

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

UNITED STATES OF AMERICA	)	
	)	
v.	)	CRIMINAL ACTION NO.
	)	2:10cr186-MHT
MILTON E. MCGREGOR,	)	(WO)
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.,	)	
and JOSEPH R. CROSBY.	)	

OPINION AND ORDER

In this criminal case, defendant Quinton T. Ross, Jr. has filed a motion to strike and to preclude the government from arguing that 18 U.S.C. § 666 does not require a quid pro quo. Defendant Milton E. McGregor filed a statement agreeing with Ross's position.

In response, the government has agreed that it cannot, and will not, argue that the Eleventh Circuit Court of Appeals, in United States v. McNair, 605 F.3d 1152 (11th Cir. 2010), held that there is no quid pro

quo requirement in a prosecution under § 666. The government further has agreed that the explicit quid pro quo standard announced by the Supreme Court in McCormick v. United States, 500 U.S. 257 (1991), and further discussed in Evans v. United States, 504 U.S. 255 (1992), will govern any proof at trial of alleged bribes made in the form of campaign contributions. These clarifications of the government's position have allayed Ross and McGregor's concerns.

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Therefore, it is ORDERED that defendant Quinton T. Ross, Jr.'s motion to strike (Doc. No. 980) is denied.

DONE, this the 19th day of May, 2011.

          /s/ Myron H. Thompson            
UNITED STATES DISTRICT JUDGE