

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

_____	)	
UNITED STATES OF AMERICA	)	
	)	
v.	)	CR. NO. 2:10cr186 – MHT
	)	
MILTON E. MCGREGOR,	)	
THOMAS E. COKER,	)	
ROBERT B. GEDDIE, JR.,	)	
LARRY P. MEANS,	)	
JAMES E. PREUITT,	)	
QUINTON T. ROSS, JR.,	)	
HARRI ANNE H. SMITH,	)	
JARRELL W. WALKER, JR.,	)	
JOSEPH R. CROSBY,	)	
	)	
Defendants.	)	
_____	)	

**GOVERNMENT’S PROPOSED VOIR DIRE QUESTIONS**

The United States, through undersigned counsel, hereby submits the following proposed voir dire questions pursuant to the Court’s January 4, 2011 Scheduling Order. (Dkt. No. 316.)

Question 1

Ladies and gentlemen, you have been called to this courtroom for possible selection as a juror in a criminal trial. After you are sworn in as prospective jurors, I am going to ask you a series of questions that the lawyers and I think will be helpful to us in selecting a jury. There are no “right” or “wrong” answers. The only correct answers are those that are honest, thoughtful, and most accurately reflect your personal attitudes, beliefs, and experiences. It is very important that you answer the questions to the best of your ability and in the most complete manner as possible. Does anyone have any questions?

Question 2

Before I review the questions with you, I want to briefly tell you about the case. This is a criminal case. The defendants include a gambling operator, Milton E. McGregor; lobbyists, Thomas E. Coker and Robert B. Geddie, Jr.; current and former Alabama State Senators, Larry P. Means, James E. Preuitt, Quinton T. Ross, Jr., Harri Anne H. Smith; a gambling facility employee, Jarrell W. Walker, Jr.; and an Alabama State employee, Joseph R. Crosby. The indictment in this case issued by a federal grand jury in this courthouse charges the defendants with several federal crimes, including, conspiracy, bribery, fraud, money laundering, false statements, and obstruction of justice. The charges in this case center around an alleged scheme to corrupt the Alabama State legislature by offering and receiving things of value in exchange for favorable votes on legislation relating to electronic bingo. A more detailed description of the charges will be given at the beginning of the trial.

Is there anything about the kind of charges in this case or in any other white collar criminal case that you think might affect your ability to serve as a juror in this case?

Apart from what is reflected on your juror questionnaire, do you know anything about the facts or circumstances of this particular case, or have you heard or seen anything about it?

Does anyone have such strong feelings about the nature of the allegations or charges, or do these topics hit so close to home, that you think it might affect your ability to serve as a juror in this case?

Question 3

Some of the questions I ask may touch upon areas that you think are personal or private. The purpose of these questions is not to embarrass anyone, but rather to select a fair and impartial jury – a jury that is made up of people that will have no biases or prejudices about the

case, and a jury that will ultimately return a verdict that will be based solely on the law and on the evidence presented in this case. If there is any personal or confidential information that you wish to discuss privately with the Court and counsel, please just let me know. Does anyone have any questions?

Question 4

Ladies and gentlemen, please look around you to determine whether you know any member of the jury pool. Do you think you recognize someone?

Question 5

Now, I would like to introduce you to the participants in this trial and ask if you know any of them. The parties will stand when their names are announced.

The attorneys who are presenting the evidence in this case on behalf of the United States are Justin Shur, Louis Franklin, Steve Feaga, Edward Kang, Barak Cohen, Rae Woods, Brenda Morris, and Eric Olshan. With the attorneys at counsel's table are Special Agents Keith Baker and John McEachern with the Federal Bureau of Investigation and paralegals, Jean Spells and Grace Williams. Do you know any of these individuals or have you ever interacted with any of them?

The defendants are Milton E. McGregor, Thomas E. Coker, Robert B. Geddie, Jr., Larry P. Means, James E. Preuit, Quinton T. Ross, Jr., Harri Anne H. Smith, Jarrell W. Walker, Jr., and Joseph R. Crosby. Sitting with the defendants are their lawyers – [list all defense counsel names]. Do you know the defendants or any of their attorneys, or have you ever interacted with any of them?

Question 6

During the trial, you may hear testimony from, or about, a number of people. I'm going to ask the attorneys to identify for you the names of people who may testify or about whom you may hear testimony. If you know any of the names, or have dealt with any of these individuals or their employers, please write them down. The government may go first, and the defendants may follow. [Due to the voluminous witness lists in this case, the Government requests that jurors be provided with paper and a writing utensil so that they may write down any familiar witness names as they are listed by the parties.]

Question 7

Do you have any impression, opinion or belief concerning the U.S. Attorney's Office, the U.S. Department of Justice, prosecutors or law enforcement generally, criminal defense attorneys, or the court system that would lead you to either favor the government in this case, or favor the defendants in this case, or that you think might affect your ability to serve as a juror in this case?

Question 8

Agents from the Federal Bureau of Investigation investigated this case. Some of these FBI agents may be called as witnesses to testify during the trial. Have you, a family member, or anyone close to you had any experiences with either the FBI or any other federal, state, or local law enforcement agency that would lead you to either favor the government in this case, or favor the defendants in this case, or that you think might affect your ability to serve as a juror in this case?

Question 9

Would any of you be inclined to give either greater weight or lesser weight to the testimony of an FBI agent, simply because he or she is a law enforcement officer? In other words, would any of you tend to believe somebody more because they are a law enforcement officer, or tend to believe somebody less because they are a law enforcement officer, than you would any other witness?

Question 10

Do you hold any views on whether members of the legislature and their staff should be allowed to solicit or accept payments and other things of value from private interests for doing their government job?

Question 11

Have you, a family member, or anyone close to you ever served in any position in government where there were restrictions concerning the receipt of gifts and payments?

Question 12

Have you, a family member, or anyone close to you ever served in any position in government which required completing a form that called for the disclosure of gifts and sources of income?

Question 13

Everyone here should have received, completed, and submitted a juror questionnaire to the Court. Please let me know if you have not received, completed, or submitted a juror questionnaire. The lawyers and I may have some follow up questions based on the information you provided in the questionnaire. But let me ask you now, since completing the questionnaire, are there any concerns that have come up which create a doubt in your mind as to whether you

could be a fair, objective, and impartial juror in this particular case or that you think might be important for the attorneys and the court to know?

Question 14

Since completing the juror questionnaire, has anyone been contacted by or participated in any poll, by telephone or otherwise, relating to this case, including, polls asking your opinions about any of the defendants or the allegations or charges in this case?

Question 15

After you have heard all the evidence, the arguments of the lawyers, and my instructions on the law, if you are then persuaded that a defendant is guilty of a charge beyond a reasonable doubt, it would be your duty to vote guilty. Do you feel that you would be able to carry out that duty? Does anyone feel that they might have difficulty accepting or applying this rule of law?

Question 16

The law requires that jurors weigh the evidence and determine whether a defendant is guilty or not guilty solely upon the basis of the evidence presented, without any regard whatsoever for what the possible punishment might or might not be, and without being influenced by sympathy, prejudice, fear, or favoritism. You must decide the case solely from a fair consideration of the evidence. Does anyone feel that they might have difficulty following that instruction?

Question 17

Does anyone have any moral, religious, philosophical, or other beliefs that would make it difficult for you or prevent you from judging others and serving as a juror in this type of criminal case or in any other?

Question 18

The lawyers and I have tried hard to come up with questions that we think would help us select a fair and impartial jury. But if we have missed anything, now is the time to let us know if you think for any reason you would be unable to participate in this case and render a fair and impartial verdict, or believe that for any reason you could not sit on this jury. Can you think of any reason why you could not sit fairly, attentively, and impartially as a juror in this case? Is there anything that I have not addressed that you think might be important for me or the attorneys to know?

DATED: May 23, 2011

Respectfully submitted,

LANNY A. BREUER  
Assistant Attorney General  
Acting Under Authority of 28 U.S.C. § 515

JACK SMITH  
Chief  
Public Integrity Section

By: \_\_\_\_\_/s/\_\_\_\_\_  
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**CERTIFICATE OF SERVICE**

I certify that on May 23, 2011, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all attorneys of record.

\_\_\_\_\_/s/\_\_\_\_\_  
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