

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

UNITED STATES OF AMERICA

v.

PAUL J. MANAFORT, JR.,

Defendant.

Crim. No. 1:18-CR-83 (TSE)

GOVERNMENT’S MOTION FOR USE OF JUROR QUESTIONNAIRE

Pursuant to Rule 24 of the Federal Rules of Criminal Procedure, the United States of America, by and through Special Counsel Robert S. Mueller, III, respectfully moves the Court to authorize the use of a written questionnaire to be completed by prospective jurors in this case as a supplement to oral voir dire. A proposed questionnaire is attached to this filing as Exhibit 1.

INTRODUCTION

Both the defendant and the government are entitled to an impartial jury untainted by prejudicial pretrial publicity. Where there has been significant media attention to a prosecution, courts often employ jury selection procedures to help identify prejudice that may exist. Both the Special Counsel’s investigation and this case in particular have received significant public attention. Potential jurors may have biases or pre-formed opinions as a result of exposure of the widespread media attention. In light of these circumstances, the government submits that a jury questionnaire in addition to standard voir dire procedures will assist the Court in assuring that this case is tried before an impartial jury.

ARGUMENT

A. Pretrial Publicity About This Case Has Been Extensive

Paul J. Manafort, Jr. (“Manafort”) has been indicted in neighboring districts on two sets of federal charges. Initially, in October 2017, a grand jury in the District of Columbia returned an indictment that, as since superseded, charges Manafort with conspiring to defraud and commit offenses against the United States, money laundering conspiracy, violating the Foreign Agents Registration Act, making false statements to the government, and witness tampering. Superseding Indictment, *United States v. Manafort*, No. 17-cr-201 (D.D.C. June 8, 2018) (Doc. 318). In February 2018, a grand jury in this district returned an indictment that, as since superseded, charges Manafort with five counts of subscribing false tax returns, four counts of failing to file reports of foreign bank and financial accounts, bank fraud conspiracy, and multiple counts of bank fraud. *See* Doc. 9. Trial in this Court is scheduled to begin July 25, 2018; trial in the District of Columbia case is scheduled to begin September 17, 2018.

The Manafort investigation resulting in the above charges has been the subject of extensive media coverage. A Westlaw search of major newspapers for the terms “Manafort” near “trial” or “investigation” yielded over 3,500 results. Similarly, the same search of transcripts of television and radio broadcasts returned over 1,300 hits, including in major news outlets, such as all major television networks and newspapers, but exclusive of social media like Twitter feeds. The reporting, at times inaccurately, comments on the nature of the evidence collected in the case or

activities of the parties.¹ Furthermore, the amount of publicity about this case is only likely to grow as the trial date approaches, and such publicity increases the possibility that jurors will form biases or pre-formed opinions that may prejudice one or both parties.

In addition to the media attention to these criminal cases, there has been extensive publicity relating to the Special Counsel's investigation generally. Some of the media accounts question the legitimacy of the Special Counsel's investigation, tending to advance the opinion that the investigation is "tainted" and therefore its results are suspect.² Other media accounts, by contrast, include disparaging descriptions of the defendant.³

Adverse pretrial publicity can be a significant source of potential prejudice. "In an era of rapid and widespread communications, trial courts must be vigilant to ensure that jurors are not biased and trials are not compromised by media attention surrounding a case." *United States v. Bakker*, 925 F.2d 728, 734 (4th Cir. 1991). The nature and scope of the publicity surrounding this matter raises a substantial danger that potential jurors may already have formed opinions about the

¹ See, e.g., 6/15/2018 Tr. 9:3-21, *United States v. Manafort*, 17-Cr-201 (D.D.C.) (THE COURT: "But, I do question the publication of the completely unsupported speculation that this revelation was an intentional leak by the Office of Special Counsel. No reporter had any facts to base that on, so I'm not sure why anyone printed it. It's not responsible."); see also Sharon LaFraniere et al., *With a Picked Lock and a Threatened Indictment, Mueller's Inquiry Sets a Tone*, N.Y. Times, Sept. 18, 2017, <https://www.nytimes.com/2017/09/18/us/politics/mueller-russia-investigation.html>; Radley Balko, *No-knock Raids Like The One Against Paul Manafort Are More Common Than You Think*, Wash. Post, Aug. 10, 2017, available at https://www.washingtonpost.com/news/the-watch/wp/2017/08/10/no-knock-raids-like-the-one-against-paul-manafort-are-more-common-than-you-think/?noredirect=on&utm_term=.98e81b5c1cf9 (incorrectly reporting that federal agents who executed search warrant at Manafort's residence did not knock on the front door and picked the lock to enter).

² See, e.g., Adriana Cohen, *Dirty Robert Mueller Inquiry Must Be Suspended*, Boston Herald, Feb. 3, 2018, at 6.

³ See, e.g., Virginia Heffernan, *Paul Manafort is in the klink. It's OK to be pleased*, L.A. Times, June 16, 2018, available at <http://www.latimes.com/opinion/op-ed/la-oe-heffernan-manafort-jailed-20180616-story.html>.

defendant's guilt or innocence, may have developed views about the Special Counsel's investigation, or may otherwise be affected in their ability to consider the case impartially.

B. Use of a Written Juror Questionnaire Will Help Ensure Any Prejudice Will Be Uncovered

Voir dire "enable[s] the court to select an impartial jury and assist[s] counsel in exercising peremptory challenges." *Mu'Min v. Virginia*, 500 U.S. 415, 431 (1991). The conduct of voir dire is generally committed to the discretion of the trial court. *See United States v. Lancaster*, 96 F.3d 734, 738 (4th Cir. 1996); *see also United States v. LaRouche*, 896 F.2d 815, 829 (4th Cir. 1990). But "[a] district court abuses its discretion . . . if the voir dire does not provide "a reasonable assurance that prejudice would be discovered if present." *Lancaster*, 96 F.3d at 740 (citations omitted). Juror questionnaires used in conjunction with follow-up voir dire are well suited to address pretrial publicity, and experience shows the efficacy of these procedures. *See Skilling v. United States*, 561 U.S. 358, 388 (2010) (citing "comprehensive" juror questionnaire and individual juror questioning to support finding that voir dire was adequate to select impartial jury in case involving widespread pretrial publicity.)

Although the Supreme Court has noted that a trial court's discretion as to how it conducts voir dire regarding pretrial publicity is "wide," *see Mu'Min v. Virginia*, 500 U.S. at 427, and the Fourth Circuit and this Court have held that written juror questionnaires are not always required where prejudicial publicity is alleged, *see Bakker*, 925 F.2d at 733-34 (it was not error for trial court to decline to allow written questionnaire); *United States v. Rivera*, 292 F. Supp. 2d 823, 826 n.3 (E.D. Va. 2003) (motion for juror questionnaire was properly denied), this Court has used

written questionnaires in similar circumstances where pretrial publicity was particularly broad.⁴

Written questionnaires assist both the parties and the court, and have important advantages over oral voir dire alone both in exposing bias and in serving the interests of judicial efficiency and economy. The advantages of written questionnaires include the following:

- Written questionnaires are more private, and encourage honesty, particularly about sensitive issues involving bias and prejudice that are critical in this case.
- Written questionnaires reduce the influence of “evaluation anxiety,” which causes potential jurors to temper their answers because they know they are being evaluated by the court and the attorneys as they speak.
- Written responses are not influenced by answers given by other members of the venire.
- Written responses revealing prejudicial information seen or heard by one potential juror will not taint the entire jury pool as an oral response might.
- Written responses are not influenced by the characteristics or qualities of the interviewer.
- Written questionnaires provide more information about each potential juror than would be obtained in oral questioning, particularly when open-ended questions are used, and in less time.
- Written questionnaires streamline the jury selection process by allowing the court and counsel to focus more quickly on areas of concern during voir dire.

See generally Lilley, “Let Jurors Speak the Truth, in Writing,” 41 JUL *Trial* 64 (2005); American Bar Association, *Principles for Juries and Jury Trials*, Principle 11(A)(1) (2005) (suggesting use, in appropriate cases, of a “specialized questionnaire addressing particular issues that may arise”); Vidmar, “Case Studies of Pre- and Midtrial Prejudice in Criminal and Civil Litigation,” 26 *Law*

⁴ *United States v. Anthony Burfoot*, No. 2:16CR6; *United States v. Robert McDonnell*, No. 3:14CR12; *United States v. William Jefferson*, No. 1:07CR209; *United States v. Zacarias Moussaoui*, No. 1:01CR455; *United States v. Ahmed Omar Abu Ali*, No. 1:05CR53; *United States v. Ali Al-Timimi*, No. 1:04CR385; *United States v. Denis Rivera, et al.*, No. 1:04CR283; *United States v. Seifullah Chapman, et al.*, No. 1:03CR296 (jury waived); *United States v. Jay Lentz*, No. 1:01CR150; *United States v. Christopher Andaryl Wills*, No. 1:99CR396; *United States v. Brian Regan*, No. 1:01CR405; *United States v. Jean Claude Oscar et al.*, No. 2:93CR131.

and Human Behavior, No. 1 (Feb. 2002); Seltzer, Venuti & Lopes, “Juror Honesty During the Voir Dire,” 19 *Journal of Criminal Justice*, 451-62 (1991).

In addition to this Court, other federal courts have recognized the value of using written questionnaires to supplement oral voir dire, particularly in high profile cases. *See Skilling*, 561 U.S. at 388-89. In *United States v. Rahman et al.*, 189 F.3d 88, 121 (2d Cir. 1999), in which the defendants appealed convictions in connection with bombing the World Trade Center, the Second Circuit approved the trial court’s use of a juror questionnaire that covered, among other things, pretrial publicity and was followed by individual oral voir dire. As in *Skilling*, the Second Circuit noted that combining the written questionnaire with oral voir dire resulted in an improved voir dire: “[The district court’s] voir dire skillfully balanced the difficult task of questioning such a large jury pool with the defendants’ right to inquire into the sensitive issues that might arise in the case.” *Id.* at 122; *see also United States v. Bobbitt*, 203 F.3d 822, 2000 WL 102925, at *4 (4th Cir. 2000) (noting trial court’s use of juror questionnaire as part of an appropriate voir dire procedure exploring pretrial publicity in bank robbery and murder case); *United States v. Blom*, 242 F.3d 799, 804 (8th Cir. 2001) (noting that precautions taken by trial court to assure selection of an unbiased jury included mailing written questionnaires to prospective jurors asking about exposure to pretrial publicity).

The government submits with this motion a proposed juror questionnaire designed to inform the Court and the parties of issues that could reveal impermissible bias and partiality. *See* Exhibit 1. The United States respectfully submits that use of this questionnaire in addition to oral voir dire will assist both the Court and the parties in selecting an impartial jury in this case. The proposed questionnaire also includes background questions to assist in streamlining voir dire and

is targeted to probe the critical issues in this case.⁵ The government provided the proposed jury questionnaire to defense counsel and solicited input but did not receive a response.

CONCLUSION

For the reasons set forth above, the United States respectfully submits that the Court should grant the motion and permit the use of the proposed written jury questionnaire as a supplement to oral voir dire in this case.

Respectfully submitted,

ROBERT S. MUELLER, III
Special Counsel

Dated: June 21, 2018

Uzo Asonye
Assistant United States Attorney
Eastern District of Virginia

/s/
Andrew Weissmann
Greg D. Andres
Special Assistant United States Attorneys
Special Counsel's Office

U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, D.C. 20530
Telephone: (202) 616-0800

Attorneys for the United States of America

⁵ If the Court denies the instant motion, the government respectfully requests that the Court use the jury questionnaire during oral voir dire.

CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of June, 2018, I will cause to be filed electronically the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

Thomas E. Zehnle (VA Bar No. 27755)
Law Office of Thomas E. Zehnle
601 New Jersey Avenue, N.W., Suite 620
Washington, D.C. 20001
tezehnle@gmail.com

Jay R. Nanavati (VA Bar No. 44391)
Kostelanetz & Fink LLP
601 New Jersey Avenue, N.W., Suite 620
Washington, D.C. 20001
jnanavati@kflaw.com

/s/

Uzo Asonye
Assistant United States Attorney
U.S. Attorney's Office
Eastern District of Virginia
2100 Jamieson Avenue
Alexandria, VA 22314
uzo.asonye@usdoj.gov
Phone: (703) 299-3700
Fax: (703) 299-3981

Attorney for the United States of America

JURY QUESTIONNAIRE

Instructions for Jury Questionnaire

This questionnaire is designed to obtain information about your background as it is related to your service as a juror in this case. Its use will substantially shorten the jury selection process. The purpose of these questions is to determine whether prospective jurors can impartially decide this case based solely on the evidence presented at trial and the instructions on the law given by the presiding judge. All information contained in this questionnaire will be kept confidential and under seal.

Please write your assigned juror number at the top of each page. Respond to each question. Your candor and honesty is necessary so that both the prosecution and the defense will have a meaningful opportunity to select an impartial jury. Your cooperation is of vital importance.

You are sworn to give true and complete answers and those answers will be available only to the Court and the parties in this case. You are instructed not to discuss this case or the questionnaire with anyone, including your family and fellow jurors.

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.

PLEASE PRINT LEGIBLY - PLEASE USE ONLY BLACK INK

Juror Number: _____

Personal Information

- 1. Name: _____
- 2. Sex: _____
- 3. Date of Birth: _____
- 4. Place of Birth: _____

Residence

- 5. Address: _____
- 6. How long have you lived in Northern Virginia: _____

Family Background

- 7. Please indicate your marital status:
 - _____ Single and never married
 - _____ Currently married and have been for _____ years
 - _____ Single, but married in the past for _____ years
 - _____ Widowed, but married in the past for _____ years
 - _____ Other: _____

Employment

- 8. Are you employed?
 - _____ Yes _____ No
 - A. If employed, what is your current occupation / job title? _____

 - B. Name of employer: _____
 - C. How long have you been employed at your current job? _____

Juror Number: _____

9. If unemployed, please describe other responsibilities that you have (childcare, school, etc.)

10. If you are retired or between jobs, what type of work had you been doing?

11. Is your spouse or companion who lives with you employed?

_____ Yes _____ No

A. If employed, what is their current occupation / job title? _____

B. Name of spouse's or companion's employer: _____

Education

12. Check the highest level of education for you and your spouse or companion:

	<u>You</u>	<u>Spouse/ Companion</u>	
A. Grade school or less	_____	_____	
B. Some high school	_____	_____	
C. High school graduate	_____	_____	
D. Technical or business school	_____	_____	
E. Some college	_____	_____	
F. College degree	_____	_____	
G. Graduate degree (and describe area)	_____	_____	Area: _____

13. If you are presently a student, please describe briefly your area of study: _____

Juror Number: _____

14. Do you have any difficulty speaking, understanding, reading or writing the English language?

_____ Yes _____ No

A. If yes, please explain the degree of difficulty: _____

News/Media

15. What is your main source for news? [Check the one you rely on the most.]

_____ Newspapers/Magazines
_____ TV or Radio
_____ Internet/Social media websites

16. Please list any newspapers, magazines, TV or radio shows, or Internet or social media websites that you read, watch, or listen to on a regular basis:

Military Service

17. Have you or your spouse or companion ever served in the armed forces?

_____ Yes _____ No

A. If yes, please answer the following, both as to yourself and/or your spouse or companion:

	<u>You</u>	<u>Spouse/Companion</u>
Branch and highest rank or rate	_____	_____
Dates of Service	_____	_____

Juror Number: _____

Home Ownership and Financing

18. Have you ever had a foreign bank account?

_____ Yes _____ No

19. Do you or your spouse own a home?

_____ Yes _____ No

A. If yes, have you now or in the past held a mortgage on that property?

_____ Yes _____ No

B. If yes, please provide a brief description of any financial institution from which you obtained a mortgage and the amount of the mortgage:

20. Have you or your spouse ever refinanced a home mortgage?

_____ Yes _____ No

A. If yes, please provide a brief description of any financial institution from which you obtained the refinancing and the amount that was refinanced:

21. Has a bank ever foreclosed on any property owned by you or your spouse?

_____ Yes _____ No

22. Have you ever been denied a mortgage loan?

_____ Yes _____ No

Juror Number: _____

A. If yes, please briefly describe the circumstances and the denial and whether your experience would prevent or hinder you in any way from rendering a fair and impartial verdict in this case based solely on the evidence presented and the Court's instructions on the law?

Criminal Justice Experience

23. Have you, or has any member of your family or close friend or relative, ever been the victim of or witness to a crime, whether or not that crime was reported to law enforcement authorities?

_____ Yes _____ No

A. If yes, please provide the following information for each person and incident:

Relationship Type of Crime Victim / Witness? Police Report? Was Anyone Caught? Outcome?

24. Have you, or has any member of your family or close friend or relative, ever been accused of, arrested for, or charged with a crime?

_____ Yes _____ No

A. If yes, please provide the following:

Relationship (myself, dad, etc.) Crime Charged Case Outcome?

Juror Number: _____

B. If yes, please provide a brief description of the alleged crime(s) and the events leading up to the accusation, arrest, or charge:

C. If yes, do you feel that you, your family member, close friend, or relative were/was treated fairly by the criminal justice system?

25. Have you, or has any member of your family or close friend or relative, ever been audited by the Internal Revenue Service?

_____ Yes _____ No

A. If yes, please provide the following:

Relationship (myself, dad, etc.) Date of Audit Outcome?

B. If yes, do you feel that you, your family member, close friend, or relative were/was treated fairly by the Internal Revenue Service?

Juror Number: _____

26. Apart from jury service, have you ever been involved in any legal proceeding, in any capacity, for example as a plaintiff, defendant, victim, lawyer, witness, or expert?

_____ Yes _____ No

A. If yes, please state when and explain why you appeared in court:

B. If yes, did the legal process in that instance operate fairly in your opinion?

Jury Service

27. Have you ever served as a juror at a trial in a federal, state, or local court prior to today?

_____ Yes _____ No

A. If yes, without disclosing the verdict that you reached, please complete the following for each trial on which you served as a juror:

<u>Criminal or Civil?</u>	<u>Type of Allegations?</u>	<u>When did you serve?</u>	<u>Where did you serve?</u>	<u>Did the jury reach a unanimous verdict or, if permitted by the applicable law, a majority verdict?</u>
-------------------------------	---------------------------------	--------------------------------	---------------------------------	---

28. Have you ever served as a juror on a grand jury in federal or state court?

_____ Yes _____ No

Juror Number: _____

A. If yes, when and where: _____

B. If yes, was the grand jury on which you served able to reach agreement on the issuance of true bills?

_____ Yes _____ No

C. If your answer to the prior question is no, describe the nature of the case or cases on which the grand jury on which you served was unable to reach agreement on the issuance of true bills.

Law Enforcement

29. Have you, or any members of your family, ever been employed by any law enforcement agency, such as: a police department, sheriff's department, constable's office, the Federal Bureau of Investigation (FBI), the Drug Enforcement Administration (DEA), the Bureau of Alcohol Tobacco and Firearms (ATF), the U.S. Marshal's Service, the U.S. Park Police, a United States Attorney's Office, the United States Department of Justice, a District or State's Attorney's Office, a probation or parole office, the Bureau of Prisons, or any other state, local, or federal law enforcement agency or private security force?

_____ Yes _____ No

A. If yes, for each person (yourself or family member) please indicate the law enforcement office or agency, the period of time employed, if known, and a general description of the job duties:

Juror Number: _____

B. If yes, would the law enforcement employment that you described in the previous question prevent or hinder you in any way from rendering a fair and impartial verdict in this case based solely on the evidence presented and the Court’s instructions on the law?

30. Have you, or any members of your family, ever been employed by the Internal Revenue Service?

_____ Yes _____ No

A. If yes, for each person (yourself or family member) please indicate the period of time employed, if known, and a general description of the job duties:

B. If yes, would the employment that you described in the previous question prevent or hinder you in any way from rendering a fair and impartial verdict in this case based solely on the evidence presented and the Court’s instructions on the law?

31. A number of witnesses may be either federal or state law enforcement officers. Would you tend to believe or to disbelieve the testimony of any law enforcement witness merely because that person is a law enforcement officer?

_____ Yes _____ No

A. If yes, please explain why you would be more or less willing to believe such a witness and why:

Juror Number: _____

32. In this case, the United States is represented by the United States Department of Justice through Special Counsel Robert S. Mueller, III. Is there anything regarding the Special Counsel’s Office that would prevent or hinder you in any way from rendering a fair and impartial verdict in this case based solely on the evidence presented and the Court’s instructions on the law?

_____ Yes _____ No

A. If yes, please explain why:

Work Experience

33. Have you, or any members of your immediate family, ever been employed as an auditor, mortgage officer, tax preparer, or accountant?

_____ Yes _____ No

A. If yes, for each person (yourself or family member) please indicate the period of time employed, if known, and a general description of the job duties:

B. If yes, would the employment that you described in the previous question prevent or hinder you in any way from rendering a fair and impartial verdict in this case based solely on the evidence presented and the Court’s instructions on the law?

Juror Number: _____

34. Have you, or any member of your immediate family, ever worked as an employee of a bank or financial institution?

_____ Yes _____ No

A. If yes, for each person (yourself or family member) please indicate the period of time employed, if known, and a general description of the job duties:

B. If yes, would the employment that you described in the previous question prevent or hinder you in any way from rendering a fair and impartial verdict in this case based solely on the evidence presented and the Court's instructions on the law?

35. Have you, or any member of your immediate family, ever worked in the legal profession, either as a lawyer, paralegal, or in a law office, including a prosecutor's or public defender's office?

_____ Yes _____ No

A. If yes, please explain:

Juror Number: _____

B. If yes, would the legal employment that you described in the previous question prevent or hinder you in any way from rendering a fair and impartial verdict in this case solely on the evidence presented and the Court’s instructions on the law:

36. Have you, or any member of your immediate family, had any legal training, including law courses, paralegal programs, or on-the-job training?

_____ Yes _____ No

A. If yes, please explain:

B. If yes, would the legal training that you described in the previous question prevent or hinder you in any way from rendering a fair and impartial verdict in this case solely on the evidence presented and the Court’s instructions on the law:

Nature of the Evidence and the Charged Crimes

37. The indictment charges the defendant with bank fraud, filing false tax returns, failing to report foreign bank accounts, and related conspiracy offenses. Is there anything about the nature of those charges that would make it difficult to be a fair and impartial juror in this case?

_____ Yes _____ No

Juror Number: _____

A. If yes, please explain:

38. The indictment charges that certain of the income involved in the tax and bank fraud charges was derived from political consulting and public relations work. Is there anything about the nature of those charges that would make it difficult to be a fair and impartial juror in this case?

_____ Yes _____ No

A. If yes, please explain:

39. The indictment charges that certain of the income involved in the tax and bank fraud charges was derived from work for Ukrainian government officials, politicians, and political parties. Is there anything about the nature of those allegations that would make it difficult to be a fair and impartial juror in this case?

_____ Yes _____ No

A. If yes, please explain:

40. Some of the witnesses in this case may be individuals who were involved in crimes themselves. They would testify pursuant to a cooperation agreement with the government or an immunity order. Is there anything that will prevent you from evaluating their testimony fairly and impartially in accordance with the Court's instructions?

_____ Yes _____ No

Juror Number: _____

A. If yes, please explain:

Knowledge of the Case

41. This case has received significant publicity in the media. Have you seen, read, or heard anything at all about this case in any form of media, including newspaper, television, radio, or internet?

_____ Yes _____ No

A. If yes, please explain (i) what you have seen, read, or heard, (ii) the source of that information, and (iii) when that occurred:

B. If yes, has the news coverage or other information you have seen, read, or heard about this case caused you to form an opinion about the defendant's guilt or innocence?

_____ Yes _____ No

C. If yes, please explain:

Juror Number: _____

D. Would you be able to put to one side everything you have seen, read, or heard about this case and not consider that information at all and decide the case fairly and impartially based solely on the evidence presented and the Court's instructions of law?

42. Have you, any member of your immediate family, or any close personal friend ever run for or held a political office in the federal, state, or local government?

_____ Yes _____ No

A. If yes, would anything about that person's running for or holding political office cause you to form an opinion about the defendant's guilt or innocence?

_____ Yes _____ No

B. If yes, please explain:

43. Do you, any member of your immediate family, or any close personal friend have any connection to Ukraine?

_____ Yes _____ No

A. If yes, would anything about that connection to Ukraine cause you to form an opinion about the defendant's guilt or innocence?

_____ Yes _____ No

B. If yes, please explain:

Juror Number: _____

Miscellaneous

44. The following is a partial list of individuals who may be associated with this case. Do you, to your knowledge, have any personal, family, or business connection of any sort with any of them? If yes, please circle the name(s) with which you have such a connection and explain that connection in the space below:

[list to be provided]

45. The jury will be instructed that the defendant is presumed to be innocent throughout the trial and that the defendant cannot be found guilty of any offense unless and until the government has proven each element of that offense beyond a reasonable doubt. Would you find it difficult for any reason to obey that instruction?

_____ Yes _____ No

A. If yes, please explain:

46. If you are selected as a juror in this case, would it be difficult for you to disregard any ideas, notions, or beliefs about the law you may hold and render a fair and impartial verdict based solely on the evidence presented and the Court's instructions of law?

Juror Number: _____

47. Do you suffer from any physical or mental condition(s) that would affect your ability to pay close and careful attention to the evidence and to render an impartial verdict?

_____ Yes _____ No

A. If yes, please explain:

48. This trial may run for approximately three weeks. In this respect, you should know that it is unlawful for an employer to discharge, threaten to discharge, intimidate, or coerce any employee because of the employee's jury service. Given this, is there any truly exigent circumstance that would preclude you from serving on this jury?

_____ Yes _____ No

A. If yes, please explain:

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

_____ Yes _____ No

A. If yes, please explain:

Juror Number: _____

50. Is there anything about the nature of this case, including specifically that (i) it involves allegations of bank fraud and filing false tax returns and (ii) it involves allegations relating to payments for lobbying work on behalf of Ukrainian politicians, that would prevent or hinder you in any way from rendering a fair and impartial verdict based solely on the evidence presented and the Court's instructions of law?

_____ Yes _____ No

A. If yes, please explain:

51. Is there anything about the nature of the questions in this questionnaire that suggests to you that you will not be able to sit as fair and impartial?

_____ Yes _____ No

A. If yes, please explain:

52. Do you know of any other reason why you cannot sit as a juror in this case and judge evidence presented fairly and impartially and apply the law as instructed by the Court?

_____ Yes _____ No

A. If yes, please explain:

Juror Number: _____

I, _____, hereby declare under penalty of perjury that the foregoing answers set forth in this Jury Questionnaire 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.

Executed in the Eastern District of Virginia, on this ____ day of _____, 2018.

Signature