

PROSPECTIVE JUROR QUESTIONNAIRE

Instructions

You have been selected as a potential juror in the case of *United States of America v. Michael A. Sussmann*. As part of the jury selection process in this case, the Court asks that you complete the attached questionnaire today, and will ask that you return next week to complete the jury selection process. The trial is scheduled to begin May 16, 2022, and it is expected to last approximately two (2) weeks, but could run longer. Those selected as members of the jury will live at home and have their evenings and weekends free to themselves. Your contact with other people will not be restricted, although beginning now and continuing until you have been excused from further service by the Court, you will not be permitted to talk about the case with anyone, or to read, listen to, or watch any press coverage the case might receive.

In this case, the government has accused the defendant of making a false statement to a Federal Bureau of Investigation (FBI) official, and has charged defendant with one count of false statement to the United States government. A more detailed description of the charge will be given at the beginning of the trial.

The defendant in this case is Michael A. Sussmann. He is 57 years old and a United States citizen. Mr. Sussmann has pled not guilty to the charge against him and is presumed to be innocent of the charge.

The purpose of the jury selection process is to select jurors who have no bias toward either side of the case, can keep an open mind, and can follow the judge's instructions. Our goal is to select a jury that will reach a verdict based solely on the evidence presented in the courtroom and the law as the Court instructs you. The information which you give in your answers to this questionnaire will be used only by the Court and the parties to select a qualified jury. The purpose of this questionnaire is to save time and avoid jurors having to sit around and wait before they

answer these or similar questions in person. The purpose of these questions is not to ask unnecessarily about your personal matters. It is solely to determine whether a prospective juror can decide this criminal case fairly, objectively, and impartially.

To protect your identity, the only page which contains your name is the certification page, which will remain confidential and will be shared only with court personnel and the attorneys. After a jury has been selected, all copies of your response to this questionnaire will be returned to the Clerk of the Court and kept in confidence, under seal, away from public viewing. This questionnaire will NOT be made public. The attorneys are under orders to maintain the confidentiality of any information they learn in the course of reviewing this questionnaire.

Please answer each question below as completely and as accurately as you reasonably can. Please remember there are no right or wrong answers, only complete and incomplete answers. All that matters is that your answers are truthful. Your complete written answers will save a great deal of time for the Court, for the lawyers, and for you, and your full candor will give the Court and both parties the opportunity to select a fair and impartial jury.

Please print your answers and please use ink only. Please fill out the entire questionnaire. Do not leave any questions blank. If a question does not apply to you in any way, write "N/A" rather than leaving the form blank. If you cannot answer a question because you do not understand it, write "do not understand" in the space after the question. If you cannot answer a question because you do not know the answer, write "do not know" in the space after the question. Please do not write anything on the back of any page. If at any point in answering this questionnaire you need more space to complete your answer, please continue your answer on the blank sheets of paper provided at the end of this questionnaire. Be sure to indicate on the blank page the number of the question you are answering.

Please answer the questions by yourself and without the help of anyone else. Please do not discuss the questions or your answers with anyone, including your family members. It is extremely important that the answers in this questionnaire are yours and yours alone.

In addition, now that you are a prospective juror, you **MUST** follow the instructions listed below until you have been excused from further service in this case.

DO NOT at any time discuss this case or questionnaire with anyone, including your spouse, significant other, friends, family members, or other members of this jury panel.

DO NOT let anyone, including friends, family members, court personnel, parties to this case, or persons involved in this case, talk to you about your views or any aspect of this case or questionnaire except officially in the courtroom.

DO NOT read anything whatsoever about this case, including on the internet or social media, and please avoid any newspaper or social media accounts that may relate to this case.

DO NOT post anything on the internet or blog about the case.

DO NOT read or listen to any news accounts, whether in a newspaper, on the internet, in social media, on television, or on the radio concerning this case or the defendant, Michael A. Sussmann.

DO NOT communicate with anyone about this case or your potential jury service. This includes through the use of any cell phone, computer, or any other form of electronic communication, including through text, email, instant message or any other form of communication. This also includes social media, including but not limited to Twitter, Facebook, YouTube, Skype, LinkedIn, or any other social media.

Finally, you are expected to sign your questionnaire, and your answers will be given the same effect as a statement given to the Court and under oath. You are sworn to give true and complete answers to all questions.

Thank you for your cooperation with these instructions and for your careful and honest responses to the questionnaire. Your forthright and full cooperation is of vital importance to the Court and the parties.

THE HONORABLE CHRISTOPHER R. COOPER
United States District Judge

Juror Number _____

Gender: _____

IN COMPLETING THIS QUESTIONNAIRE, PLEASE USE THE SPACE PROVIDED IN EACH QUESTION. IF YOU NEED MORE SPACE, PLEASE USE THE PAGES PROVIDED AT THE END OF THE QUESTIONNAIRE, INDICATING THE NUMBER OF THE APPLICABLE QUESTION.

TERMS:

In this questionnaire, certain questions are asked about you, members of your immediate family, and close personal friends. Immediate family includes parents and grandparents, children and grandchildren, aunts and uncles and cousins you see on a regular basis and consider yourself close to. Close personal friends means friends who are like family and who you talk to on a regular basis and share private matters with.

PRELIMINARY MATTERS

1. Jury service is the civic duty of each citizen. The pre-screening questionnaire you received with your summons for jury duty required that any request to be excused from jury duty should be made with your initial response to the Jury Office. Prior to today, have you asked to be excused from this jury panel?

Yes No

2. The trial in this case may last two (2) weeks and could run longer. The typical trial day lasts from 9:30 a.m. to 5:00 p.m., with 15-minute breaks in the morning and afternoon and a lunch break from approximately 12:30 p.m. to 1:45 p.m., Monday through Thursday. There is also a possibility that trial will take place on some Fridays. If there is any reason why you are not available for service during the period beginning May 16, 2022, and ending approximately May 27, 2022, please explain your reason in detail.

3. Is English your first language?

Yes No

4. Are you able to read, write, and understand the English language?

Yes With Difficulty No

5. Do you feel that you are able to complete this questionnaire without another's assistance?

Yes No

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IF YOUR ANSWER TO QUESTION 4 OR 5 IS “NO,” THEN PLEASE COMPLETE THE CERTIFICATION ON THE LAST PAGE AND RETURN THE QUESTIONNAIRE WITHOUT ANSWERING ANY ADDITIONAL QUESTIONS.

6. Do you have any moral, religious, or ethical beliefs that prevent you from sitting in judgment of another person?

Yes No

If yes, please explain:

7. Do you have any physical or medical condition, or are you taking any medication, that would make it difficult for you to serve as a juror in this case or to sit and focus for long periods of time without a break?

Yes No

If yes, please explain:

8. Do you have any difficulty hearing that is not corrected with a hearing aid or any difficulty seeing that is not corrected by glasses or contact lenses?

Yes No

If yes, please explain:

9. Will you be paid by your employer (including commissions and overtime) or otherwise be able to earn a living while serving on jury duty?

Yes No Don't Know N/A

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If no, will that be an economic hardship? If it will be a hardship, please explain:

10. Do you have any personal, professional, educational, or financial obligations that would prevent you from giving your full attention or from being present in Court for the duration of the trial?

Yes No

If yes, please explain:

11. Is there anything not covered in this section that you think the Court should know which you think might influence your physical or mental ability to perform the obligations of a juror in this case?

Yes No

If yes, please explain:

BACKGROUND INFORMATION

12. What is your date of birth? _____

13. What is your marital status? (Check all that apply.)

- Single and never married__
- Married _____ (# of years: _____)
- Separated _____ (# of years: _____)
- Divorced _____ (# of years: _____)
- Divorced and remarried _____ (# of years: _____)
- Living with significant other (domestic partner) _____ (# of years: _____)
- Widow or Widower _____ (# of years: _____)

[Note: If living with someone, please provide information about your “significant other” or “domestic partner” on every question where information is requested about a “spouse.”]

14. Whom do you live with? _____

Juror Number _____

15. How long have you lived in Washington, D.C.? _____

16. In what other cities, towns, or areas have you maintained your residence in the last 10 years?

17. Do you: Own Rent Live with relatives/friends

EMPLOYMENT AND EDUCATION

18. What is your occupational status? (Check all that apply.)

Work full-time outside the home

Work part-time outside the home

Full-time homemaker

Homemaker with part-time employment

Volunteer full-time with charitable organization

Volunteer part-time with charitable organization

Unemployed – looking for work

Unemployed – not looking for work

Full-time student

Part-time student

Retired

Disabled

Other (please specify) _____

a. If you are a student (full-or part-time), please describe your area of study:

b. If you are currently employed, please state your current occupation, name of your employer, how long you have worked for your current employer, job title, primary responsibilities, and number of people you supervise (if any):

Juror Number _____

c. If you are currently unemployed, retired, disabled, or otherwise not employed outside the home, please state your last full-time job, name of employer, job duties, and how many years it has been since you were so employed:

19. Please list any other jobs you have held during your working years:

20. Are you self-employed or do you own any portion of the business at which you work?

Yes No

21. Describe your spouse’s current occupation, employer, primary responsibilities, and length of employment:

22. Are you, your spouse or any family member a vendor, contractor, or subcontractor for the United States Government or do you or they work for a vendor, contractor, or subcontractor for the United States Government?

Yes No

If yes, please explain:

Juror Number _____

23. Check the highest level of education attained by you and your spouse.

	<u>You</u>	<u>Spouse</u>
Grade school or less	_____	_____
Some high school	_____	_____
High school graduate	_____	_____
Technical or business school	_____	_____
Some college	_____	_____
2-year college degree	_____	_____
4-year college degree	_____	_____
Post-graduate study – no degree	_____	_____
Graduate degree	_____	_____

24. If you have any education or training beyond high school, please provide the following:

College or school: _____

Major area(s) of study: _____

Degrees or certificates: _____

25. Check to indicate whether you or your spouse (significant other, domestic partner) has education or experience with any of the following fields:

	<u>You</u>	<u>Spouse</u>
Law/Paralegal/Legal Field	_____	_____
Criminal Justice/Law Enforcement	_____	_____
Security/Intelligence	_____	_____
Journalism/Media/Communications	_____	_____
Cybersecurity	_____	_____
Information Technology	_____	_____
Domain Name System (“DNS”)	_____	_____
International Relations	_____	_____
Politics/lobbyist	_____	_____
University Professor/Researcher	_____	_____

For any item checked, please describe:

Juror Number _____

ORGANIZATIONAL AFFILIATIONS AND ACTIVITIES

26. Are you currently, or have you ever been, a member or regular participant in any civic, social, union, professional, business, fraternal, recreation, or other community groups or charitable organizations?

Yes No

If yes, please list those groups or organizations, your role, and the length of your membership:

27. What are your hobbies, recreational, leisure, or spare time activities?

28. How often do you seek out positions of leadership at work or in other groups?

Always Often Sometimes Seldom Never

29. Have you or any member of your family ever attended a meeting, sponsored an effort, or supported any group that deals with the reform of any laws?

Yes No

If yes, please explain:

30. Other than as a voter, are you now or have you ever been actively involved in politics (e.g., fundraising, voter registration, candidate for office, or candidate’s staff)? If yes explain.

Yes No

Juror Number _____

31. Do you or your spouse belong to, or are you associated with or do you contribute money to, any think tank, public policy, or advocacy group?

Yes No

If yes, please generally describe the causes you support:

32. Without revealing which candidate you voted for, did you vote in the 2016 presidential election?

Yes No

33. Did you work or volunteer for, or contribute to, any 2016 presidential campaign?

Yes No

If yes, please generally describe:

34. Are you presently a member at, or do you regularly attend, a church, synagogue, mosque, temple, or other religious organization?

Yes No

PRIOR JURY SERVICE

35. Have you ever served on a trial jury?

Yes No

If yes, how many times have you served as a juror? _____

Juror Number _____

For each jury service, please indicate:

<u>Year</u>	<u>Federal or State</u>	<u>Civil or Criminal</u>	<u>Charge or Type of Case</u>	<u>Verdict Reached</u>	
_____	_____	_____	_____	Yes <input type="checkbox"/>	No <input type="checkbox"/>
_____	_____	_____	_____	Yes <input type="checkbox"/>	No <input type="checkbox"/>
_____	_____	_____	_____	Yes <input type="checkbox"/>	No <input type="checkbox"/>
_____	_____	_____	_____	Yes <input type="checkbox"/>	No <input type="checkbox"/>

36. Have you ever served as a jury foreperson? Yes No

If yes, how many times? _____

37. Have you ever served as a juror on a grand jury in federal or state court? Yes No

If yes, how many times have you served as a grand juror? _____

For each grand jury service, please indicate the following (do not provide names):

<u>Year</u>	<u>Federal or State</u>	<u>Type of Case</u>	<u>Grand jury able to reach agreement on issuance of true bills?</u>	
_____	_____	_____	Yes <input type="checkbox"/>	No <input type="checkbox"/>
_____	_____	_____	Yes <input type="checkbox"/>	No <input type="checkbox"/>
_____	_____	_____	Yes <input type="checkbox"/>	No <input type="checkbox"/>
_____	_____	_____	Yes <input type="checkbox"/>	No <input type="checkbox"/>

38. Is there anything about your previous experience as a juror (either on a trial jury or grand jury) that would make you hesitant to serve on a jury again?

Yes No

If yes, please explain:

Juror Number _____

39. Did your prior jury service (either trial jury or grand jury) leave you with any impressions about the criminal justice system that impact the way you will judge this case?

Yes No

If yes, please explain:

40. Do you know any of the other jurors who have been called for jury service in this case?

Yes No

If yes, which jurors? _____

MILITARY SERVICE

41. Have you or any close family member ever served in the armed forces?

Yes No

If yes, please respond to the following both as to yourself and to your close family members:

	<u>You</u>	<u>Family Members</u>
Branch and highest rank:	_____	_____
Dates of service:	_____	_____
Place of service:	_____	_____
Type of discharge:	_____	_____

Please describe your and/or your family members' role and duties:

MEDIA EXPOSURE

42. Where do you get most of your news about current events? (Check all that apply)

Newspapers (including online) Television Radio Internet

Social Media Other sources (specify) _____

Do not follow local or national news

Please identify which television channels, websites, newspapers, or apps you go to most often for news:

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43. Do you regularly listen to or watch opinion media, including talk radio, programs on cable news, podcasts?

Yes No

If yes, please list what you watch/listen to:

44. Do you have an account or profile on any social-media networking website? (check all that apply)

Facebook Twitter Instagram LinkedIn Snapchat Other

If yes, please indicate how often you use any form of social media (circle):

Several times a day Daily Several times a week Weekly Rarely Never

45. What are your favorite TV shows?

(1) _____ (2) _____

46. Do you regularly watch television shows or documentaries about law, law enforcement, criminal investigations, trials, espionage, or foreign affairs?

Yes No If yes, which shows or documentaries?

47. Have you ever regularly followed media coverage of any trials?

Yes No

If yes, please briefly describe the case(s):

Juror Number _____

48. To assure that the decision of jury in this case is not based upon influences outside the courtroom, the Court instructs that you must avoid reading about the case in the newspapers or listening to any radio or television reports concerning this case including news coverage or communications on the internet or social media. You may not discuss or communicate about this case with your family, friends, co-workers, or anyone else including on the internet or social media. Also, until you retire to deliberate, you may not communicate about this case with your fellow jurors. Will you be able to follow these instructions?

Yes No

If no, please explain:

KNOWLEDGE OF TRIAL PARTICIPANTS AND THE CASE

The charge in this case arises out of a meeting that took place between Michael A. Sussmann and former FBI General Counsel James Baker in September 2016. There is nothing wrong with having heard or read something about this case. It is important that you truthfully and fully answer the following questions concerning your knowledge about the case and trial participants.

49. The judge who will preside over this case is The Honorable Christopher R. “Casey” Cooper of the United States District Court for the District of Columbia. Do you or anyone close to you know, or have any connection with, Judge Cooper or any of his staff?

Yes No

If yes, please explain:

50. In this case, the Government will be represented by Special Counsel John Durham and the following Assistant Special Counsels. Do you know, or have you had any social or professional contact with, any of them or any member of their staff?

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John Durham (Special Counsel) Yes No

Andrew DeFilippis Yes No

Michael Keilty Yes No

Jonathan Algor Yes No

D. Brittain Shaw Yes No

If yes, please explain:

51. In this case, the defendant will be represented by lawyers from the law firm of LATHAM & WATKINS. Do you know, or have you had any social or professional contact with, any of them or any member of their staff?

Sean Berkowitz Yes No

Michael Bosworth Yes No

Natalie Rao Yes No

Catherine Yao Yes No

If yes, please explain:

52. The defendant in this case is Michael A. Sussmann, age 57, who is a resident of Washington, D.C. Do you, any member of your family or close personal friends know, or have any connection with, Mr. Sussmann or any of his family members?

Yes No

If yes, please explain:

53. Do you, any family member, or close personal friend know, or have any connection to the following individuals or entities?

Alfa Bank Yes No

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FBI	Yes <input type="checkbox"/>	No <input type="checkbox"/>
James Baker (former FBI General Counsel)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Donald Trump	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Trump Organization	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Hillary Clinton	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Hillary for America	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Rodney Joffe (Senior Technical Expert, Neustar)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Perkins Coie (Law Firm)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Central Intelligence Agency	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Fusion GPS	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Packet Forensics	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Zetalytics	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Georgia Tech University	Yes <input type="checkbox"/>	No <input type="checkbox"/>

If yes, please explain your knowledge and connection to each:

54. Have you read or heard anything about any of these individuals or entities?

Yes No

If yes, please explain what you have read or heard:

55. A list is attached at the end of this questionnaire containing the names of people who may either be witnesses in the case or who may be discussed during the trial. Please review the list and identify any names that you recognize.

56. Prior to filling out this questionnaire, had you seen, read, or heard anything at all about this case?

Yes No

If yes, please explain what you have heard or read, and identify the source of this information:

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57. Have you discussed or overheard others discuss this case, Mr. Sussmann, or the charge in this case?

Yes No

If yes, please describe what was discussed:

58. Have you formed or expressed any opinion about Mr. Sussmann, the charge in this case, or about his guilt or innocence in this case?

Yes No

If yes, what opinions have you formed or expressed?

a. Is this an opinion you hold today? Yes No Unsure

59. Have you, any family member, or close personal friend been employed by, or had any association or connection with, any of the following:

a. House Permanent Select Committee on Intelligence Yes No

b. House Judiciary Committee Yes No

c. House Committee on Oversight and Government Reform Yes No

If yes, to any of the above, please explain in detail your (his/her) employment, association, or connections:

60. Have you, any family member, or close personal friend participated or had any connection with any other government agency, group, organization, committee or subcommittee, public or private group or organization, including any media group or organization that has investigated or made inquiry into (1) Russian interference with the 2016 election, (2) the federal government's

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investigation of Donald Trump’s relationship with Russia, or (3) the federal government’s investigation of Russian interference in the 2016 election?

Yes No

If yes, please explain:

61. In this case, you may hear references to classified information. Classified information is information or material that has been determined by the U.S. Government to require protection against unauthorized disclosure. The Court will use procedures in this case to balance the Government’s interest in non-disclosure of classified information and the interest of the defendant and/or the public to have access to such information to ensure that there is a fair trial. Therefore, the evidence admitted during the trial will include unclassified summaries or redacted versions of classified information, but not necessarily the classified information itself. Do you have strong feelings about the use of these procedures to protect classified information in a criminal case or about your access to, or the lack of access to, classified information during the trial?

Yes No

If yes, please explain:

EXPERIENCE WITH LAW, LAW ENFORCEMENT, AND THE COURTS

62. Have you, a family member, or close friend ever worked in any aspect of the legal field as a lawyer, prosecutor, criminal defense attorney, legal secretary, paralegal, court reporter, investigator, law clerk, judge, etc.?

Yes No

If yes, please explain:

63. Do you have any concerns or opinions about the law firm Perkins Coie or its activities?

Yes No

If yes, please explain:

Juror Number _____

64. Do you have any strong feelings or opinions about large law firms in Washington, D.C.?

Yes No

If yes, please explain:

65. In general, what is your opinion of lawyers?

66. Check to indicate whether you, a member of your family, or a close friend, have ever applied for employment with, were employed by, or received training by any local, state, or federal judiciary or law enforcement agency, including the following:

Department of Justice (DOJ)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Federal Bureau of Investigation (FBI)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
U.S. Attorney's Office	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Department of Homeland Security (DHS)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
U.S. Marshall's Service	Yes <input type="checkbox"/>	No <input type="checkbox"/>
U.S. State Department	Yes <input type="checkbox"/>	No <input type="checkbox"/>
U.S. Bureau of Prisons (BOP)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Central Intelligence Agency (CIA)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Defense Intelligence Agency (DIA)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
National Security Agency (NSA)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Federal, state, or local prison or jail	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Federal, state, or local courthouse	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Federal, state, or local prosecutor's office	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Federal, state or local public defender office	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Other _____	Yes <input type="checkbox"/>	No <input type="checkbox"/>

If yes to any of the above, please explain who (in relation to you), what agency, when, and for how long, and the position or involvement:

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67. Several witnesses in this case may be federal law enforcement officers. The judge will instruct you that the testimony of a law enforcement officer is to receive no greater or no lesser consideration simply because that witness is a law enforcement officer. Would you have difficulty following that instruction?

Yes No

If yes, please explain:

68. Do you have any opinions or beliefs concerning law enforcement in general, including the Federal Bureau of Investigation (FBI), the Department of Justice, or the Central Intelligence Agency (CIA) that would affect your ability to evaluate the evidence fairly and impartially?

Yes No

If yes, please explain:

69. Do you now hold, or have you ever applied for, a security clearance?

Yes No

If yes, please explain:

EXPERIENCE WITH CRIME

70. Have you, any family member, or close friend ever been the victim of, or witness to, a crime, reported or not?

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Yes No

If yes, for each incident please provide the following information: type of crime, who (you or relationship to you), when the crime occurred, whether anyone was arrested, and, if so, the outcome of the case:

71. Have you, a family member, or close friend ever been arrested, charged, prosecuted or convicted of any crime other than a traffic ticket?

Yes No

If yes, please explain who (in relation to you), when, and what happened:

72. If you answered yes to either of the two preceding questions: do you feel that you or the person close to you was treated fairly by the criminal justice system?

73. Have you, any family member, or close friend ever been hacked or in any way been the victim of a cybercrime?

Yes No

If yes, please explain:

74. How do you feel about current laws protecting the privacy of US citizens?

They should be strengthened and more strongly enforced

Juror Number _____

They are fine as they are

They are too strong and too strictly enforced

Please explain:

75. Have you or has a family member or close friend ever been subpoenaed to be a witness, or testified as a witness in any court proceeding or criminal case?

Yes No

If yes, please explain:

CRIMINAL JUSTICE SYSTEM AND LEGAL PRINCIPLES

76. Briefly describe your general opinions, if any, about the following:

The criminal justice system:

Law enforcement officers:

Prosecuting attorneys:

Defense attorneys:

Juror Number _____

77. The judge will instruct you that the defendant is presumed innocent and cannot be found guilty unless the jury, unanimously and based solely on the evidence in this case, finds that the United States has proven his guilt beyond a reasonable doubt. The burden of proving guilt rests entirely with the United States. The defendant is not required to prove his innocence. This means that if the United States fails to prove the defendant's guilt beyond a reasonable doubt, you must find the defendant not guilty. Can you adhere to and follow this principle of law?

Yes No If no, please explain:

78. The judge will instruct you that, under the law, a defendant accused of a crime does not have to testify in his or her defense. If a defendant does not testify, the jury may not consider that fact in any way in deciding whether a defendant is guilty. Can you follow and apply this principle of law?

Yes No If no, please explain:

79. Some of the witnesses in this case may be people who testify under an order from the Court giving them immunity. Is there anything about that circumstance that will make it difficult for you to evaluate their testimony fairly and impartially in accordance with the Court's instructions?

Yes No If yes, please explain:

80. The judge will instruct you that the charge in this case include: making a false statement to a federal agency. Is there anything about the charge which would affect your ability to be fair?

Yes No If yes, please explain:

81. Jurors are the sole judges of the facts. However, the jury must follow the principles of law as instructed by the judge. The jury may not follow some rules of law and ignore others. Even if the jury disagrees with or dislikes the rules of law or does not understand the reasons for some of the rules, it is their duty to follow them. Do you have any personal beliefs that would make it difficult to follow the Court's legal instructions, whatever they may be?

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Yes No If yes, please explain:

82. If, during the course of jury deliberations, a fellow juror should suggest that you disregard the law or the evidence and decide the case on other grounds, would you, as a juror, be able to reject that suggestion and abide by your oath to this court to decide the case solely on the evidence and law as the court has instructed you to do, without regard to sympathy, bias or prejudice?

Yes No

83. The judge will instruct you that an indictment is not evidence, that it is a document that sets forth the charge made against the defendant. It may not be considered as evidence of the defendant's guilt. Will you be able to follow the judge's instruction regardless of the nature of the charge in the indictment?

Yes No If no, please explain:

84. Is there anything about this case, the issues, and/or the people involved in this case or any other reason you could not be completely fair to the defendant, Michael A. Sussmann, and the U.S. Government in this case?

Yes No If yes, please explain:

CONCLUDING QUESTIONS

85. If you were selected to serve on this jury, would you consider and respect the view of other jurors even if their views differed from yours, in accordance with the Court's instructions?

Yes No

86. Do you have any personal reason for wanting to serve as a juror in this case, or any personal interest in the outcome of the case?

Yes No If yes, please explain:

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87. If you are selected to serve as a juror on this case, would you be concerned about reactions to your verdict by any other individual, group, or media organization?

Yes No If yes, please explain:

88. Is there anything you prefer to discuss privately with the judge (including your responses to particular questions) or is there any matter not covered by this questionnaire that you think the attorneys or the Court might want to know about you when considering you as a juror in this case?

Yes No

If yes, please indicate the question number or the issue you would like to discuss with the judge here:

89. Is there anything about the subject matter of this case, or the points covered in this questionnaire, which creates a question in your mind as to whether you could be a fair, objective, and impartial juror in this particular case?

Yes No If yes, please explain:

Juror Number _____

CERTIFICATION

By signing below, I hereby declare under penalty of perjury that all of the answers to the above questions are true and correct to the best of my knowledge and belief. I have not discussed my answers with others or received assistance in completing the questionnaire. I have answered all of the above questions myself.

Signature

Print your full name here

Date

Juror Number _____

Juror Number _____

ATTACHMENT A

The following people may either be witnesses in this case or may be discussed during the trial. Please review the list and identify any names that you recognize.