

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-against-

EVAN GREEBEL,

Defendant.

ECF Case

No. 15-cr-00637 (KAM)

AFFIDAVIT OF DESMOND SANKAR

STATE OF NEW YORK)
) ss.
COUNTY OF NEW YORK)

I, Desmond Sankar, under oath, state the following:

1. I reside in Queens County, New York.
2. I work as a part time employee for a messenger service in Queens, New York.
3. I served as a juror in *United States v. Greebel*, S1 15 Cr. 637 (KAM).
4. The jury deliberations happened quickly and, in my opinion, were a complete mess. I was confused throughout the process of deliberating and voting on the verdict.
5. Before casting my vote, I told the other jurors that I believed that Mr. Greebel was not guilty, the government had not proved its case, and I wanted to see more evidence.
6. I felt then and still feel today that Mr. Greebel was not guilty and should not have been charged. To me, Mr. Shkreli alone is to blame for the wrongdoing.
7. After I requested to see more evidence, one of the jurors (Juror #10 (LL)) threatened me, saying that the other jurors will have me removed from the jury and that he would "write me up" to the Judge if I didn't vote to convict Mr. Greebel.
8. Juror #10 (LL) and Juror #2 (HL) also said to me in front of the rest of the jury that I could never vote to convict because I was Catholic. This isn't true. I felt like they were attacking me because of my religion. My religious faith did not prevent me from being fair and impartial, and from weighing the evidence to determine whether the government

had proven its case beyond a reasonable doubt. I believed Mr. Greebel was not guilty based on the evidence proved in the case, not my religious beliefs as a Catholic.

9. Other jurors told me I could never “be fair and vote to convict” on account of my faith as a Catholic. Again, this isn’t true. I felt they were attacking me because of my religion.
10. Ultimately, I felt threatened and forced to vote “guilty” on both Counts One and Two. This is why I called the Court directly the day after the guilty verdict—because I knew that my vote of guilty was not what I wanted to do, and that I only voted because I felt threatened and other jurors were attacking my religion. When I came to Court to answer questions, I felt that the Court was asking me only about physical threats—while I was not threatened with physical force, I was threatened with removal. The Court did not ask me whether I was ever threatened at all.
11. On the day of the guilty verdict, I should have said “no” when asked by the Court whether the verdict was my individual verdict. It was not. It is not my verdict.
12. The day I was threatened and pressured by the other jurors, Juror #6 (JW) texted me as follows: “I do not feel good about what we the fellow jurors [p]ut you through.” He added, “[I]t was not fair.” *See Exhibit A.*
13. Several jurors discussed their views of the charges and the evidence during trial and before deliberations.
14. For example, I discussed the evidence with Juror #1 (SR), who told me in the middle of the trial that there was “going to be a hung jury”; that the other jurors would “never get” his vote; and that “Evan is innocent.” Juror #1 (SR) also told me that he had spoken to Juror #10 (LL) to try to get him to “come on our side.”
15. In a second conversation with Juror #1 (SR) three to four weeks before jury deliberations began, where he asked me, “What do you think?” I told him that I thought Mr. Greebel was innocent, and Juror #1 agreed.
16. Juror #9 (BF) also told me several weeks before jury deliberations that she did not see anything in the evidence showing that Mr. Greebel was guilty.
17. Other jurors clearly viewed it in a negative light when Mr. Greebel decided not to testify at trial and openly said that he would have testified if he were innocent.

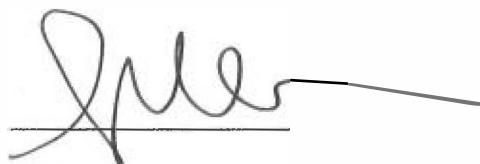


Dated: February 15, 2018



Desmond Sankar

Sworn before me this 15th day of February, 2018.



Notary Public

ANGEL ARIAS
Notary Public, State of New York
No. 01AR5040048
Qualified in Queens County
Certificate Filed in New York County
Commission Expires March 6, 2019