____ No

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1 If yes, please explain the nature of the business and whether it was a positive or
2 negative experience overall.

3 _____
4 _____

5 11. Please list the occupations of any adults with whom you live.

6 _____

7 12. If you have children, please list their ages and sex and, if they are employed,
8 please give their occupations.

9 _____

10 13. Your educational background:

11 Highest grade completed: _____

12 College and/or vocational schools you have attended:

13 _____
14 _____
15 _____

16 Major areas of study: _____

17 14. Have you ever served on a jury before?

18 _____ Yes _____ No

19 If yes, how many times in:

20 State/County Court _____? Federal Court _____?

21 When? _____

22 Was it a civil or criminal case? _____

23 Did the jury(ies) reach a verdict? _____

24 Were you ever a foreperson of a jury?

25 _____ Yes _____ No

26 //

1 Is there any reason that your prior jury service would affect your ability to be
2 fair, objective, and impartial to both sides here?

3 _____ Yes _____ No

4 15. Have you, or a close friend or family member, ever worked for a court or for
5 any prosecution or criminal defense office, including a district attorney's
6 office, United States Attorney's Office, public defender's office, or a private
7 criminal defense attorney's office?

8 _____ Yes _____ No

9 16. Have you, or a close friend or family member, ever been employed by any law
10 enforcement agency?

11 _____ Yes _____ No

12 17. Have you ever served in the military police or in courts martial?

13 _____ Yes _____ No

14 18. Are you acquainted with Judge _____, the judge in the case, or
15 with any other jury panelist you see in the room?

16 _____ Yes _____ No

17 19. Have you, or a close friend or family member, been the victim of or witness to
18 a crime?

19 _____ Yes _____ No

20 If yes, please explain.

21 _____
22 _____
23 _____

24 20. Have you ever been accused, arrested or convicted of any offense?

25 _____ Yes _____ No

26 //

27 //

1 If yes, please explain.

2 _____
3 _____
4 _____

5 21. Has a close friend or family member ever been convicted of any offense?

6 _____ Yes _____ No

7 If yes, please explain.

8 _____
9 _____
10 _____
11 _____

12 22. Have you, or a close friend or family member, ever had a bad experience with
13 a court or with law enforcement or the federal government?

14 _____ Yes _____ No

15 If yes, please explain.

16 _____
17 _____
18 _____
19 _____

20 23. Do you believe law enforcement officers are more or less likely to tell the truth
21 than other witnesses because of their occupations?

22 _____ More Likely _____ Less Likely _____ No effect

23 24. The defendant, attorneys and witnesses may be of various races, ethnicities and
24 national origins. Would the race, ethnicity or national origin of the defendant,
25 the attorneys, the witnesses or the law enforcement agents have any impact on
26 your opinions in this case?

27 _____ Yes _____ No

28 //

1 25. The court will give you more detailed instructions on the charges if you are
2 chosen as a juror, but, in general, the defendants are charged with conspiring to
3 and, in fact, giving or receiving corrupt payments as agents of and in
4 connection with transactions of an Indian tribal government. Defendants have
5 pled not guilty and deny these allegations.

6 Is there anything about the nature of this case that would make it difficult for
7 you to be a fair and impartial juror?

8 _____ Yes _____ No

9 If yes, please explain.

10 _____
11 _____
12 _____

13 26. Do you understand the principles that a defendant in a criminal case is
14 presumed to be innocent unless proven guilty and that the burden of proof is
15 upon the government to prove guilt beyond a reasonable doubt before there can
16 be a conviction?

17 _____ Yes _____ No

18 27. Would you have difficulty presuming the defendant to be innocent?

19 _____ Yes _____ No

20 28. Because the defendant is presumed innocent and the burden of proof is on the
21 government to prove guilt beyond a reasonable doubt, the defendant need not
22 testify, or present any witnesses or evidence. In fact, the defendant has a
23 constitutional right not to testify, to rely upon the presumption of innocence.
24 Will you have difficulty giving the defendant the benefit of the presumption of
25 innocence if he chooses not to testify or present witnesses or evidence?

26 _____ Yes _____ No

27 29. If, at the end of the case, you believed that the defendant was guilty beyond a
28 reasonable doubt, would you have difficulty returning a verdict of guilty?

_____ Yes _____ No

//

1 30. If, at the end of the case, you had a reasonable doubt as to the defendant's
2 guilt, would you have difficulty returning a verdict of not guilty?

3 _____ Yes _____ No

4 31. Will you have difficulty following the law as the court gives it to you, if you
5 disagree with it or think it should be different?

6 _____ Yes _____ No

7 32. Do you have any problem, based upon a doctrine of your religion, with sitting
8 in judgment of another's conduct in a court of law in this or any other criminal
9 case?

10 _____ Yes _____ No

11 33. Is there any other reason, not addressed above, that would make it difficult for
12 you to be a fair and impartial juror in this case?

13 _____ Yes _____ No

14 If yes, please explain.

15 _____
16 _____
17 _____

18 34. Attachment A is a list of the parties, agents, investigators, attorneys, potential
19 witnesses and other people connected with this case. Do you think you might
20 know any of these people?

21 _____ Yes _____ No

22 If yes, please place a checkmark by the name(s).

23 35. Have you ever read or seen anything in the media about any person listed in
24 Attachment A?

25 _____ Yes _____ No

26 //

27 //

28

1 If yes, please describe what you read or saw.

2 _____
3 _____
4 _____
5 _____
6 _____
7 _____

8 36. Please describe any business experience you have had with any Indian tribe,
9 including the name of the tribe.

10 _____
11 _____
12 _____
13 _____
14 _____
15 _____
16 _____

17 37. Have you ever visited an Indian casino?

18 _____ Yes _____ No

19 If yes, which casino?

20 _____

21 What was the name of the tribe associated with the casino?

22 _____

23 Where was the casino located?

24 _____
25 _____
26 _____
27 _____
28 _____

1 Please describe your experience.

2 _____
3 _____
4 _____
5 _____
6 _____
7 _____

8 38. Have you ever heard of the Spotlight 29 Casino in Coachella, CA?

9 If yes, how and when did you hear about it?

10 _____

11 What impressions do you have of the Spotlight 29 Casino?

12 _____

13 39. Have you ever heard of the Twenty-Nine Palms Band of Mission Indians
14 located in Coachella, CA?

15 If yes, how have you heard of that tribe?

16 _____
17 _____

18 What experience have you had with any tribe members?

19 _____

20 40. Please describe any opinions you may have about Indian gaming.

21 _____
22 _____
23 _____
24 _____

25 41. Have you heard of Claremont McKenna College?

26 _____ Yes _____ No

27 _____
28 _____

1 If yes, what is your impression of the college?

2 _____
3 _____
4 _____

5 42. Do you know anyone employed at or who attended Claremont McKenna
6 College?

7 _____ Yes _____ No

8 If yes, please provide information about your relationship with those people.

9 _____
10 _____
11 _____
12 _____

13 43. Please list any organization, clubs, or associations to which you or your
14 spouse/domestic partner have belonged or participated, and identify any
15 leadership roles you have had in each organization. (Include any civic, social,
16 religious, charitable, volunteer, political, sporting, professional, union, and
17 recreational groups, for example, the Rotary Club, American Civil Liberties
18 Union, National Rifle Association, etc.):

18 Self: _____

19 _____

20 Spouse/Domestic Partner: _____

21 _____

22 _____

23 44. What newspapers, magazines, radio stations, or on-line information services do
24 you regularly use or read?

25 _____

26 _____

27 _____
28 _____

1 45. How often to you view, read, or listen to the news?

2 __ Everyday __ A few times a week __ Occasionally __ Rarely __ Never

3
4 VERIFICATION

5
6 I, _____, declare under penalty of perjury under the
7 PRINT FULL NAME

8 laws of the State of California and the United States of America, that the foregoing
9 responses I have given on this juror questionnaire, and on any attached sheets, are
10 true and correct to the best of my knowledge and belief.

11
12 _____
DATE

13
14 _____
SIGNATURE

ATTACHMENT A

**List of Parties, Agents, Investigators, Potential Witnesses, and Other People
Connected With This Case**

[Full list to be completed after February 18, 2014 pretrial conference]

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