

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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22-CR-00020 (FB) (RML)

UNITED STATES OF AMERICA,

United States Courthouse
Brooklyn, New York

-against- June 3, 2024
9:30 a.m.

ANULI OKEKE,

Defendant.

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TRANSCRIPT OF CRIMINAL CAUSE FOR JURY SELECTION
PROSPECTIVE JURORS PRESENT
BEFORE THE HONORABLE ROBERT M. LEVY
UNITED STATES MAGISTRATE JUDGE

APPEARANCES

For the Government: BREON S. PEACE, ESQ.
UNITED STATES ATTORNEY
Eastern District of New York
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Brooklyn, New York 11201
BY: ADAM AMIR, ESQ.
CHAND W. EDWARDS-BALFOUR, ESQ.
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For the Defendant: TALKIN, MUCCIGROSSO & ROBERTS LLP
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BY: SANFORD TALKIN, ESQ.
NOAM GREENSPAN, ESQ.

Also Present: ANULI OKEKE, DEFENDANT

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1 (In open court; Prospective Jurors not present.)

2 THE COURT: So would counsel like to come to the
3 jury room.

4 (The following occurred at sidebar in the Jury
5 Room.)

6 THE COURT: Good morning, everyone. So I thought
7 we'd spend just a couple of minutes figuring out logistics.
8 How long is the case going to last?

9 MR. EDWARDS-BALFOUR: About two weeks, Your Honor.

10 THE COURT: Two weeks?

11 MR. EDWARDS-BALFOUR: We're hoping that it will be
12 less, but I think telling them two weeks would be the best
13 thing.

14 MR. AMIR: And does Ms. Okeke waive her presence
15 here? I just want to make sure.

16 MR. TALKIN: I thought the judge said he only wanted
17 to see the parties --

18 THE COURT: Did you want -- Counsel --

19 MR. TALKIN: I'm happy to waive her appearance. I
20 thought it was administrative stuff.

21 THE COURT: Totally is. Nothing substantive is
22 happening at the moment.

23 Is the Court meeting every day or taking Fridays
24 off?

25 MR. TALKIN: As of now. Judge said he was going to

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1 play it by ear, but to say that.

2 MR. EDWARDS-BALFOUR: Yes.

3 THE COURT: Okay. So it's two alternates; is that
4 correct?

5 MR. EDWARDS-BALFOUR: We were thinking maybe three.

6 THE COURT: I think you requested two.

7 Did you talk to Mike about that?

8 MR. EDWARDS-BALFOUR: We did not talk to Mike about
9 that.

10 THE COURT: Okay.

11 MR. AMIR: It's always good to have an extra in case
12 someone gets sick, so we don't have to start over.

13 THE COURT: So the request from all sides is three
14 alternates?

15 MR. TALKIN: It doesn't matter to us. Whatever the
16 Court wants to do.

17 THE COURT: It's really up to Judge Block, though.

18 MR. TALKIN: Correct. Whatever Judge Block wants to
19 do.

20 THE COURT: He requested two, but if you feel more
21 comfortable with three. Okay.

22 I received proposed statement of the case from the
23 Government.

24 MR. EDWARDS-BALFOUR: Yes.

25 THE COURT: Has the defense seen that?

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1 MR. TALKIN: Yes.

2 THE COURT: Any problems with it?

3 MR. TALKIN: No.

4 THE COURT: Okay. Any problems with the proposed
5 voir dire request?

6 MR. TALKIN: We also had our -- we also filed a
7 proposed voir dire request.

8 THE COURT: For some reason, they didn't get to me.
9 When did you file them?

10 MR. GREENSPAN: A long time -- a week, so probably
11 the 24th, Friday.

12 MR. AMIR: I have a copy. This is the
13 defendant's --

14 THE COURT: Is there anything you object to?

15 MR. AMIR: No, I think this is fine. I think we
16 also -- ours is a little shorter. And there's a couple of
17 questions we would insist on such as making sure that the
18 jurors are comfortable with cooperator testimony. That would
19 be a key aspect.

20 THE COURT: So, in other words, we can use the
21 defense's proposed voir dire with -- let's start with
22 cooperators.

23 So we're talking about Paragraph 14 on Page Four?
24 Do you need a minute to look at that?

25 MR. TALKIN: Fourteen, cooperating witnesses. Of

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1 course it's the longest question.

2 MR. AMIR: I think there's some things we would want
3 to include, as well. If there's only one subset of the loan
4 program and not the EIDL program, so I think ours is probably
5 a little bit more comprehensive on that score.

6 THE COURT: Which paragraph are you looking at?

7 MR. AMIR: So this would be paragraph four of the
8 defense, omits reference to the employee income program, the
9 EIDL program, the separate program we allege that was
10 defrauded.

11 MR. TALKIN: I thought I added that somewhere. I
12 must have missed that.

13 MR. AMIR: And also, the defense one doesn't have
14 the comprehensive list of names and places. So I think it
15 might be a little safer to use ours.

16 Is there anything you guys object to in ours?

17 MR. TALKIN: We don't object, but I think there's a
18 lot in --

19 MR. EDWARDS-BALFOUR: Maybe if we can signal -- if
20 we can highlight which ones you want to add to ours, perhaps
21 we can use ours and use the ones you want to add.

22 MR. TALKIN: When you introduce the parties, do you
23 want us to stand up?

24 THE COURT: What's more comfortable for you?

25 MR. TALKIN: I think it's probably better if we just

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1 all stand up and also the defendant's going to stand up as
2 well, if that's okay with you.

3 THE COURT: If she's comfortable doing that.

4 MR. TALKIN: Just uniform -- whatever it is, I just
5 want it to be uniformed.

6 THE COURT: Sure.

7 MR. EDWARDS-BALFOUR: So if you want to circle
8 questions you want to add for yours, if that's okay with the
9 Court.

10 THE COURT: Sure.

11 Which paragraph is this?

12 MR. TALKIN: That's Section D, paragraphs 24 through
13 35.

14 Sixteen is in our...

15 MR. EDWARDS-BALFOUR: Do you want to draw a line
16 through it?

17 THE COURT: So I think the best way to do it is go
18 off the record and do a summary at the end.

19 (Off the record.)

20 THE COURT: All right. We've spent the last half
21 hour, working on proposed voir dire. The parties have agreed
22 to proposed voir dire, and amalgamated the Government and the
23 defense's questions, sent a copy to chambers which will be
24 reproduced and given to counsel.

25 Is the proposed voir dire satisfactory to the

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1 Government?

2 MR. EDWARDS-BALFOUR: It is, Your Honor.

3 THE COURT: And to the defense?

4 MR. TALKIN: Yes, Your Honor.

5 THE COURT: Okay. So let's talk briefly. Just go
6 back on the record. Do you need your client to be here, the
7 defendant to be here for this moment?

8 MR. TALKIN: No. We'll waive her for this. This is
9 administrative proceedings. So we'll waive her appearance.

10 THE COURT: All right. So Judge Block has requested
11 two alternates. That's how I'm proceeding. If you feel
12 strongly about that, I can give Mike Innelli a call.

13 MR. AMIR: I think it's always safer to have one
14 extra if someone gets sick. Someone could talk to the
15 defendant accidentally in the elevator. So I would personally
16 request just one more.

17 THE COURT: One extra alternate?

18 MR. AMIR: Yes.

19 THE COURT: Three alternates, instead of two?

20 MR. AMIR: Yes.

21 MR. TALKIN: I don't object to that, but two is
22 fine.

23 THE COURT: We'll contact the clerk in a minute.

24 I have a little chart here that describes how many
25 challenges each party has in which round. So this way, it

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1 should be easy for you to figure out.

2 MR. TALKIN: Your Honor, how are those exercised as
3 far as the first, second, is that on the chart, as well?

4 THE COURT: It's on the chart, who is first and who
5 is second and how many. Let me pass it down to you.

6 MR. TALKIN: Thank you.

7 THE COURT: So take a look at it and see if it makes
8 sense.

9 MR. TALKIN: It does.

10 MR. AMIR: Excellent. Thank you, Judge.

11 THE COURT: And then you can see for the alternates,
12 as well. So this way, there won't be any confusion of how
13 we're doing it. And the alternates will be challenged
14 separately. First, we'll do the 12 jurors, and then we'll do
15 the alternates.

16 MR. TALKIN: As far as my understanding, you fill
17 the box and then you fill a couple of rows or a row or two.

18 THE COURT: Right.

19 MR. TALKIN: And then we're doing a struck system;
20 is that correct? The first 12 standing after juror selection
21 will be the first 12?

22 THE COURT: Right. Exactly. And then we'll do the
23 two alternates or three, depending on what we have.

24 MR. TALKIN: Got it.

25 THE COURT: Okay. And although I don't permit you

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1 to do questioning, if there's a serious issue involving a
2 particular juror and you feel that it's important to be able
3 to speak to the juror, we can call the juror up to sidebar and
4 you can ask some questions there or I'll ask the questions,
5 depending how things are going.

6 MR. TALKIN: And, Your Honor, along those lines, if
7 you -- if there's a perception, an obvious perception, of
8 somebody you want to speak to in private, how do you handle
9 that?

10 THE COURT: We bring them back here. Although we do
11 have the white noise.

12 MR. TALKIN: I have no preference. I'm just asking.

13 THE COURT: Well, normally, we do the white noise.
14 Sometimes it gets really, really burdensome for the jurors, so
15 I spare them and bring them back here. But if everything goes
16 well, we'll do the white noise and bring them up to sidebar.

17 MR. TALKIN: Okay. And I assume -- I'll talk to my
18 client, but I think we'll waive her appearance at those
19 sidebars because I assume there's marshals here. And I really
20 don't want them flowing back and forth with her.

21 THE COURT: I'm not sure how the marshals --

22 MR. TALKIN: If there's no marshals, I'm happy to
23 have her at the sidebar for the discussions. If there is,
24 there's a reason for that not to be the case. When I say
25 "marshals," I also mean the court officers.

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1 THE COURT: Right.

2 MR. EDWARDS-BALFOUR: Or sometimes what I've done in
3 the past is if there's a question that you need her input on,
4 we can just give you time to go back to her and come back.

5 MR. TALKIN: That's fine. What I don't want is a
6 parade. It's enough of a parade of people that we don't need
7 that happening. So I'll let you know before we start.

8 THE COURT: So I'll assume that you're waiving her
9 appearance at sidebar unless you tell me expressly.

10 MR. TALKIN: Expressly, yeah, that's fair.

11 MR. AMIR: And, Judge, you may get to this, but how
12 do you want to raise potential for-cause strikes? If during
13 the colloquy or you're asking questions, how do we notify you
14 that we wish to strike a juror?

15 THE COURT: After the questions have been completed,
16 then I'll ask you, Do you have a for-cause challenge?

17 MR. AMIR: Okay.

18 THE COURT: So we'll do it right away before it gets
19 stale.

20 MR. AMIR: Okay.

21 THE COURT: Any other questions?

22 MR. AMIR: Not for me.

23 MR. EDWARDS-BALFOUR: That's fine. And you'll call
24 us up at sidebar, and we'll do it that way?

25 THE COURT: Yeah. You'll be parading back and

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1 forth.

2 MR. EDWARDS-BALFOUR: In each section, got it.

3 THE COURT: Yes.

4 MR. TALKIN: That's it.

5 MS. BILINKAS: And, Your Honor, I'm sorry. The copy
6 that was provided to Ms. Marino, that still had the old docket
7 number at the top because we just used the ECF version, but
8 it's updated accordingly if you want us to refile or not.

9 THE COURT: When you get it, why don't you just
10 cross out -- actually I have two things: One, I think the
11 copy that Ms. Marino gets will be given to the court reporter
12 and marked as an exhibit. And if you want to make any changes
13 on the docket number, do that before you give it to the court
14 reporter.

15 MS. BILINKAS: Okay.

16 MR. EDWARDS-BALFOUR: Sounds good.

17 THE COURT: Anything else?

18 MR. TALKIN: No thank you.

19 THE COURT: Good luck, everyone. And if I missed
20 something or misread, you know, feel free to let me know.

21 (End of sidebar conference.)

22 (In open court; Prospective Jurors present.)

23 THE CLERK: The Honorable Robert Levy presiding.

24 THE COURT: Good morning, everyone. Please have a
25 seat.

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Are counsel ready to proceed?

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MR. AMIR: Yes, Your Honor.

4

MR. TALKIN: Yes, Your Honor.

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THE COURT: We're just waiting a moment for some documents to be delivered to the courtroom, and then we'll begin.

8

(Pause in the proceedings.)

9

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THE COURT: In the meantime, we have a preliminary to go over with counsel.

11

12

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Counsel, if you're comfortable remaining seated, I think it would be easier for you and better for the microphones to pick you up.

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This is a question for the Government and for the defense: Have you each explained to your client that this trial will be presided over by United States District Court Judge Frederic Block and that you have a right to have a U.S. district court judge preside over this jury selection? And that my participation in this case is limited to supervising the selection of the jury.

21

22

Speaking first to the Government, do you or your client have any objection to my supervision of jury selection?

23

MR. EDWARDS-BALFOUR: No objection, Your Honor.

24

THE COURT: And to the defense?

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MR. TALKIN: No, Your Honor.

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1 THE COURT: And speaking to the defendant, good
2 morning, ma'am.

3 MS. OKEKE: Good morning.

4 THE COURT: Do you have any objection to my
5 presiding over this jury selection?

6 MS. OKEKE: No, Your Honor.

7 THE COURT: Are you making this decision
8 voluntarily?

9 MS. OKEKE: Yes.

10 THE COURT: Has anyone forced you, threatened you,
11 or made you any promises to induce you to agree to have me
12 hear the jury selection?

13 MS. OKEKE: No, sir.

14 THE COURT: While we are waiting for the document to
15 arrive, we'll go through a few preliminaries.

16 You're here today for the selection of a jury in a
17 criminal case. The trial is scheduled to begin today or at
18 the close of jury selection before District Judge Frederic
19 Block. It is expected to last, potentially, up to two weeks.
20 I'm going to ask counsel to introduce themselves to you,
21 starting with the Government.

22 MR. EDWARDS-BALFOUR: Good morning, everyone. Chand
23 Edwards-Balfour.

24 MR. AMIR: Good morning, Assistant United States
25 Attorney Adam Amir.

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1 MS. BILINKAS: Good morning, Jennifer Bilinkas.

2 AGENT THOMPSON: Good morning. Jeff Thompson.

3 MS. AUSBROOKS: Good morning. Michaela Ausbrooks.

4 MS. WARD: April Ward.

5 MR. RONCHETTI: Sam Ronchetti.

6 MR. BUFORD: I'm Turner Buford. Good morning.

7 THE COURT: Thank you.

8 For the defense.

9 MR. TALKIN: Good morning, everyone. Sam Talkin.

10 MS. OKEKE: Anuli Okeke. Good morning.

11 MR. GREENSPAN: Good morning. Noam Greenspan.

12 MR. M. TURNER: Good morning. Michael Turner.

13 THE COURT: All right. Thank you.

14 MR. TALKIN: Your Honor, can we approach for one
15 minute?

16 THE COURT: Yes.

17 (The following occurred at sidebar.)

18 MR. TALKIN: Your Honor, you probably weren't told,
19 but the actual trial is going to start Monday, a week from
20 today, and that affects the timing, so when they know it's
21 going to last two weeks.

22 THE COURT: Okay. Thank you. Anything else?

23 MR. TALKIN: That's it.

24 MR. EDWARDS-BALFOUR: For now.

25 (End of sidebar conference.)

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1 (In open court; Prospective Jurors present.)

2 THE COURT: All right. I've been informed that the
3 trial will begin next Monday. And it will last for up to
4 two weeks. It will not begin today.

5 Just a show of hands, how many of you have ever
6 served on a jury before, anywhere?

7 And how many of you have served on a jury in federal
8 court? No one.

9 How many of you, who have served on a jury, have
10 served on a jury in a criminal case?

11 Just two of you.

12 Sir, what is your Juror Number?

13 THE PROSPECTIVE JUROR: Thirty. 3-0.

14 THE COURT: 3-0.

15 And in the back?

16 THE PROSPECTIVE JUROR: Fifty-one.

17 THE COURT: Thank you.

18 For Juror Number 30, how long ago did you serve on a
19 criminal trial?

20 THE PROSPECTIVE JUROR: Fifteen years ago.

21 THE COURT: Okay. And without telling us what the
22 verdict was, did your jury come to a verdict?

23 THE PROSPECTIVE JUROR: No.

24 THE COURT: Okay. Juror Number 50.

25 THE PROSPECTIVE JUROR: Fifty-one.

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1 THE COURT: I'm sorry, 51.

2 THE PROSPECTIVE JUROR: And it's approximately 15 or
3 so years ago, and we did come to a verdict.

4 THE COURT: Okay, thank you.

5 Would counsel like to pursue any of these questions
6 at sidebar while we're waiting, or is there no need at this
7 point?

8 MR. TALKIN: Not at this time, Your Honor.

9 MR. EDWARDS-BALFOUR: Nothing from the Government.
10 Thanks, Your Honor.

11 THE COURT: And those of who you participated in a
12 civil trial, how many of you -- did any of you not reach a
13 verdict?

14 I'm sorry, what's your Juror Number?

15 THE PROSPECTIVE JUROR: Fifty.

16 THE COURT: Fifty? Thank you.

17 So while we are a waiting, let me explain what we're
18 here for. You may already know that this proceeding is called
19 a voir dire, it's legal French, it's old French. And,
20 basically, the purpose of the voir dire is to select a jury
21 that will be fair and impartial to both sides in this case.

22 This means that the jurors in the courtroom will
23 base their verdict only on the evidence as presented and not
24 on anything else that they may have heard or read or
25 experienced outside the courtroom and that you will follow the

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1 law as you're instructed by the judge.

2 And can the Government please state what the docket
3 number is of this case?

4 MR. AMIR: 22-CR-20.

5 THE COURT: Okay, thank you.

6 Does the Government and the defense, do you both
7 have copies of the proposed voir dire at this time?

8 MR. EDWARDS-BALFOUR: We do, Your Honor. Thank you.

9 THE COURT: And is it satisfactory?

10 MR. TALKIN: Yes, we do. And, yes, it's
11 satisfactory.

12 MR. EDWARDS-BALFOUR: "Yes" to the second question,
13 as well, Your Honor.

14 THE COURT: All right. The name of this case is
15 entitled: United States of America against Anuli Okeke.

16 I hope I'm pronouncing your name correctly.

17 MS. OKEKE: Yes, Your Honor.

18 THE COURT: Docket numbers 22-CR-20. The
19 prosecution in this case is often referred to as "the
20 Government." The prosecution is entitled to no greater weight
21 than the defense in your deliberations. The fact that this
22 prosecution is brought in the name of the United States is
23 does not entitle the Government to any greater consideration
24 than the defendants or any other party who appears in court.
25 All parties are equal before the Court.

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1 As I mentioned, the procedure we're going to through
2 today is called a voir dire. Its purpose is to select a jury
3 that will be fair and impartial to both sides in this case.
4 As I said, this means that the jurors will base their verdict
5 only on the evidence that's presented in this courtroom and
6 not on anything that they may have heard or read or
7 experienced outside the courtroom. And again, that they will
8 follow the law as instructed by Judge Block.

9 I will be questioning you both as a group and
10 individually. Hopefully, you'll find this an interesting
11 process. It's critically important to any criminal trial. At
12 times, though, it may seem tedious. I'm going to ask your
13 patience because it is an essential process to guaranteeing a
14 fair trial.

15 If at any time during the questioning you think that
16 because of some experience that you've had in your life or
17 because of something you've heard or read, you cannot be fair
18 and impartial in this case, then it is your duty to let me
19 know that. In other words, if for any reason you think you
20 would favor either the Government or the defense regardless of
21 what the evidence showed, you must let me know. Both the
22 Government and the defendants have a right to a fair and
23 impartial jury that will render a verdict based solely on the
24 evidence that's presented at the trial and the law as
25 instructed by the Court.

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1 In order to be certain that we have a fair and
2 impartial jury, I will have to ask you a number of questions
3 about your background and your opinions on certain subjects.
4 The purpose of the questioning is two-fold, first to enable me
5 to determine whether or not any prospective juror should be
6 excused for what we call cause and second, to enable the
7 lawyers for each parties to exercise what we call peremptory
8 challenges of jurors which means that they may excuse a
9 certain number of prospective jurors without giving a reason.

10 If you're excused, there's no personal affront
11 that's intended, it simply means that you may not be the best
12 fit for this particular case. In asking these questions, it's
13 not my intention to intrude on your privacy, it's simply to
14 ensure that you can be fair and impartial as jurors
15 in this case.

16 If I ask a question that you would like to answer in
17 private, all you need to do is simply ask me to come up at
18 sidebar, and I'll turn on the white noise. And you'll be able
19 to speak privately with me, on the record, before counsel at
20 the sidebar. So, again, if you believe that your answer
21 should be in private and not in front of the entire jury
22 panel, simply ask me for a sidebar, and we'll certainly
23 accommodate you.

24 Please listen to my questions very carefully because
25 the answers that you give must be under oath. You have a duty

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1 to answer each question as honestly, conscientiously,
2 completely, and truthfully as you can.

3 Have you all met my court staff? We have my law
4 clerks Allison Marculitis and Leslie Rubin, and my two interns
5 Claire and Sophia. They'll be here to help clear any issues
6 that come up that you need additional help for.

7 THE COURTROOM DEPUTY: So now I'm going to read to
8 you an oath, after which please respond "I do." So if you
9 could all stand and raise your right hand.

10 Do you solemnly swear or affirm that the answers
11 you're about to give touching upon your qualifications to
12 serve as prospective jurors in this case now before the Court
13 will be the truth, the whole truth, and nothing but the truth.

14 THE PROSPECTIVE JUROR: I do (unanimously).

15 THE COURT: This criminal case comes before the
16 Court by way of what we call an indictment. The indictment is
17 captioned United States of America against Anuli Okeke. The
18 indictment is simply the document that the Government uses to
19 state the charges against a defendant. It serves no other
20 purpose. It's not evidence, and you may not draw any
21 conclusions about whether or not anyone is guilty of anything
22 from the fact that there's an indictment.

23 The parties have agreed to a statement of the case
24 that summarizes the indictment. Again, it's not evidence, and
25 it's only being read to you so that you understand what the

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1 charges are about. Again, any evidence pertaining to the
2 charges against this defendant will come before you only when
3 the Court begins an actual trial, not here during the jury
4 selection.

5 So counsel have authorized me to read you the
6 following statement of the case:

7 Anuli Okeke is charged with defrauding and
8 conspiring to defraud Popular Bank and the Small Business
9 Administration, otherwise known as the SBA, to obtain Payment
10 Protection Program, PPP, loans and Economic Injury Disaster
11 Loan program loans, EIDL. The Government alleges that the
12 defendant and her co-conspirators assisted borrowers in
13 submitting fraudulent PPP applications through Popular Bank to
14 the SBA, despite knowing that the customers did not qualify
15 for the loans and took unauthorized kickbacks from the loan
16 proceeds.

17 The Government further alleges that the defendant
18 laundered the crime proceeds through the financial system. In
19 connection with these alleged crimes, the defendant is charged
20 in a four-count indictment with wire and bank fraud
21 conspiracy, wire fraud, bank fraud, and money laundering
22 conspiracy.

23 Again, the indictment is not evidence, the
24 indictment is merely a statement of the charge. And I've
25 explained to you how evidence is received, it's received in

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1 the courtroom only.

2 So I'm going to be asking you a number of questions,
3 and if you have a "yes" answer to any of the questions, I'm
4 going to ask you to raise your hand. And then, we'll try to
5 come to you with either more questions or we'll pass over to
6 the next person. But we'll go in chronological order or
7 numerical order.

8 So, for example, if I ask you a question and Jurors
9 Number 1, 3, and 5 have "yes" answers, I'm going to ask Jurors
10 Number 1, 3, and 5 to raise their hand, and if I need to
11 pursue that any further, I'll do it in numerical order.

12 Now, the defendant has pleaded not guilty to the
13 charges and has thus raised issues of fact that are to be
14 determined by a jury. The Government has the burden of proof
15 in any criminal case to establish that a defendant is guilty
16 beyond a reasonable doubt of any charge that they wish to
17 convict them on. The defendant is presumed to be innocent.

18 In that regard, the defendant has no burden to
19 present any evidence or even to testify since the defendant
20 has the constitutional right to remain silent, the law
21 prohibits you from considering, when you deliberate, that the
22 defendant may not have testified. In other words, you can't
23 hold it against the defendant that the defendant has exercised
24 his or her right to remain silent under the constitution.
25 This is a basic principle of our criminal justice system.

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1 The role of the jury in a criminal case is to hear
2 evidence and decide the facts. That is to decide what
3 happened. The judge does not have any role at all to play in
4 your determination of the facts. What the judge does is to
5 instruct you on the law that applies to the case and the
6 charges. You will apply the facts, as you find them to the
7 law as the judge instructs you, and your conclusion will be
8 your verdict. You must apply the law, as stated by the judge,
9 regardless of any opinion that you personally have as to what
10 the law is or should be.

11 If any of you would have any difficulty doing this,
12 you must bring that to my attention.

13 So, I'm now going to begin asking questions of the
14 jurors whose names have been called. You've been seated in
15 numerical order. For example, I'm going to ask questions such
16 as, Do you know any of the attorneys or parties in the case?
17 It's very important for all of you, even those of you whose
18 names have not been called, to pay close attention to all of
19 my questions and to make note if your answer to any of my
20 questions to be yes. That is because if any of the jurors
21 whose names were called are excused, you may be called upon to
22 replace that juror. If that happens, I will not repeat all
23 the questions I've asked. I will simply ask you if you have a
24 yes answer to any of my questions.

25 So here's the first question:

JURY SELECTION

24

1 Does anyone know any of the parties -- attorneys who
2 have introduced themselves to you previously? Does any of you
3 know any of the attorneys in this case?

4 Juror, what number are you?

5 THE PROSPECTIVE JUROR: Number 9.

6 THE COURT: Okay.

7 THE PROSPECTIVE JUROR: I went to high school with
8 Michael Turner.

9 THE COURT: All right. Have you -- are you close
10 friends with him?

11 MS. OKEKE: I haven't seen him since high school.

12 THE COURT: How long ago was that?

13 THE PROSPECTIVE JUROR: That was two years ago.

14 THE COURT: Okay. Is there anything about your
15 acquaintance with him that would make it difficult for you to
16 be fair and impartial on this case?

17 THE PROSPECTIVE JUROR: No.

18 THE COURT: Would you bend over backwards and give
19 the greater benefit of the doubt to either the Government or
20 the defense simply because you know, Mr. Turner?

21 THE PROSPECTIVE JUROR: No, Your Honor.

22 THE COURT: Did you have any fistfights or
23 disagreements in high school?

24 THE PROSPECTIVE JUROR: No, Your Honor.

25 THE COURT: How would you describe your relationship

JURY SELECTION

25

1 with him?

2 THE PROSPECTIVE JUROR: We're good. We had a couple
3 of classes together. Yeah.

4 THE COURT: But do you think you can still be fair
5 and impartial?

6 THE PROSPECTIVE JUROR: Yes, Your Honor.

7 THE COURT: Okay. Anyone else?

8 All right. How about others who are at counsel
9 table?

10 Is there anyone who is familiar with any of the
11 individuals at counsel table?

12 Does anyone know the defendant?

13 Is there anyone who either did not understand or who
14 cannot accept any of the principles of law that I explained
15 this morning, including the following: The indictment is not
16 evidence, the defendant is presumed innocent, the Government
17 has the burden of proof, to prove the guilt of the defendant,
18 and to do so by proof beyond a reasonable doubt, the defendant
19 has a right to remain silent and you can't hold it against the
20 defendant if the defendant exercises that right and chooses
21 not to testify or present any evidence because the burden of
22 proof is entirely on the Government?

23 Anyone have any questions or issues with that?

24 Does anyone think that because Ms. Okeke has been
25 charged by the Government and is here on trial that she must

JURY SELECTION

26

1 have done something wrong or illegal?

2 Do you think that just because a person sits here
3 today accused of something, she's automatically guilty or
4 probably guilty? Or more likely than not guilty?

5 And the purpose of that question is to make sure
6 that you feel, despite whatever experience you've had in your
7 life, that the mere fact that a person has been accused of a
8 crime and indicted does not constitute evidence and that you
9 would keep an open mind and listen to all of the evidence
10 before you made any decision.

11 Is there anyone here who has any difficulties
12 speaking English, understanding English, and/or has had
13 difficulty understanding me and my explanations so far?

14 Is there anyone here who has difficulty hearing or
15 seeing that might make it difficult to examine documents or
16 evidence during a trial?

17 Is there anyone who has heard anything with about
18 this case before today?

19 Is there anyone here who -- knowing that the trial
20 is scheduled to begin next Monday and might last up to
21 two weeks, is there anyone who would find it -- who has a
22 conflict in serving on a jury during that period?

23 Okay. So let me start writing the numbers. Number
24 Two, Number Three -- anyone else in the first row?

25 THE PROSPECTIVE JUROR: Can I ask what a "conflict"

JURY SELECTION

27

1 defines?

2 THE COURT: I'm sorry?

3 THE PROSPECTIVE JUROR: Conflict as in travel, work,
4 all those type of things.

5 THE COURT: Well, work, I think most people will
6 probably have some issues with that.

7 THE PROSPECTIVE JUROR: Yes, exactly.

8 THE COURT: And we all have a duty to serve on
9 juries regardless of whether we have work or what, otherwise.
10 I'm looking more for anyone who has already -- travel
11 arrangements, paid for tickets already, has graduation,
12 getting married, leaving the state, something like that, much
13 more serious that would prevent you from being a juror.

14 So are you on the yes list or no list?

15 THE PROSPECTIVE JUROR: I think I'd have to have a
16 separate conversation.

17 THE COURT: You're on the maybe list.

18 THE PROSPECTIVE JUROR: I am, yes.

19 THE COURT: You're Juror Number Six. Juror
20 Number Five, did you have your hand up?

21 THE PROSPECTIVE JUROR: No.

22 THE COURT: Anyone in row two. Juror Number Ten.

23 THE PROSPECTIVE JUROR: Number Nine.

24 THE COURT: I'm sorry, Number Nine.

25 Anyone else, row three? What number are you, ma'am?

SIDEBAR CONFERENCE

28

1 THE PROSPECTIVE JUROR: Sixteen.

2 THE COURT: Seventeen and 18?

3 THE PROSPECTIVE JUROR: And 15.

4 THE COURT: And 15.

5 THE COURTROOM DEPUTY: It's 14, 15, and 16.

6 THE COURT: Fourteen, 15, 16.

7 And we're only talking about the -- how many, 36 --
8 What's the last number we have?

9 THE COURTROOM DEPUTY: Thirty-two.

10 THE COURT: Thirty-two.

11 THE COURTROOM DEPUTY: We have 34 seated, but 32 for
12 two alternates.

13 THE COURT: So no one beyond number 34. Okay.
14 Juror Number 2, why don't you come up to the sidebar, we'll
15 discuss it up here.

16 (The following occurred at sidebar.)

17 THE COURT: Ms. Henderson?

18 THE PROSPECTIVE JUROR: I am.

19 THE COURT: Do you have a conflict?

20 THE PROSPECTIVE JUROR: I do. I have a vacation
21 planned with the family, starting --

22 THE COURT: When are you leaving?

23 THE PROSPECTIVE JUROR: On the 28th. So if we start
24 next week and then it goes for two weeks, I might -- it might
25 not end in time.

SIDEBAR CONFERENCE

29

1 THE COURT: Okay.

2 THE PROSPECTIVE JUROR: That's all.

3 MR. TALKIN: I think we'll be done by then.

4 THE PROSPECTIVE JUROR: Okay.

5 MR. TALKIN: Fairly certain.

6 MR. EDWARDS-BALFOUR: Yes.

7 THE COURT: Okay.

8 THE PROSPECTIVE JUROR: Okay. All right. Thanks.

9 (Prospective Juror exits sidebar.)

10 MR. TALKIN: I have a question.

11 I notice from the jury list I got, that the names
12 are not in alphabetical order, but I just need to confirm that
13 when -- usually, we call the jurors and seat them after
14 they're in the courtroom. If they were pre-randomly, selected
15 that's fine. I just don't have that information available to
16 me. So I'm just trying to find out if that's the case.

17 THE COURTROOM DEPUTY: The numbering is by computer.

18 THE COURT: Like the Court had nothing to do with
19 it.

20 MR. TALKIN: No, I get that. What I'm just --

21 THE COURT: It's not alphabetical, it's numbered by
22 the computer.

23 MR. TALKIN: I get that. I just have to confirm for
24 my client that it was a random process that put them in those
25 numbers. If that's the case, that's terrific.

SIDEBAR CONFERENCE

30

1 THE COURTROOM DEPUTY: It's done by the jury
2 department.

3 MR. TALKIN: So it's a random situation?

4 THE COURT: Yes.

5 MR. TALKIN: Perfect. Thank you. That's the only
6 other question I had.

7 (Prospective Juror enters sidebar.)

8 THE CLERK: Juror Number 3

9 THE PROSPECTIVE JUROR: I have to pick up my kids
10 every day from school at 2:10. So if it's for two weeks
11 straight, it might be -- I won't have anyone to pick up my
12 kids.

13 THE COURT: And do you have someone who backs you up
14 when you're sick?

15 THE PROSPECTIVE JUROR: Sure. Sick for a day or
16 two, but not for two weeks. You know what I mean? I mean, I
17 can have my wife -- like, today, I can have my wife pick them
18 up, but then she works the other days, too, so it's...

19 THE COURT: Okay. So you have child care concerns?

20 THE PROSPECTIVE JUROR: (Nonverbal gesture).

21 THE COURT: Okay. Any questions from counsel?

22 MR. EDWARDS-BALFOUR: No.

23 MR. TALKIN: No.

24 THE COURT: Okay. All right. Why don't you have a
25 seat for a moment, and we'll get back to you?

SIDEBAR CONFERENCE

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1 (Prospective Juror exits sidebar.)

2 MR. TALKIN: Do you want to hear from us now?

3 THE COURT: Yes, I do. I just didn't want you to --

4 MR. TALKIN: We consent. That's fine.

5 MR. EDWARDS-BALFOUR: We move.

6 MR. AMIR: I might suggest, your court maybe doing
7 this anyway, but to wait to excuse them until the end so that
8 way, people -- it doesn't get contagious that people suddenly
9 have --

10 THE COURT: Right.

11 THE COURTROOM DEPUTY: Number 6.

12 (Prospective Juror enters sidebar.)

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1 (The following occurred at sidebar.)

2 THE COURT: Hi, Ms. Kaplan.

3 THE PROSPECTIVE JUROR: I am the head of North
4 America for a luxury leather goods branch. I am the top of
5 the rung. If I'm out of the business that long, it's
6 detrimental, and I'm on call basically 24 hours a day. We
7 have an online business, we have retail staff, I have about 30
8 people underneath me. It is not -- while I understand an
9 excuse not to do jury duty, but I am the head of entire
10 region, so being out of the business that long without being
11 contactable is detrimental to the overall revenue of stream of
12 business.

13 THE COURT: So would you ever be able to serve on a
14 jury?

15 THE PROSPECTIVE JUROR: If it was a day or here, but
16 I can't be out such a long period of time. I am the only
17 person. I'm like, I am the person.

18 MR. TALKIN: Would you serving as a juror here,
19 would you be distracted if you were -- if you had to serve for
20 two weeks, would you be able to pay attention to what's going
21 on in the courtroom or would you be distracted if that was the
22 case, that you had to be on the jury? However you want to
23 answer.

24 THE PROSPECTIVE JUROR: In all human responses, I
25 would be very stressed about not being able to be connected to

1 my business.

2 MR. TALKIN: Would you be able to pay attention to
3 what's in the courtroom and listen to the evidence with that
4 stress or would you be distracted? That's really the
5 question.

6 THE PROSPECTIVE JUROR: I can't -- I wouldn't know
7 until I was sitting in the room to be able to tell you for
8 sure. I've never been in the room to be able to tell you.

9 THE COURT: Is your business mainly national or
10 international as well?

11 THE PROSPECTIVE JUROR: I'm the global -- sorry, I'm
12 the head of North America for a corporate brand. So my head
13 office is based in London. I do meetings at six a.m., seven
14 a.m. I mean, I'm --

15 THE COURT: Perfect for a juror.

16 THE PROSPECTIVE JUROR: But I'm on call basically
17 from six a.m. until the end of the day west coast time.

18 THE COURT: Is there any way that you could tell
19 people to contact you during breaks or at the end of the day
20 or before work?

21 THE PROSPECTIVE JUROR: I mean, I can, but if
22 there's fire -- if there are what I would call a fire drill or
23 someone -- if someone needs me for, I'm not contactable.

24 THE COURT: Okay. The problem that we have is that
25 we don't want to create a class of people who are exempt from

1 jury duty because of the kind of work they do.

2 THE PROSPECTIVE JUROR: I understand. I'm just
3 giving you the -- my work situation.

4 THE COURT: So if you hear that you're not excused,
5 you'll understand that we are understanding, but that so many
6 people feel that they're in indispensable roles, rightly so.

7 THE PROSPECTIVE JUROR: Yes. I'm just giving you my
8 current situation.

9 THE COURT: Okay. Got it.

10 Any questions?

11 MR. EDWARDS-BALFOUR: No questions.

12 MR. TALKIN: No.

13 THE COURT: Okay. Thank you.

14 THE PROSPECTIVE JUROR: Thanks.

15 (Prospective juror leaves.)

16 MR. AMIR: I do think if she's ultimately seated, I
17 do think it's worth reminding her that she would be able to
18 check her phone during breaks, lunch breaks, things like that.

19 THE COURT: Yeah.

20 MR. AMIR: I agree with you, we don't want to
21 exclude people with demanding jobs from the jury.

22 THE COURT: Right.

23 MR. AMIR: Right.

24 MR. EDWARDS-BALFOUR: You all agree, right?

25 MR. AMIR: Yes.

Sidebar

35

1 MR. EDWARDS-BALFOUR: We would agree to keep her.

2 THE COURT: Does the defense agree as well?

3 MR. TALKIN: I'm sorry?

4 THE COURT: Do you agree, as well, that she could
5 not be excused for cause?

6 MR. TALKIN: I think she would be -- I think she's
7 trying to be forthright with the Court, but it seems like
8 she's going to be distracted and she said no, but I'm
9 personally not satisfied with the answer.

10 THE COURT: So there might be more grounds with it.
11 I think we discussed it with her. I think she understood.

12 MR. TALKIN: Understood.

13 THE COURT: Next.

14 (Prospective juror joins.)

15 THE COURT: Hi.

16 THE PROSPECTIVE JUROR: Hi. I'm gonna be gone from
17 the 25th of is month until the -- about the 8th of July. I'm
18 going up to Nantucket for a family trip. I do it every year,
19 but I'm also going up to see my grandparents and help them
20 around their house and stuff like that, so.

21 THE COURT: Okay.

22 Would that work?

23 MR. EDWARDS-BALFOUR: We should be done by then,
24 Your Honor.

25 THE PROSPECTIVE JUROR: By the 25th of this month?

1 MR. EDWARDS-BALFOUR: Yes.

2 THE PROSPECTIVE JUROR: Okay.

3 THE COURT: Does that work for you?

4 THE PROSPECTIVE JUROR: Yeah, that works.

5 THE COURT: Okay. Great. Thanks.

6 THE PROSPECTIVE JUROR: Thank you.

7 (Prospective juror leaves.)

8 (Prospective juror approaches.)

9 THE COURT: Hi.

10 THE PROSPECTIVE JUROR: I have travel tickets for
11 July 5th. So I'm not sure, if it runs over, if there's going
12 to be a conflict.

13 MR. TALKIN: We'll be done by then.

14 THE PROSPECTIVE JUROR: Thank you.

15 (Prospective juror leaves.)

16 THE COURT: Do you have a question or you'll all do
17 your cross-examination very efficiently.

18 MR. EDWARDS-BALFOUR: We'll do our best.

19 (Prospective juror joins.)

20 THE PROSPECTIVE JUROR: Good morning, Judge. I have
21 a prepaid trip to Ireland that leaves on June 16th.

22 THE COURT: Have a great trip.

23 THE PROSPECTIVE JUROR: Thank you.

24 THE COURT: You're excused. Thank you.

25 Just go back to your seat and we'll excuse you in a

1 little while.

2 THE PROSPECTIVE JUROR: Yes, sir. Thank you.

3 (Prospective juror leaves.)

4 THE COURT: Prepaid.

5 MR. AMIR: That's fine.

6 MR. TALKIN: That's fine.

7 (Prospective juror joins.)

8 THE PROSPECTIVE JUROR: Hey.

9 THE COURT: Ms. Vangjeli.

10 THE PROSPECTIVE JUROR: Yes. I have summer courses
11 Tuesdays and Thursdays.

12 THE COURT: What time?

13 THE PROSPECTIVE JUROR: From 8:30 until 2:50.

14 THE COURT: Oh, okay.

15 THE PROSPECTIVE JUROR: Yes.

16 THE COURT: Do you think -- this is probably not a
17 good time for you to serve then.

18 THE PROSPECTIVE JUROR: Yeah.

19 THE COURT: At least on this jury. So I am going to
20 ask you to sit down and then we'll excuse you in a few
21 minutes.

22 THE PROSPECTIVE JUROR: Okay. Thank you.

23 (Prospective juror leaves.)

24 THE COURT: Did I miss anyone?

25 Okay. We're good so far.

Sidebar

38

1 THE COURTROOM DEPUTY: We have one more. Twenty-six
2 and 28.

3 (Prospective juror joins.)

4 THE PROSPECTIVE JUROR: I don't believe I would be
5 available for the latter half of the trial because I will be
6 having a passport appointment, applying for a new passport
7 during that time and I will be leaving the state during the
8 latter half of the trial.

9 THE COURT: When would you be doing this?

10 THE PROSPECTIVE JUROR: Like, the -- since the trial
11 is two weeks, I would be going to for, like, the latter half
12 because I was assuming it would be these two weeks.

13 THE COURT: Do you know what days?

14 THE PROSPECTIVE JUROR: I think the beginning of the
15 third week from today which is -- since the trial is starting
16 next week, right?

17 THE COURT: Right.

18 THE PROSPECTIVE JUROR: It would be the week after
19 that.

20 THE COURT: So it would be the 17th?

21 THE PROSPECTIVE JUROR: Yeah.

22 THE COURT: So what do you have to do exactly?

23 THE PROSPECTIVE JUROR: Implying for a new passport.

24 THE COURT: Right.

25 THE PROSPECTIVE JUROR: And then I will be leaving

1 the state soon after.

2 THE COURT: So when were you going to get your
3 passport?

4 THE PROSPECTIVE JUROR: I'm not sure to be honest
5 because I'm applying on that date, but I'm not sure when I'm
6 going to receive it.

7 THE COURT: So is there any reason you can't leave
8 the week afterwards? You don't have a fixed date for your
9 departure, do you.

10 THE PROSPECTIVE JUROR: No, I don't believe so.
11 It's just that day.

12 THE COURT: Wouldn't that be a problem for you if
13 you waited a week because it may well be that it will take you
14 a little time to get you a passport that often, in fact, I
15 think most passports aren't delivered overnight unless there's
16 an emergency.

17 THE PROSPECTIVE JUROR: Yeah, it might take a while.

18 THE COURT: It might take a while so it sounds like
19 you'll be fine for the trial.

20 MR. TALKIN: What day do you have the meeting for
21 the passport?

22 THE PROSPECTIVE JUROR: During that week, like, in
23 that month.

24 MR. TALKIN: Do you know the day?

25 THE PROSPECTIVE JUROR: I think that Monday.

1 THE COURT: Have they given you a date?

2 THE PROSPECTIVE JUROR: I think it's the
3 20-something, 20th, maybe a Thursday.

4 MR. TALKIN: Yeah, Thursday is the 20th. And is
5 that an all day thing, or?

6 THE PROSPECTIVE JUROR: I think it's a morning
7 thing, like, around 12:00 p.m.

8 THE COURT: And it's a definite appointment?

9 THE PROSPECTIVE JUROR: A definite, yeah.

10 THE COURT: All right. And you're pretty sure it's
11 the 20th or around there?

12 THE PROSPECTIVE JUROR: Yeah.

13 THE COURT: Okay.

14 Any questions?

15 MR. TALKIN: No.

16 MR. EDWARDS-BALFOUR: No questions.

17 THE COURT: Okay. Have a seat and we'll get back to
18 you in a minute.

19 (Prospective juror leaves.)

20 MR. EDWARDS-BALFOUR: We'll be done by then.

21 MR. TALKIN: Might be, and if he's on the jury, I
22 guess we can accommodate him.

23 MR. EDWARDS-BALFOUR: And also you can probably
24 reschedule your passport appointment?

25 MR. TALKIN: That's a big ask.

1 MR. EDWARDS-BALFOUR: Fair enough.

2 MR. TALKIN: First, he may not be on the jury, and,
3 second, if he is, we may be done by then and I'm just
4 suggesting and I don't know if Judge Block would want to
5 accommodate him, I certainly think we could but that's up to
6 Judge Block.

7 MR. EDWARDS-BALFOUR: Same for the Government, we're
8 fine.

9 THE COURT: You're fine with him staying on?

10 MR. EDWARDS-BALFOUR: Yes.

11 THE COURT: Okay. I'm going to put a little circle
12 question. He's number 26, right?

13 MR. EDWARDS-BALFOUR: Twenty-six.

14 THE COURT: And we get back through everything else
15 it would be since he doesn't have his phone, he might not know
16 when the appointment is. Not having the phones could be a
17 problem for them. So I have one thought, which is during a
18 break, we'd ask him to go down and check his phone and see
19 what the date is.

20 MR. AMIR: Good idea.

21 THE COURT: Why don't we do that. I am going to put
22 a question mark by him. Okay. So that's it for travel.

23 THE CLERK: Juror No. 28.

24 (Prospective juror joins.)

25 THE COURT: Good morning, Ms. Schillig.

1 THE PROSPECTIVE JUROR: Good morning.

2 THE COURT: How are you?

3 THE PROSPECTIVE JUROR: Your Honor, I have airfare
4 reservations next Wednesday through Saturday.

5 THE COURT: Where are you going?

6 THE PROSPECTIVE JUROR: I hate it say this but I'm
7 going to Nantucket. It's a 70th birthday party.

8 THE COURT: That's good.

9 THE PROSPECTIVE JUROR: Thankfully, not for me.

10 THE COURT: Why don't you have a seat and we'll take
11 care of it.

12 THE PROSPECTIVE JUROR: Thank you.

13 (Prospective juror leaves.)

14 MR. EDWARDS-BALFOUR: No objection.

15 MR. AMIR: No.

16 MR. TALKIN: No objection.

17 MR. EDWARDS-BALFOUR: No objection.

18 MR. AMIR: Second juror going to the Hamptons.

19 THE COURT: Anything else?

20 MR. EDWARDS-BALFOUR: Nothing from the Government.

21 THE CLERK: We have two people.

22 (Prospective juror joins.)

23 THE PROSPECTIVE JUROR: My conflict is a graduation
24 of both of my kids -- my kids, the 14th and the 20th.

25 THE COURT: Oh, okay. You have a conflict.

1 THE PROSPECTIVE JUROR: Yes. Well, it's their
2 graduations.

3 THE COURT: It's important.

4 THE PROSPECTIVE JUROR: The 14th for middle school
5 and the 20th for -- for high school.

6 THE COURT: Okay. Have a seat and we'll take care
7 of it.

8 THE PROSPECTIVE JUROR: Okay. Okay. Thank you.
9 (prospective juror leaves.)

10 MR. TALKIN: No objection.

11 MR. EDWARDS-BALFOUR: No objection.

12 THE CLERK: Now we have two more.

13 (Prospective juror joins.)

14 THE PROSPECTIVE JUROR: Hello. Good morning.

15 THE COURT: Good morning. How are you?

16 THE PROSPECTIVE JUROR: First of all, I'm diabetic
17 and high blood pressure. I need to use the bathroom.

18 THE COURT: Right now?

19 THE PROSPECTIVE JUROR: Yeah.

20 THE COURT: Yes. Of course. You may.

21 THE PROSPECTIVE JUROR: My blood sugar is kind of
22 low.

23 THE COURT: Okay.

24 THE PROSPECTIVE JUROR: It's low.

25 THE COURT: And if you are selected for the jury,

1 any time you need to use the bathroom, when you're not feeling
2 well, you need a little extra time, you just tell the court
3 clerk and they'll accommodate you.

4 THE PROSPECTIVE JUROR: Okay.

5 THE COURT: Okay?

6 THE PROSPECTIVE JUROR: Thank you.

7 THE COURT: Are you feeling okay?

8 THE PROSPECTIVE JUROR: Not too much.

9 THE COURT: Do you need to eat or drink something?

10 THE PROSPECTIVE JUROR: No. My medication, I take
11 it. All right.

12 THE COURT: Okay.

13 THE PROSPECTIVE JUROR: I got to use the bathroom.

14 THE COURT: Yes.

15 (Prospective juror leaves.)

16 (Prospective juror joins.)

17 THE PROSPECTIVE JUROR: Hi.

18 THE COURT: Good morning.

19 THE PROSPECTIVE JUROR: I have a question for the
20 next Monday, I needed to come here, or?

21 THE COURT: I'm sorry, could you --

22 THE PROSPECTIVE JUROR: Needed -- I need to come in
23 this Monday?

24 THE COURT: What do you have to do next Monday?

25 THE PROSPECTIVE JUROR: Do I need to come in because

1 I have my child to take care of?

2 THE COURT: How old is your child?

3 THE PROSPECTIVE JUROR: Seven years old.

4 THE COURT: Do you work?

5 THE PROSPECTIVE JUROR: Yeah. I'm working. My
6 English is not very well.

7 THE COURT: What hours do you work?

8 THE PROSPECTIVE JUROR: Today, I just asked for
9 leave. I -- today 7:00 to 12:00 but I tell them I can't --
10 not working today, I got to come to the court.

11 THE COURT: Okay. So if you were on the jury, would
12 that be a problem for you?

13 THE PROSPECTIVE JUROR: I just need -- my English is
14 not really well.

15 THE COURT: Okay. What kind of work do you do?

16 THE PROSPECTIVE JUROR: Take care of the -- the
17 nursing home. Take care of the old -- older person.

18 THE COURT: Okay.

19 THE PROSPECTIVE JUROR: And some -- I got to work to
20 the restaurant too after that.

21 THE COURT: Does anybody have any questions?

22 MR. TALKIN: No, Your Honor.

23 MR. EDWARDS-BALFOUR: No questions.

24 THE COURT: Okay. Thank you. Have a seat, please.

25 THE PROSPECTIVE JUROR: Thank you.

1 (Prospective juror leaves.)

2 MR. TALKIN: I will consent for various reasons.

3 MR. EDWARDS-BALFOUR: I'm in agreeance.

4 (Prospective juror leaves.)

5 THE COURT: I think that's it, right?

6 THE CLERK: I think 34. Juror Number 34.

7 (Prospective juror joins.)

8 THE PROSPECTIVE JUROR: Hello.

9 THE COURT: Hi. Hello. How are you?

10 THE PROSPECTIVE JUROR: I'm doing good. My sister's
11 graduation is on the 18th and that's I think within the next
12 two weeks. Is that a valid excuse?

13 THE COURT: It's a Tuesday, right?

14 THE PROSPECTIVE JUROR: It's a Tuesday.

15 THE COURT: Where is she graduating from?

16 THE PROSPECTIVE JUROR: Brooklyn Tech.

17 THE COURT: And are you planning on going?

18 THE PROSPECTIVE JUROR: Yeah, I've been invited.

19 THE COURT: And is that something you would like to
20 go to?

21 THE PROSPECTIVE JUROR: Yeah, because only her
22 mother is going, so I want to be there for her too.

23 THE COURT: Okay.

24 THE PROSPECTIVE JUROR: Yeah.

25 THE COURT: Anybody have any questions?

1 MR. TALKIN: No.

2 MR. EDWARDS-BALFOUR: No questions.

3 THE COURT: Thank you. Have a seat. We'll get back
4 to you.

5 THE PROSPECTIVE JUROR: Thank you.

6 (Prospective juror leaves.)

7 THE COURT: Anybody else?

8 THE CLERK: 34. Yes, we're excusing 34.

9 MR. TALKIN: We consent.

10 MR. EDWARDS-BALFOUR: We consent to excuse, yeah,
11 34.

12 THE COURT: Yeah. Okay.

13 Juror Number 20.

14 (Prospective juror joins.)

15 THE COURT: Hi. How are you?

16 THE PROSPECTIVE JUROR: I have an issue only if it
17 would extend beyond two weeks. My child is graduating from
18 elementary school and I can't not miss it. I'm also a teacher
19 and I take care of my child when the school year ends but
20 that's more than two weeks out, but I just know that you
21 cannot guarantee time frames, so if there's -- I just wanted
22 to state that. Thank you.

23 THE COURT: Counsel?

24 MR. TALKIN: No questions.

25 MR. EDWARDS-BALFOUR: No questions.

1 THE COURT: Okay. We think it's going to end pretty
2 clearly before the end of two weeks.

3 THE PROSPECTIVE JUROR: Great. Thank you.

4 THE COURT: Okay. Thank you.

5 (Prospective juror leaves.)

6 THE COURT: Okay.

7 MR. EDWARDS-BALFOUR: That's it.

8 THE COURT: Okay. We're done?

9 MR. AMIR: One selfish request, is it possible to
10 use the restroom after this colloquy ends?

11 THE COURT: Yes.

12 (End of sidebar conference.)

13 THE CLERK: Okay. Juror Number 3, you're excused,
14 replacing Prospective Juror Number 33, Filipe De Jesus, can
15 you please come fill seat number 3.

16 THE COURT: And those of you that are excused, you
17 need to go down to the jury room and tell them you're excused
18 from this jury and they'll assign you to another jury.

19 THE CLERK: Juror Number 15, you're excused.
20 Replacing Prospective Juror Number 15 with Juror Number 34,
21 James Sharp. Can you please come take a seat.

22 Juror Number 16, you're excused. Replacing
23 Prospective Juror Number 16, Juror Number 36, Chelsi Napoli.
24 Could you please come and take seat number 16.

25 Juror Number 23, you are excused. Juror Number 37,

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1 Danielle Krasniqi, could you please take seat number 23 in the
2 front row. Thank you.

3 Juror Number 27, you're excused. Replacing
4 Prospective Juror Number 27, Juror Number 38,
5 Prabhjott Kusrath. Could you please take seat number 27.
6 Thank you.

7 Juror Number 28, you are excused. Replacing
8 Prospective Juror Number 28, Juror Number 39, Nancy Smith.
9 Could you please come take a seat, Juror Number 28.

10 And Juror Number 34, you're excused. Replacing
11 Prospective Juror Number 34 --

12 (Off the record discussion.)

13 THE CLERK: Thank you, everyone.

14 THE COURT: Are we good?

15 THE CLERK: Yeah.

16 THE COURT: Okay.

17 Juror Number 26, could you come up to sidebar for
18 just a minute.

19 (Sidebar conference.)

20 (The following occurred at sidebar.)

21 (Prospective juror joins.)

22 THE COURT: Do you have the date of your appointment
23 with the passport people in your phone?

24 THE PROSPECTIVE JUROR: Yeah.

25 THE COURT: In your calendar?

1 THE PROSPECTIVE JUROR: Yeah.

2 THE COURT: So I am going to excuse you to go
3 downstairs and look in your phone and tell us -- come back and
4 tell us when your interview is. Okay?

5 THE PROSPECTIVE JUROR: Sure.

6 MR. TALKIN: Right now?

7 THE COURT: Yeah, right now.

8 MR. TALKIN: Then we have to stop the whole
9 proceedings. We'll do it during the break in a couple of
10 minutes because I think people really need to go.

11 THE COURT: So wait for a minute. Thank you.

12 (Prospective juror leaves.)

13 THE COURT: I was gonna give him a break.

14 MR. TALKIN: I didn't know that. Sorry.

15 THE COURT: It's okay.

16 MR. EDWARDS-BALFOUR: Judge, maybe when you're about
17 to give a break, can you just give the reminder that we're not
18 allowed to communicate with them?

19 THE COURT: Yes.

20 (End of sidebar conference.)

21 THE COURT: All right.

22 During this trial, you will hear about the Small
23 Business Administration loans. Before we ask that question,
24 those of you who newly have been seated, do any of you have a
25 yes answer to any of my questions.

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1 I'm sorry, ma'am, what number are you?

2 THE PROSPECTIVE JUROR: Thirty-six.

3 THE COURT: Okay. Which question do you have a
4 question answer to?

5 THE PROSPECTIVE JUROR: The travel restrictions.

6 THE COURT: We'll get you in a just a minute.

7 Anyone else?

8 THE PROSPECTIVE JUROR: Thirty-seven and also a
9 conflict with travel.

10 THE COURT: Anyone else?

11 THE PROSPECTIVE JUROR: Thirty-eight and also a
12 conflict.

13 Thirty-nine, with the travel.

14 THE COURT: Okay, great.

15 Okay. Ma'am, would you like to come up?

16 (Sidebar conference.)

17 (The following occurred at sidebar.)

18 (Prospective juror joins.)

19 THE PROSPECTIVE JUROR: I'm traveling on Wednesday
20 to Oklahoma City to see my grandma because she was recently
21 hospitalized.

22 THE COURT: How long will you be there?

23 THE PROSPECTIVE JUROR: I don't know. It's a
24 one-way flight but I'm assuming at least a week and a half.
25 She's -- she's not in great condition and I think I will have

1 to help clean things afterwards.

2 THE COURT: Okay. So how long do you expect to be
3 away?

4 THE PROSPECTIVE JUROR: Like a week and a half.

5 THE COURT: You think a week and a half?

6 THE PROSPECTIVE JUROR: Yeah.

7 THE COURT: Okay. All right. Have a seat and
8 we'll --

9 THE PROSPECTIVE JUROR: Thank you.

10 (Prospective juror leaves.)

11 MR. AMIR: I would be fine excusing her.

12 MR. TALKIN: As are we.

13 MR. EDWARDS-BALFOUR: Fine excusing.

14 THE COURT: Okay. So we will excuse her.

15 Who's next?

16 THE CLERK: Juror 37.

17 (Prospective juror joins.)

18 THE PROSPECTIVE JUROR: Hi.

19 THE COURT: Hi.

20 THE PROSPECTIVE JUROR: I'm going to be out of town
21 the -- starting on the 14th of June.

22 THE COURT: Okay.

23 THE PROSPECTIVE JUROR: Yeah. It's already paid for
24 work event.

25 THE COURT: Okay. All right. Thank you. We'll let

1 you know.

2 THE PROSPECTIVE JUROR: Thanks.

3 (Prospective juror leaves.)

4 MR. EDWARDS-BALFOUR: No objection from the
5 Government to excusing her.

6 MR. TALKIN: Nor from us.

7 THE COURT: Okay. Excused.

8 (Prospective juror joins.)

9 THE PROSPECTIVE JUROR: Good morning, Your Honor.

10 THE COURT: Good morning.

11 THE PROSPECTIVE JUROR: I understand my legal
12 obligations to serve on a jury. However, I'm an only child
13 and I have to care for both of my parents I have to drop my
14 mom for work on the weekdays at 8:00 a.m. and on the weekend I
15 have to take care of my father who isn't doing so well .he has
16 stomach problems. My father is 62 years old.

17 THE COURT: Do you work?

18 THE PROSPECTIVE JUROR: No, I don't work. I just
19 have to drop my mom off in the morning and take care of him
20 during the day.

21 THE COURT: Does anyone have any questions?

22 MR. TALKIN: No.

23 MR. EDWARDS-BALFOUR: No.

24 THE PROSPECTIVE JUROR: My dad is currently with my
25 mom at work today, so that's --

1 THE COURT: It sounds complicated.

2 Okay. We'll let you know if you'll be excused.

3 THE PROSPECTIVE JUROR: I understand.

4 (Prospective juror leaves.)

5 MR. TALKIN: No objection.

6 MR. EDWARDS-BALFOUR: No objection.

7 MR. AMIR: I don't know if I'm insensitive. I don't
8 know what -- he didn't really specify what his father's
9 condition was. I think it merits another one or two
10 questions.

11 THE COURT: What about his mother?

12 MR. AMIR: He can drop her off and then come to the
13 court. He said he has to drop her off by eight.

14 MR. EDWARDS-BALFOUR: That's fine.

15 MR. TALKIN: That's fine.

16 MR. AMIR: I think it's just worth a little more
17 inquiry. Sorry.

18 THE COURT: That's fine.

19 THE CLERK: Sorry, Juror Number 38, could you come
20 back up, please.

21 (Prospective juror joins.)

22 THE PROSPECTIVE JUROR: Yes?

23 THE COURT: Hi. What's your father's condition?

24 THE PROSPECTIVE JUROR: My father has stomach issues
25 but it's undiagnosed. He's been going to the doctor back and

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1 forth. He had a colonoscopy and endoscopy. He doesn't -- he
2 feels bloated all the time.

3 THE COURT: Could he stay with your mother during
4 the day for a couple weeks?

5 THE PROSPECTIVE JUROR: I'm not sure, for a couple
6 of weeks, but I usually take care of him because, like, I'm
7 not sure how my mom would work.

8 THE COURT: What do you have to do to take care of
9 your father?

10 THE PROSPECTIVE JUROR: I just have to stay around
11 him. If he needs medication, I give it to him and if he needs
12 anything to eat or drink, I help him with that.

13 THE COURT: Is there any way to get someone to help
14 out while you're on jury duty?

15 THE PROSPECTIVE JUROR: I'm the only child.

16 No one else to do it?

17 THE PROSPECTIVE JUROR: Yeah.

18 THE COURT: And your father can't get his medication
19 by himself?

20 THE PROSPECTIVE JUROR: He can get his medication by
21 himself so I have to make sure -- he's tough with English, I
22 have to make sure he's properly --

23 THE COURT: Is it the same medication every day?

24 THE PROSPECTIVE JUROR: Yes.

25 THE COURT: Is it pills?

1 THE PROSPECTIVE JUROR: Yes.

2 THE COURT: Can you put it in those pillboxes, so
3 while you're gone, he can do it himself?

4 THE PROSPECTIVE JUROR: Also within the two weeks,
5 is June 18th one of the two dates within the two weeks?

6 THE COURT: Yes.

7 THE PROSPECTIVE JUROR: I have a recall for my
8 vehicle which is how I drop off my mom as well. So if I do
9 have to stay on jury, can I be excused on the 18th?

10 THE COURT: I don't think we can stop the trial on
11 the 18. What do you have to do.

12 THE PROSPECTIVE JUROR: It's a recall permit for my
13 car.

14 THE COURT: What's a recall permit?

15 THE PROSPECTIVE JUROR: There's safety recall for my
16 car. I have to go to my dealer.

17 THE COURT: You can change that.

18 THE PROSPECTIVE JUROR: I can reschedule that.

19 THE COURT: I think you can reschedule that.

20 THE PROSPECTIVE JUROR: Okay.

21 THE COURT: So could someone help you with taking I
22 care of your father? Could you just use pillboxes to make it
23 clear what he takes?

24 THE PROSPECTIVE JUROR: So long as it's only the
25 medication, I can take care of that but I'm not sure if it's

1 for the food and all that stuff, I -- but --

2 THE COURT: What food?

3 THE PROSPECTIVE JUROR: If he needs to be -- I have
4 to be on jury, I can, but I -- would just be worried about my
5 father at the time of the trial. If I can, I can, but that
6 will just be in my head.

7 THE COURT: Any questions?

8 MR. EDWARDS-BALFOUR: No questions.

9 THE COURT: Okay. Well, there is a requirement that
10 people -- that everyone be on a jury unless it's really not a
11 lifesaving emergency, but a very compelling emergency.

12 THE PROSPECTIVE JUROR: I know.

13 THE COURT: I understand you want to take care of
14 your father but it sounds there are other alternative ways
15 that you can have him cared for while you're on the jury.

16 THE PROSPECTIVE JUROR: Understood. Like I said, if
17 I had another family member I could take care of it, I'm happy
18 to take care of it, but I'm an only child too and my parents
19 are 62 years old. So my mom is at work, but that's fine, if
20 that's the only reason.

21 (Prospective juror leaves.)

22 THE COURT: All right.

23 MR. TALKIN: I hate to -- get away but it sounds
24 like he's legitimate.

25 MR. AMIR: We'll excuse him.

1 MR. EDWARDS-BALFOUR: No objection.

2 THE COURT: He said, it's fine. If I have to serve
3 on the jury, I will.

4 MR. TALKIN: I understand but he's all over the
5 place. I'm not sure if he's going to be with us and that's my
6 concern.

7 MR. EDWARDS-BALFOUR: The Government has no
8 objection.

9 THE COURT: Excused.

10 One more.

11 THE CLERK: Juror Number 39.

12 (Prospective juror joins.)

13 THE COURT: Good morning, Ms. Smith.

14 THE PROSPECTIVE JUROR: Good morning.

15 THE COURT: How are you?

16 THE PROSPECTIVE JUROR: I'm okay.

17 THE COURT: So tell me what your conflict is.

18 THE PROSPECTIVE JUROR: I live in Eastern Suffolk
19 County. It takes me two hours to get here.

20 THE COURT: I know. That's a problem. We can't
21 really do anything about that.

22 THE PROSPECTIVE JUROR: And I'm also helping take
23 care of my 90-year-old -- my father. I cook and do his
24 laundry and help him take care of his light chores. It's
25 mainly me and my sister-in-law.

1 THE COURT: Right. It would only be for two weeks.

2 THE PROSPECTIVE JUROR: He has a tendency to like to
3 fall, so.

4 THE COURT: But does your sister-in-law help out
5 then when you can't do it?

6 THE PROSPECTIVE JUROR: We sort of tag team.

7 THE COURT: So can you bake her a cake and tell her
8 we would appreciate it?

9 THE PROSPECTIVE JUROR: I don't know. I don't know
10 the answer to that.

11 THE COURT: Yeah.

12 THE PROSPECTIVE JUROR: I can't make her schedule
13 because she's everywhere.

14 THE COURT: Yeah. So, that's the question: Can
15 someone take over just for the short period of time that this
16 trial would be on?

17 THE PROSPECTIVE JUROR: I can -- I'd have to ask
18 her. I -- I can't -- I can't put words in her mouth.

19 THE COURT: Okay.

20 Does anybody have any questions?

21 MR. EDWARDS-BALFOUR: No questions.

22 MR. TALKIN: No. Thank you.

23 THE COURT: Okay. We'll let you know.

24 THE PROSPECTIVE JUROR: Okay. Thank you, sir.

25 (Prospective juror leaves.)

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1 MR. TALKIN: Maybe also at the break ask her to call
2 her sister-in-law and ask her to see what the situation is
3 testimony her sister-in-law can cover for would week, it seems
4 very doable.

5 THE COURT: It's a two-hour commute that's in our
6 jury panel. That's a problem for a lot of people.

7 MR. AMIR: It didn't sound like the kind of home
8 obligation that's, like, life or death. A little forethought
9 could be accommodated.

10 THE COURT: There are a lot of 90-year-olds not
11 hospitalized living at home. So, at this point, she won't be
12 excused.

13 MR. EDWARDS-BALFOUR: Not right now.

14 THE COURT: All right.

15 Okay.

16 THE CLERK: So I have 36, 38.

17 MR. EDWARDS-BALFOUR: Your Honor, it might be
18 helpful to excuse them at the break that way people don't see
19 that their being excused after certain questions.

20 THE COURT: Yeah. That might be a good idea.

21 Maybe we should break at 12:00 just for lunch
22 instead of anything earlier.

23 (End of sidebar conference.)

24 (In open court.)

25 THE COURT: During this trial, you will hear about

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1 the Small Business Administration's loans such as Paycheck
2 Protection Program or Economic Injury Disaster loans. Do you
3 have any knowledge or personal experience regarding such
4 loans? And that includes whether you or a family member or a
5 close friend ever worked for the U.S. Small Business
6 Administration.

7 The indictment alleges crimes related to the
8 administration of the CARES Act and the Paycheck Protection
9 Program, PPP, where the Government provided businesses with
10 loans, repayment of which would be forgiven under certain
11 circumstances in order to support businesses negatively
12 impacted by the Coronavirus.

13 So here's the question: Did you or a family member
14 or a close friend ever apply for a PPP loan?

15 Okay.

16 Sir, what's your number?

17 THE PROSPECTIVE JUROR: Nineteen.

18 THE COURT: Nineteen. Could you come up, please, to
19 the sidebar.

20 (Sidebar conference.)

21 (The following occurred at sidebar.)

22 (Prospective juror joins.)

23 THE COURT: Hi, Mr. Hew.

24 THE PROSPECTIVE JUROR: Yeah. I am the small
25 business of a company, of a printing company. At that

1 situation, I applied PPP --

2 THE COURT: Okay.

3 THE PROSPECTIVE JUROR: -- for my business.

4 THE COURT: Let me ask you a few other questions.

5 THE PROSPECTIVE JUROR: Sure.

6 THE COURT: Did you actually receive a loan?

7 THE PROSPECTIVE JUROR: Yes.

8 THE COURT: And was repayment ultimately forgiven?

9 THE PROSPECTIVE JUROR: Yes, totally.

10 THE COURT: Totally forgiven?

11 THE PROSPECTIVE JUROR: Yes.

12 THE COURT: Do you have any feelings or impressions
13 regarding Government response to the Coronavirus and the PPP
14 Program that would affect your ability to be fair in this case
15 or your ability to be fair and impartial and make an unbiased
16 decision as to whether the Government has proven its case
17 beyond a reasonable doubt?

18 THE PROSPECTIVE JUROR: I -- I'm not really
19 understand the question.

20 THE COURT: Is there anything about your experience
21 with the loan program that --

22 THE PROSPECTIVE JUROR: Yes.

23 THE COURT: -- would make it hard for you to be fair
24 in this case? You've heard what this case is about.

25 THE PROSPECTIVE JUROR: Actually, yes. It's really

1 helpful for my business and that point, we pretty much had a
2 really hard time for running the business and once we have the
3 -- the payment, really helped me for sustain my business until
4 now.

5 THE COURT: Would that affect how you look at this
6 case? Could you see what happened to you is totally different
7 from what --

8 THE PROSPECTIVE JUROR: I guess it is. Yeah -- I'm
9 probably cannot take the case because I don't know how the
10 situation of the owner and -- and that part probably going to
11 affect my, you know -- to make a decision for the right or
12 wrong.

13 THE COURT: So I think the question is, would you be
14 able to listen to the evidence and keep an open mind even
15 though the plaintiff -- I mean the defendant has been accused
16 of cheating --

17 THE PROSPECTIVE JUROR: Yeah. Yes, yes.

18 THE COURT: Would be able to listen and be fair and
19 not have any feelings for or against the Government or the
20 defendant and base your decision only on what you hear in the
21 court?

22 THE PROSPECTIVE JUROR: Yes. I will listen to
23 everything for that.

24 THE COURT: Okay.

25 Does anybody have any questions?

1 MR. TALKIN: No.

2 MS. GROSSMAN: No.

3 MR. EDWARDS-BALFOUR: No.

4 THE COURT: Thank you very much. I'm glad your
5 business worked out.

6 THE PROSPECTIVE JUROR: Thank you.

7 (Prospective juror leaves.)

8 MR. TALKIN: Your Honor, I have a motion, not based
9 on his answer to the PPP issue. It seems like he didn't
10 understand your questions that well and that gives me pause
11 with him being a juror when he goes in the back and
12 deliberates. He eventually got to the answer in the question
13 but he answered a totally different question before. I just
14 have some -- a real concern about his comprehension of English
15 especially in the a courtroom where there's going to be legal
16 terms and I don't -- I'm afraid that he won't be a good juror
17 for this case because of that, especially a criminal matter.

18 MR. EDWARDS-BALFOUR: Your Honor, we think we should
19 keep him. He clearly understood when you followed up. He
20 might not have understood your initial question, but when you
21 rephrased it, he seemed to understand you was able to answer
22 that he would be impartial.

23 THE COURT: I think his question was really about
24 the legal process and what a juror's role would be and I think
25 he thought that I somehow was asking him whether or not he had

1 enough knowledge about this case to be able to make a
2 decision.

3 MR. TALKIN: And that may or may not be the case but
4 I wasn't able to get that. I not -- initially, he can't be
5 fair because it would affect me, and then when you brought him
6 around to -- asked him the next question, he answered it the
7 opposite and that's my concern. He answered the same question
8 two different ways and I don't think for a second he's being
9 dishonest, I just don't think he understood the first time and
10 he's not gonna have that opportunity in the jury room to get
11 second questions or, as a juror, he's not gonna have that same
12 opportunity to have everything clarified. That's my concern.

13 THE COURT: I think that he didn't understand what
14 his role as a juror would be and that he needed me to explain
15 it to him and once he understood it, he felt he would be able
16 to keep an open mind. That's my takeaway. I don't know if
17 you all agree.

18 MR. EDWARDS-BALFOUR: That's the Government's
19 takeaway, as well, Your Honor.

20 MR. AMIR: I agree.

21 THE COURT: Okay. So I'm not going to excuse him
22 for cause.

23 Who is the next one?

24 THE CLERK: Fourteen. J.

25 (Prospective juror joins.)

1 THE COURT: Hello.

2 THE PROSPECTIVE JUROR: Hi. My brother and my aunt
3 both applied and received funding.

4 THE COURT: Okay.

5 THE PROSPECTIVE JUROR: They're in construction.

6 THE COURT: Do you want to ask your question?

7 THE PROSPECTIVE JUROR: I don't know the details.

8 MR. TALKIN: The question is, the fact that this
9 exists, is that gonna affect you in this case at all and how
10 you view the case against Ms. Okeke?

11 THE PROSPECTIVE JUROR: No. I just felt that I
12 should share, so.

13 MR. TALKIN: Thank you for answering. Thank you.

14 THE COURT: Okay. Thank you.

15 (Prospective juror leaves.)

16 THE CLERK: Thirty-eight.

17 THE PROSPECTIVE JUROR: I have a family friend --
18 Your Honor, one of our family friends applied for EIDL loan
19 during the COVID-19 pandemic. They applied and were rejected
20 at the time, but the family friend did walk me through the
21 process of how to apply for the loan, but he did not give me
22 the reason why he was denied for the loan.

23 THE COURT: Does that affect your ability to be fair
24 in this case?

25 THE PROSPECTIVE JUROR: No.

1 THE COURT: Okay. Thanks.

2 (Prospective juror leaves.)

3 THE CLERK: He was already excused.

4 THE COURT: I know. That gives you another reason
5 but not really.

6 THE CLERK: Twenty-nine.

7 (Prospective juror joins.)

8 THE PROSPECTIVE JUROR: So my --

9 THE COURT: Hi.

10 THE PROSPECTIVE JUROR: Hi. My mother's godmother
11 who -- she's basically a very close relative of us, I believe
12 she applied for PPP loans, but I don't know much else from
13 that. I don't know much about the program in general so I
14 don't -- I don't know. I think she did.

15 THE COURT: Okay. So I think you've answered my
16 question which I have not asked yet which is whether or not
17 there's anything about your godmother's experience with the
18 PPP program that could affect your ability to be fair in this
19 case?

20 THE PROSPECTIVE JUROR: I don't know anything about
21 her particular experience with it.

22 THE COURT: Okay. So can you be fair and impartial
23 in this case?

24 THE PROSPECTIVE JUROR: I think so.

25 THE COURT: Okay.

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1 THE PROSPECTIVE JUROR: I should hope so.

2 THE COURT: Okay. Thanks.

3 (Prospective juror leaves.)

4 THE COURT: Is there anybody else?

5 THE CLERK: I think that's it.

6 (End of sidebar conference.)

7 (In open court.)

8 THE COURT: Just so you know what the timetable is,
9 we're going to give you a lunch break at noon and we'll come
10 back at 1:00, but we just want to get a little more
11 questioning done to be sufficient today, but I didn't want
12 stomach growling to be a problem for anyone.

13 Do or did you or a family member or a close friend
14 work at or for a bank either now or in the past?

15 Okay. So we have Juror Number 6.

16 THE PROSPECTIVE JUROR: Eleven.

17 THE COURT: Eleven.

18 THE PROSPECTIVE JUROR: Nine.

19 Thirty-six.

20 THE COURT: Thirty-six. All right.

21 THE PROSPECTIVE JUROR: Twenty-four.

22 Thirty-two.

23 THE COURT: Okay.

24 THE CLERK: Juror Number 6, please come up.

25 (Continued on the following page.)

SIDEBAR CONFERENCE

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1 (Continuing.)

2 (The following occurred at sidebar.)

3 (Prospective Juror enters sidebar.)

4 THE COURT: How are you?

5 THE PROSPECTIVE JUROR: Good, good.

6 Earlier you had asked about a criminal trial. I had
7 participated in a criminal trial on jury with a verdict of
8 yes. I didn't know if that was relevant. You asked the
9 question, so I just wanted to remind you I participated there.

10 My wife works for Citibank. She's been there for 39
11 years. You asked about bank relatives.

12 THE COURT: What does she do?

13 THE PROSPECTIVE JUROR: She's in marketing.

14 And there was, I have good friends that are in law
15 enforcement. Active Nassau County PD and then also retired
16 Nassau County, and also retired Amityville Village, and that
17 was my work. I'm sorry.

18 THE COURT: You're doing pretty well.

19 THE PROSPECTIVE JUROR: Oh, not so well.

20 Oh, Grand Jury. I participated in Grand Jury.

21 THE COURT: State Grand Jury?

22 THE PROSPECTIVE JUROR: Nassau County.

23 THE COURT: Is there anything about your experiences
24 on the jury or Grand Jury that would make it hard to be fair
25 and impartial?

JURY SELECTION

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1 THE PROSPECTIVE JUROR: No. Not at all.

2 THE COURT: Can you be fair and impartial
3 in this case?

4 THE PROSPECTIVE JUROR: I can.

5 THE COURT: Okay. Any questions?

6 MR. EDWARDS-BALFOUR: No questions from the
7 Government.

8 THE COURT: Questions?

9 MR. TALKIN: Just the same question about you have a
10 lot of friends that are police or retired police.

11 If at the end of the case, is it going to cause you
12 any hesitancy if you believe that the people haven't met their
13 burden to say not guilty, are you willing to explain it to all
14 your friends?

15 THE PROSPECTIVE JUROR: It's not a problem.

16 MR. TALKIN: Nothing further. Thank you.

17 THE COURT: Thank you.

18 (Prospective Juror exits sidebar.)

19 THE COURT: We're ready for the individual
20 questions, unless I missed something.

21 MR. TALKIN: I think we replaced everybody.

22 THE COURT: I think we have. So we're going good.

23 (End of sidebar conference.)

24 (In open court; Prospective Jurors present.)

25 THE COURT: All right. This is the last series of

JURY SELECTION

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1 questions.

2 There will be six or seven questions of just
3 individual questions to give the lawyers an opportunity to get
4 to know a little bit more about you. They have to do with
5 where you live and how long you've lived there, whether you
6 rent what education experience you've had, what kind of work
7 you have, either done or are doing currently, who else lives
8 in your household, where you get your news from, whether
9 you've had any military service, and whether you belong to any
10 organizations. It's essentially, what we ask of everyone.

11 Am I missing anything from the Government's
12 perspective?

13 MR. EDWARDS-BALFOUR: No, Your Honor.

14 THE COURT: The defense?

15 MR. TALKIN: No, Your Honor.

16 THE COURT: So we'll just start in numerical order.

17 Starting with Juror Number 1, where do you live and
18 how long do you live there?

19 THE PROSPECTIVE JUROR: I live in Sayville New York
20 which is in Suffolk County.

21 What else did you want to know?

22 THE COURT: How long have you lived there?

23 THE PROSPECTIVE JUROR: Oh, my whole life, really.

24 My parents bought the house when I was six months old. I
25 moved out for a few years, and when they passed away, I bought

JURY SELECTION

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1 it. So I guess I bought it, I don't know, 18 years ago or
2 something like that.

3 THE COURT: What kind of education or training do
4 you have?

5 THE PROSPECTIVE JUROR: I'm a teacher. So I have a
6 master's degree.

7 THE COURT: And what do you teach?

8 THE PROSPECTIVE JUROR: I teach social studies.

9 THE COURT: For what ages?

10 THE PROSPECTIVE JUROR: Twelfth grade. Right now
11 I'm teaching just 12th grade. I'm an economics teacher.
12 Usually, though, I teach 12th grade economics and 10th grade
13 global history. This year, just economics.

14 THE COURT: How long have you worked there?

15 THE PROSPECTIVE JUROR: This is my 22nd year.

16 THE COURT: And where do you teach?

17 THE PROSPECTIVE JUROR: East Islip High School.

18 THE COURT: Do you supervise anybody in your job,
19 other than the kids?

20 THE PROSPECTIVE JUROR: No, no.

21 THE COURT: And who else lives in your household?

22 THE PROSPECTIVE JUROR: I have a husband -- my
23 husband and my daughter, Holly.

24 THE COURT: And how old is your daughter?

25 THE PROSPECTIVE JUROR: She's 12.

JURY SELECTION

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1 THE COURT: What does your husband do?

2 THE PROSPECTIVE JUROR: He owns his own business.
3 He as a seafood distributor.

4 THE COURT: Where do you get your news from?

5 THE PROSPECTIVE JUROR: The internet. You know,
6 different websites.

7 THE COURT: Any ones in particular?

8 THE PROSPECTIVE JUROR: I wouldn't say any ones in
9 particular. But I do, you know, several different websites.

10 THE COURT: You like to look at a variety of
11 different news sources?

12 THE PROSPECTIVE JUROR: Yes. Yeah.

13 THE COURT: Okay. Is there any reason that you
14 could not be fair and impartial in this case?

15 THE PROSPECTIVE JUROR: No.

16 THE COURT: Okay. Thank you.

17 Juror Number 2, where do you live and how long have
18 you lived there?

19 THE PROSPECTIVE JUROR: I live in Flushing, New York
20 I've lived there for 15 years.

21 THE COURT: I forgot to ask Juror Number 1, do you
22 belong to any associations, clubs?

23 THE PROSPECTIVE JUROR: Well, I do have my real
24 estate license. So I guess The Long Island Board of Realtors.

25 THE COURT: Okay. Thank you.

JURY SELECTION

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1 So where do you live and how long have you lived
2 there?

3 THE PROSPECTIVE JUROR: I live in Flushing, New York
4 for 15 years.

5 THE COURT: Do you own or rent?

6 THE PROSPECTIVE JUROR: I own.

7 THE COURT: Do you have any specialized education or
8 training?

9 THE PROSPECTIVE JUROR: I have a bachelor's degree.

10 THE COURT: In anything in particular?

11 THE PROSPECTIVE JUROR: In industrial design.

12 THE COURT: Are you currently working?

13 THE PROSPECTIVE JUROR: Yes. I'm a reinsurance
14 underwriter.

15 THE COURT: How long have you worked there?

16 THE PROSPECTIVE JUROR: Well, I kind of boomeranged.
17 So I worked for the company for seven years prior to leaving
18 to a competitor, and I just went back. So eight months, but
19 also, six years and eight months.

20 THE COURT: And what do you do in your job as I
21 underwriter?

22 THE PROSPECTIVE JUROR: I price commercial liability
23 insurance.

24 THE COURT: Have you been doing that throughout the
25 years you've been employed --

JURY SELECTION

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1 THE PROSPECTIVE JUROR: Yes. I've been in the
2 industry for 20 years.

3 THE COURT: All right. Do you supervise anyone in
4 your current job?

5 THE PROSPECTIVE JUROR: Not officially. I'm a team
6 leader, but not in the sense of a true manager or a
7 supervisor.

8 THE COURT: What do you do as a team leader?

9 THE PROSPECTIVE JUROR: Well, team leaders are sort
10 of more of a referral desk role. So as an underwriter, we
11 have authority to quote business and in the capacity where we
12 share our thoughts and discuss our risk appetites.

13 THE COURT: Who else lives with you in your
14 household, if anyone?

15 THE PROSPECTIVE JUROR: I am married. I live with
16 my husband and my 15 year old son.

17 THE COURT: Is and is your husband employed?

18 THE PROSPECTIVE JUROR: He is self-employed.

19 THE COURT: What does he do?

20 THE PROSPECTIVE JUROR: He's an IT consultant.

21 THE COURT: And is it a son or daughter?

22 THE PROSPECTIVE JUROR: I have a son.

23 THE COURT: And when you were a child, what were the
24 occupations of your family, of your parents?

25 THE PROSPECTIVE JUROR: Prior to immigrating to the

JURY SELECTION

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1 State, my father was a civil engineer and my mother was a
2 nurse. Since coming to America, they worked in the garment
3 district.

4 THE COURT: And I should have asked Juror Number 1
5 that same question.

6 THE PROSPECTIVE JUROR: My father was a police
7 officer, and then when he retired from that, he went into
8 construction, and my mother was a homemaker. She was not
9 employed.

10 THE COURT: Thank you. Where do you get your news
11 from?

12 THE PROSPECTIVE JUROR: Mostly Google News.

13 THE COURT: Do you ever read any newspapers or watch
14 any T.V. program?

15 THE PROSPECTIVE JUROR: T.V. would be CNN.
16 Newspaper would be the Times.

17 THE COURT: Do you have any hobbies or how do you
18 like to spend your leisure time?

19 THE PROSPECTIVE JUROR: I like to walk a lot and I
20 like to travel.

21 THE COURT: Okay. Same question for Juror Number 1.

22 THE PROSPECTIVE JUROR: I was just thinking of that.
23 My leisure time is with a 12 year old, she's in travel sports,
24 so five nights a week, she's going somewhere with sports. So
25 that and then the summertime, it's the beach.

JURY SELECTION

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1 THE COURT: Okay. Thanks. Juror Number 2, do you
2 belong to any clubs or organizations?

3 THE PROSPECTIVE JUROR: I do not.

4 THE COURT: Okay. Is there any reason that you
5 could not be fair and impartial in this case?

6 THE PROSPECTIVE JUROR: No.

7 THE COURT: Thank you. Juror Number 3, where do you
8 live in how long have you lived there?

9 THE PROSPECTIVE JUROR: I live in Park Slopes. I
10 have been there for 15 years.

11 THE COURT: Do you own or rent?

12 THE PROSPECTIVE JUROR: We rent.

13 THE COURT: Do you have any specialized training or
14 training?

15 THE PROSPECTIVE JUROR: Yeah, I have a bachelor's in
16 civil engineering from the Polytechnical Institute of Mexico,
17 and then a bachelor's in electrical engineering from the
18 University of California San Diego.

19 THE COURT: When did you get that degree?

20 THE PROSPECTIVE JUROR: 2007.

21 THE COURT: Are you currently employed?

22 THE PROSPECTIVE JUROR: Yes, sir.

23 THE COURT: Where do you work?

24 THE PROSPECTIVE JUROR: I work for Con Edison.

25 THE COURT: How long have you worked there?

JURY SELECTION

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1 THE PROSPECTIVE JUROR: About nine years.

2 THE COURT: What do you do there?

3 THE PROSPECTIVE JUROR: I work in the -- we have so
4 many departments, but the one that I work in is distribution
5 engineering.

6 THE COURT: Who do you do in your job?

7 THE PROSPECTIVE JUROR: It's kind of vague. We --
8 my title is just engineer. But I support the substations in
9 all the New York City region, including Westchester. Then
10 making sure all those stations, they're in, like, working
11 order and that's in general what I perform, what I do.

12 THE COURT: Does anyone else live with you in your
13 household?

14 THE PROSPECTIVE JUROR: Just me and my wife.

15 THE COURT: Is she employed?

16 THE PROSPECTIVE JUROR: Yes.

17 THE COURT: What does she do?

18 THE PROSPECTIVE JUROR: She's a research analyst.

19 THE COURT: Self-employed or for a company?

20 THE PROSPECTIVE JUROR: No, she works for -- I
21 believe the name of the company is SEU 1199.

22 THE COURT: Okay. And what does she do as a
23 research analyst?

24 THE PROSPECTIVE JUROR: She works for, like,
25 collecting -- they support many of their students. They're

JURY SELECTION

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1 trying to get their credentials to be nurses or doctors, like
2 anything in the medical field, and they create programs to
3 help those student, like, get the credentials. And she
4 collects like a database, she does, like, a cell base and
5 stuff like that.

6 THE COURT: Do you have any children adults?

7 THE PROSPECTIVE JUROR: We have no childrens.

8 THE COURT: What were the occupations of your
9 parents?

10 THE PROSPECTIVE JUROR: My father, he was a
11 mechanical engineer, and my mom, she was a housewife.

12 THE COURT: Where do you get your news from?

13 THE PROSPECTIVE JUROR: Different things, like,
14 sometimes from a T.V., like, CBS, CNN. Like, any of the news.
15 And also from the New York Times or sometimes even from, like,
16 a podcast.

17 THE COURT: Do you belong to any organizations or
18 associations?

19 THE PROSPECTIVE JUROR: No.

20 THE COURT: Who do you like to do in your spare
21 time?

22 THE PROSPECTIVE JUROR: I am a long-distance runner.

23 THE COURT: How long distance?

24 THE PROSPECTIVE JUROR: Like marathons.

25 THE COURT: Wow. Okay. How many have you done?

JURY SELECTION

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1 THE PROSPECTIVE JUROR: Probably close to 20, 18,
2 19.

3 THE COURT: Did you ever win?

4 THE PROSPECTIVE JUROR: Never win. I just finish.
5 You happy to finish.

6 THE COURT: Can you be fair and impartial
7 in this case?

8 THE PROSPECTIVE JUROR: I think so.

9 THE COURT: Thank you.

10 Juror Number 4, where do you live? How long have
11 you lived there?

12 THE PROSPECTIVE JUROR: I live in Queens,
13 Queens, New York. I've lived there my while life, so for 29
14 years.

15 THE COURT: Do you own or rent?

16 THE PROSPECTIVE JUROR: I live with my mom, so
17 neither.

18 THE COURT: Do you have any specialized training or
19 education?

20 THE PROSPECTIVE JUROR: I have a bachelor's degree.

21 THE COURT: Are you currently employed?

22 THE PROSPECTIVE JUROR: Yes.

23 THE COURT: What kind of work do you do?

24 THE PROSPECTIVE JUROR: I work in digital
25 advertising.

JURY SELECTION

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1 THE COURT: How long have you been done that?

2 THE PROSPECTIVE JUROR: About eight years now.

3 THE COURT: And do you work at a company or on your
4 own?

5 THE PROSPECTIVE JUROR: I work at a company.

6 THE COURT: What company do you work for?

7 THE PROSPECTIVE JUROR: It's a media agency called
8 Essence Media Co.

9 THE COURT: And what do you do in your job?

10 THE PROSPECTIVE JUROR: I work with clients to help
11 make their digital marketing campaigns more successful, track
12 their business.

13 THE COURT: Do you supervise anyone in your job?

14 THE PROSPECTIVE JUROR: Not officially. I'm a
15 project lead on certain projects where I delegate to other
16 people, but I don't officially manage them.

17 THE COURT: Is your mother employed?

18 THE PROSPECTIVE JUROR: Yes.

19 THE COURT: What kind of work does she do?

20 THE PROSPECTIVE JUROR: She's which home health
21 aide.

22 THE COURT: Where do you get your news from?

23 THE PROSPECTIVE JUROR: Mostly the internet.

24 THE COURT: Any particular sources?

25 THE PROSPECTIVE JUROR: It's really a variety. New

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1 York Times, Washington Post. It's really mixed. Also, social
2 media, as well.

3 THE COURT: Do you belong to any organizations?

4 THE PROSPECTIVE JUROR: No.

5 THE COURT: Do you have any hobbies or specialized
6 ways you like to spend your leisure time?

7 THE PROSPECTIVE JUROR: Mostly just spending time
8 with my family and cooking. That's it.

9 THE COURT: Okay. Can you be fair and impartial in
10 this case?

11 THE PROSPECTIVE JUROR: Can I answer that one
12 privately, actually?

13 THE COURT: Yes. Come on up.

14 (The following occurred at sidebar.)

15 THE PROSPECTIVE JUROR: So I don't know if I have a
16 yes-or-no answer to that question. I do want to disclose that
17 I have a lot of friends and close family who are small
18 business owners, and I don't know if that's going to impact at
19 all. But I just wanted to say that.

20 THE COURT: How do you think it might impact?

21 THE PROSPECTIVE JUROR: It just seemed like based on
22 some of the questions, there were a lot of small businesses
23 that were coming up and questions about, I don't know, how
24 people operate their small businesses.

25 THE COURT: So are you saying that you might have

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1 some knowledge that you acquired outside of the courtroom that
2 you might refer to in that time?

3 THE PROSPECTIVE JUROR: Very little. My family will
4 have conversations about things like this while I'm around,
5 not necessarily anything that I know at the top of my mind.
6 But I heard PPC has come up or PPP has come up in the past.
7 Not that I know yes or no that they've applied or they have
8 knowledge about it, but it is a topic of conversation that's
9 around me.

10 THE COURT: What kinds of issues might this raise?

11 MR. TALKIN: I don't see any.

12 THE COURT: So basically, if you were on the jury,
13 you'd be sitting in those seats back there, and you'd be
14 hearing testimony, and you might be hearing testimony from
15 people who were witnesses for the Government, witnesses for
16 the defense, and they might be talking about similar things.
17 But they might disagree. And the question is, is there anyone
18 that you could think of, any type of witness, small business
19 owner, not small business owner, government official, whose
20 testimony you would automatically give greater weight to than
21 anyone else's, or would you be able to sit, listen to the
22 testimony in the courtroom, and decide what weight to give it,
23 based on the evidence that you hear?

24 THE PROSPECTIVE JUROR: I don't think I would give
25 weight to one versus the other based off of any knowledge.

JURY SELECTION

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1 THE COURT: So do you feel that you have a pretty
2 open mind?

3 THE PROSPECTIVE JUROR: I think so.

4 THE COURT: Okay. Any questions?

5 MR. TALKIN: No.

6 MR. EDWARDS-BALFOUR: No questions.

7 THE COURT: Okay. Thank you.

8 (End of sidebar conference.)

9 (In open court; Prospective Jurors present.)

10 THE COURT: Juror Number 5. There you are.

11 Where do you live? How long have you lived there?

12 THE PROSPECTIVE JUROR: I live in Richmond, Queens.

13 I live there for almost 25 years.

14 THE COURT: Do you own other rent?

15 THE PROSPECTIVE JUROR: I rent.

16 THE COURT: Does anyone else live with you in your
17 household?

18 THE PROSPECTIVE JUROR: My wife and my two kids.

19 THE COURT: How old are your kids?

20 THE PROSPECTIVE JUROR: My youngest one is 22 and
21 my -- the other one is 30.

22 THE COURT: Do you have any specialized training or
23 education?

24 THE PROSPECTIVE JUROR: Not really. No.

25 THE COURT: What's the last level of schooling that

JURY SELECTION

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1 you finished?

2 THE PROSPECTIVE JUROR: I did 11th grade.

3 THE COURT: Okay. What kind of work do you do?

4 THE PROSPECTIVE JUROR: I just get early retirement.
5 I used to work at the school as the maintenance.

6 THE COURT: How long have you worked there?

7 THE PROSPECTIVE JUROR: Nine years.

8 THE COURT: And where is the school located?

9 THE PROSPECTIVE JUROR: In 85th Street in Manhattan.
10 In Lexington.

11 THE COURT: Okay. Does either of your children
12 work?

13 THE PROSPECTIVE JUROR: Yes.

14 THE COURT: What kind of work do they do?

15 THE PROSPECTIVE JUROR: One is bartender and the
16 other one is business, internet business. Sell things and --
17 by the internet.

18 THE COURT: And does your wife work?

19 THE PROSPECTIVE JUROR: Yes.

20 THE COURT: What kind of work does she do.

21 THE PROSPECTIVE JUROR: She do Uber and Lyft.

22 THE COURT: I'm sorry, I didn't hear that.

23 THE PROSPECTIVE JUROR: Uber and Lyft.

24 THE COURT: Oh, Uber and Lyft, okay.

25 Well, that's quite a diverse household you have.

JURY SELECTION

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1 THE PROSPECTIVE JUROR: Yes. I do part time, also.

2 THE COURT: With the Uber and the Lyft?

3 THE PROSPECTIVE JUROR: Yes.

4 THE COURT: So you have, essentially, two jobs?

5 THE PROSPECTIVE JUROR: Or both, yes.

6 THE COURT: Where do you get your news from?

7 THE PROSPECTIVE JUROR: I can't understand that
8 question you're saying. The news from where?

9 THE COURT: Well, do you read newspapers?

10 THE PROSPECTIVE JUROR: What happened? I can't
11 understand that question.

12 THE COURT: Okay. Do you listen to the news on the
13 radio, watch the news on television?

14 THE PROSPECTIVE JUROR: Oh, the news, the news.

15 THE COURT: Get news from the internet?

16 THE PROSPECTIVE JUROR: Yes. Internet yes.

17 THE COURT: Where do you get your news, which
18 internet site do you like?

19 THE PROSPECTIVE JUROR: Not -- really, I don't
20 understand the question. My English is not -- I understand
21 50/50. I understand probably -- I 10 years ago sit on a case,
22 but this one is too much for me. Probably I understand 50/50.
23 I don't know. I would like to serve because I like to serve
24 my country. You understand? But I don't know it is okay for
25 you and my English is not that good.

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1 THE COURT: Okay. We'll come back to you.

2 THE PROSPECTIVE JUROR: Okay.

3 THE COURT: Did you have difficulty understanding me
4 when I was explaining the case.

5 THE PROSPECTIVE JUROR: No. Not really.

6 THE COURT: When you're at work, do you speak a lot
7 of English in your work?

8 THE PROSPECTIVE JUROR: Yes, I speak with the
9 teachers and the students.

10 THE COURT: Why don't you just come up to sidebar.

11 THE PROSPECTIVE JUROR: Sure.

12 (The following occurred at sidebar.)

13 THE COURT: Thank you.

14 THE PROSPECTIVE JUROR: Hello. You're welcome.

15 THE COURT: So why do you think you'll have trouble
16 understanding?

17 THE PROSPECTIVE JUROR: Some words, it's difficult
18 for me to understand. But most, I understand. I would like
19 to serve. Now, I'm really early retirement, I would like to
20 serve my country. But that's some difficult things probably
21 it is okay to excuse me.

22 THE COURT: So you think that you miss 50 percent of
23 what people say?

24 THE PROSPECTIVE JUROR: That's about it. That's
25 about it.

JURY SELECTION

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1 THE COURT: Yeah. Any questions?

2 MR. EDWARDS-BALFOUR: No questions.

3 MR. TALKIN: Nothing.

4 THE COURT: Yeah, I think this could be a
5 complicated case and could be technical and it might be
6 difficult for you to understand.

7 THE PROSPECTIVE JUROR: Yes. Okay.

8 THE COURT: Thank you for telling us.

9 THE PROSPECTIVE JUROR: You're welcome.

10 THE COURT: Good luck to you.

11 (Prospective Juror enters sidebar.)

12 MR. EDWARDS-BALFOUR: Your Honor, do we want to wait
13 until we go through all of them before we excuse him so that
14 more people don't want to jump out.

15 THE COURT: Well, everybody knows his language, so I
16 don't think there will be --

17 MR. AMIR: I just think we're giving a roadmap --

18 THE COURT: I don't think so. We'll see.

19 I can wait though. I'm happy to wait until we go
20 through the whole list.

21 (End of sidebar conference.)

22 (In open court; Prospective Jurors present.)

23 THE COURT: Okay. Juror Number 6, where do you live
24 and how long have you lived there?

25 THE PROSPECTIVE JUROR: Is this on? Yes. I live in

JURY SELECTION

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1 Brooklyn. I've lived here since 2006.

2 THE COURT: Do you have any specialized training or
3 education?

4 THE PROSPECTIVE JUROR: I have a bachelor of science
5 in communications with a major in marketing, advertising,
6 public relations, and anything fun like that.

7 THE COURT: And do you own or rent your home?

8 THE PROSPECTIVE JUROR: We own.

9 THE COURT: I think you told us this before, but how
10 are you employed?

11 THE PROSPECTIVE JUROR: I am the head of New York
12 America for a British letter goods company.

13 THE COURT: How long have you worked there?

14 THE PROSPECTIVE JUROR: With this company, for
15 almost two years.

16 THE COURT: Do you supervise anyone in your job?

17 THE PROSPECTIVE JUROR: I have seven direct reports
18 and then there's approximately 25 people below them, yes.

19 THE COURT: Who else lives with you in your
20 household?

21 THE PROSPECTIVE JUROR: My husband and my daughter.

22 THE COURT: Is either of them employed?

23 THE PROSPECTIVE JUROR: My husband is employed, yes.

24 THE COURT: What kind of work does he do?

25 THE PROSPECTIVE JUROR: He works in finance using

JURY SELECTION

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1 insurance products.

2 THE COURT: What kind of work did your parents do?

3 THE PROSPECTIVE JUROR: My father was in finance
4 working for GE and my mother was a homemaker.

5 THE COURT: Where do you get your news from?

6 THE PROSPECTIVE JUROR: A variety of sources.
7 Anything from New York Times to Washington Post to Apple News.

8 THE COURT: Do you belong to any clubs or
9 associations or groups?

10 THE PROSPECTIVE JUROR: I volunteer through New York
11 Cares as regularly as my schedule allows.

12 THE COURT: What do you do for them?

13 THE PROSPECTIVE JUROR: I usually oscillate between
14 a group in Red Hook called Food First Pantry and/or on the
15 weekends, I volunteer with the Red Hook conservancy which is
16 another group, and if my time does permit, I also do
17 participate with the Fort Greene Park and do work with them on
18 the weekends.

19 THE COURT: Do you have any leisure time?

20 THE PROSPECTIVE JUROR: No.

21 THE COURT: If you did have leisure time, how would
22 you use it?

23 THE PROSPECTIVE JUROR: Reading my book which I got
24 to do today. Thank you.

25 THE COURT: Is there any reason that you might not

JURY SELECTION

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1 be fair and impartial in this case?

2 THE PROSPECTIVE JUROR: No.

3 THE COURT: Okay. Juror Number 7.

4 THE PROSPECTIVE JUROR: Hi. What's the first
5 question? I'm sorry.

6 THE COURT: Where do you live and how long have you
7 lived there?

8 THE PROSPECTIVE JUROR: I live in West Islip, but
9 I've lived there my whole life.

10 THE COURT: Do you rent or own?

11 THE PROSPECTIVE JUROR: We own.

12 THE COURT: How long have you lived in that
13 particular home?

14 THE PROSPECTIVE JUROR: This one, three years.

15 THE COURT: Does anyone else live with you in your
16 household?

17 THE PROSPECTIVE JUROR: Yes. My husband and I have
18 two children.

19 THE COURT: Is your husband employed?

20 THE PROSPECTIVE JUROR: Yes.

21 THE COURT: What kind of work does he do?

22 THE PROSPECTIVE JUROR: He's an account manager for
23 an IT company.

24 THE COURT: And how long has he done that?

25 THE PROSPECTIVE JUROR: Oh, God, 15 years, 12 years

JURY SELECTION

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1 somewhere around there.

2 THE COURT: And did either your parents work?

3 THE PROSPECTIVE JUROR: Yes.

4 THE COURT: What kind of work did he do?

5 THE PROSPECTIVE JUROR: My dad worked on engines and
6 airplanes for an aviation company, and my mom worked in
7 customer service and she now is an assistant for a school.

8 THE COURT: And are you employed?

9 THE PROSPECTIVE JUROR: Yes.

10 THE COURT: What kind of work do you do?

11 THE PROSPECTIVE JUROR: I'm a property insurance
12 adjustor.

13 THE COURT: How long have you done that?

14 THE PROSPECTIVE JUROR: About nine years.

15 THE COURT: Do you work for yourself or for a
16 company?

17 THE PROSPECTIVE JUROR: For a company.

18 THE COURT: And do you have a title?

19 THE PROSPECTIVE JUROR: Yes. We're considered --
20 well, my position is an outside property adjustor.

21 THE COURT: And what do you do in your job?

22 THE PROSPECTIVE JUROR: I would go to somebody's
23 house and I would evaluate the damages that they have, I would
24 create an estimate after I've seen if they have coverage, and
25 then I would settle with the insured based off of my estimate.

JURY SELECTION

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1 THE COURT: Did you have any involvement with COVID
2 funds or anything similar --

3 THE PROSPECTIVE JUROR: Not really.

4 THE COURT: -- during the pandemic.

5 THE PROSPECTIVE JUROR: Not really. The only
6 difference was I had to stay home and work from home to
7 evaluate these people's damages, because we couldn't really go
8 to their house.

9 THE COURT: All right. I take it you weren't
10 involved with loans or with any PPP money or any of those
11 issues?

12 THE PROSPECTIVE JUROR: No, no.

13 THE COURT: Do you supervise anyone in your job?

14 THE PROSPECTIVE JUROR: No.

15 THE COURT: Where do you get your news from?

16 THE PROSPECTIVE JUROR: Anywhere, really. Mostly
17 the T.V. So like CNN, MSNBC.

18 THE COURT: Do you have any hobbies?

19 THE PROSPECTIVE JUROR: My kids are in a lot of
20 sports, so I either have to transport them some place or I'll
21 be on my bike at home.

22 THE COURT: Is that what you do in your leisure
23 time?

24 THE PROSPECTIVE JUROR: Yes.

25 THE COURT: Is there any reason that you would not

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1 be fair and impartial in this case?

2 THE PROSPECTIVE JUROR: No.

3 THE COURT: Thank you.

4 Juror Number 8.

5 THE PROSPECTIVE JUROR: Hi.

6 THE COURT: So where do you live and how long have
7 you lived there?

8 THE PROSPECTIVE JUROR: I live in Whitestone,
9 Queens, and I've lived there basically my whole life, apart
10 from three years when I was younger.

11 THE COURT: Okay. And do you own or rent?

12 THE PROSPECTIVE JUROR: I live in my parents
13 apartment.

14 THE COURT: And do you have any specialized training
15 or education?

16 THE PROSPECTIVE JUROR: I'm in undergrad right now.

17 THE COURT: Is your semester over?

18 THE PROSPECTIVE JUROR: Yes.

19 THE COURT: Will you be going to school during the
20 summer?

21 THE PROSPECTIVE JUROR: No.

22 THE COURT: Do you have a major?

23 THE PROSPECTIVE JUROR: Yes. It's peace and justice
24 studies.

25 THE COURT: Where do you go to school.

JURY SELECTION

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1 THE PROSPECTIVE JUROR: Pace University.

2 THE COURT: What year are you?

3 THE PROSPECTIVE JUROR: I'm going into my last year,
4 fourth year.

5 THE COURT: And do you have any plans of what you'll
6 be doing after you graduate?

7 THE PROSPECTIVE JUROR: No.

8 THE COURT: Do your parents work?

9 THE PROSPECTIVE JUROR: Yes.

10 THE COURT: What kind of work do they do?

11 THE PROSPECTIVE JUROR: My mommy is a flight
12 attendant, and my dad does hospitality consulting.

13 THE COURT: How do you get your news?

14 THE PROSPECTIVE JUROR: Mainly the internet.
15 Sometimes social media. Specifically, like, Al Jazeera, Fox,
16 yeah.

17 THE COURT: Okay. Do you have any hobbies or things
18 that you like to do during your leisure time?

19 THE PROSPECTIVE JUROR: Mainly just, like, hanging
20 out with friends, sometimes activism. Yeah.

21 THE COURT: What kind of activism?

22 THE PROSPECTIVE JUROR: It's pretty broad. Being a
23 peace and justice studies major, it kind of ranges. Like,
24 racial justice, climate justice.

25 THE COURT: So do you volunteer?

JURY SELECTION

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1 THE PROSPECTIVE JUROR: No, it's kind of sporadic.

2 THE COURT: Oh, all right.

3 THE PROSPECTIVE JUROR: Yeah.

4 THE COURT: Can you be fair and impartial
5 in this case?

6 THE PROSPECTIVE JUROR: Yes.

7 THE COURT: Thank you.

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9 (Continued on the following page.)

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Sidebar

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1 AFTERNOON SESSION

2 (In open court; prospective jurors present.)

3 THE COURT: Good afternoon. Please be seated.

4 Thank you for all being so prompt. We're going to continue
5 jury selection but first we'll be replacing some jurors.

6 They've already been replaced? Okay.

7 Does anybody -- those that have recently stepped
8 onto the panel, does anyone have any "yes" answers so far?

9 So Juror No. 5. Do you want to come up here? New
10 Juror No. 5.

11 (The following occurred at sidebar; prospective
12 juror joins.)

13 THE PROSPECTIVE JUROR: I'm not sure. I have two
14 questions, whether I had close relatives or friends that
15 received PPP over the pandemic.

16 THE COURT: Okay.

17 THE PROSPECTIVE JUROR: That was a yes. And I also
18 have a friend that I know that works at a bank.

19 THE COURT: Okay. Let me start with your friend who
20 works at a bank.

21 THE PROSPECTIVE JUROR: I'm sorry?

22 THE COURT: Let's start with your friend who works
23 at a bank. What does she do?

24 THE PROSPECTIVE JUROR: She's a bank operations
25 manager. She works at Santander and I believe she got caught

CMH

OCR

RMR

CRR

FCRR

1 stealing and, unfortunately, they just let her go. I don't
2 think they brought her to court for anything. But that's as
3 far as I know. She confessed to it. Even though she was a
4 good friend, I don't condone what she did.

5 THE COURT: Right. Would this affect you in any way
6 in this case?

7 THE PROSPECTIVE JUROR: It might. I'm not sure. I
8 need to probably hear the whole case to give you a definite
9 answer with that but, yes.

10 THE COURT: So your job, if you were a juror, would
11 be to listen to the evidence.

12 THE PROSPECTIVE JUROR: Right.

13 THE COURT: And decide whether the government has
14 proven by proof beyond a reasonable doubt that the defendant
15 committed any of the crimes alleged. Do you think you could
16 sit with an open mind and listen or do you think you'll be
17 thinking about your friend?

18 THE PROSPECTIVE JUROR: I would actually side with
19 the bank more than my friend if this was a case for her, yes.

20 THE COURT: So if the question is whether or not the
21 defendant committed a crime, whether there's evidence, proof
22 beyond a reasonable doubt that the defendant did it, do you
23 think you could evaluate that fairly?

24 THE PROSPECTIVE JUROR: I think I would believe so,
25 yes.

1 THE COURT: Do you think, before you hear the
2 testimony, you would favor one side or the other or do you
3 have an open mind and wait to hear the evidence?

4 THE PROSPECTIVE JUROR: I would wait to hear the
5 evidence from the bank side if the bank was the victim, but
6 because I, it is my friend that I know that, like, stealing at
7 a bank is suspicious, I wouldn't side with my friend if that
8 was the case.

9 THE COURT: Do you have any questions to start?

10 MR. EDWARDS-BALFOUR: No.

11 MR. TALKIN: No questions.

12 THE COURT: So do you think if you were the
13 defendant here or the government, would you, knowing what's in
14 your mind --

15 THE PROSPECTIVE JUROR: Right.

16 THE COURT: -- would they be happy to have you on
17 the jury? In other words, would they think that you can be
18 fair and impartial?

19 THE PROSPECTIVE JUROR: I want to say yes.

20 THE COURT: Okay. Your job wouldn't be to decide
21 whether somebody should be punished.

22 THE PROSPECTIVE JUROR: Right.

23 THE COURT: Your job would be is there any evidence
24 for the charges beyond a reasonable doubt. Would you be
25 comfortable doing this?

1 THE PROSPECTIVE JUROR: I still want to say yes.

2 THE COURT: Okay. Any hesitation?

3 THE PROSPECTIVE JUROR: A little.

4 THE COURT: And why is that?

5 THE PROSPECTIVE JUROR: Not too sure. It still -- I
6 guess because I haven't heard the whole case to this case yet,
7 I can't, like, be impartial to both parties.

8 THE COURT: So you haven't made up your mind as to
9 the evidence yet?

10 THE PROSPECTIVE JUROR: Yeah, but I'm leaning more
11 towards yes to your questions is what I'm trying to say.

12 THE COURT: Oh, that, in other words, you could sit
13 and listen objectively and make up your mind?

14 THE PROSPECTIVE JUROR: Right.

15 THE COURT: Do you need more time to think about it
16 or do you feel more comfortable with it?

17 THE PROSPECTIVE JUROR: Maybe a little more time to
18 think about it.

19 THE COURT: Okay. So we'll call you back in a
20 little bit.

21 THE PROSPECTIVE JUROR: Thank you.

22 THE COURT: And the other issue?

23 THE PROSPECTIVE JUROR: Yes.

24 THE COURT: What was the first point?

25 THE PROSPECTIVE JUROR: The PPP.

1 THE COURT: Yes, the PPP.

2 THE PROSPECTIVE JUROR: Yes. I work for a franchise
3 owner of Ben & Jerry's and over the pandemic, he applied for a
4 PPP relief fund and I think he got granted for it.

5 THE COURT: So do you have any strong feelings about
6 the PPP funds one way or another?

7 THE PROSPECTIVE JUROR: That it was helpful for us
8 because we were struggling. I worked with him for many years
9 and he's like a father figure to me so I was glad that he was
10 able to get some type of relief over the pandemic and we
11 worked through the whole thing.

12 THE COURT: Great.

13 Any questions from the government?

14 MR. EDWARDS-BALFOUR: No questions.

15 THE COURT: How about the defense?

16 MR. TALKIN: No.

17 THE COURT: Okay. We'll call you back in a little
18 bit.

19 THE PROSPECTIVE JUROR: Thank you.

20 THE COURT: Thank you.

21 (Prospective juror leaves.)

22 MR. TALKIN: I move for cause of this juror. She
23 said she would be biased even though she said she would do her
24 best. She couldn't even say to you she would be unbiased.
25 She said I'd like to think I could be, I'd like to think

1 that's my position. She was very -- she had predispositions
2 I'm not even sure which way, but I can't take the chance that
3 it's against my client. She was all over the place but, sure,
4 she has predispositions that she has announced to the Court
5 and even under your questioning, momentarily, she went back
6 then again to the -- well, she started to go back to say I
7 think I will but she never said that she could be fair and
8 impartial after saying that she could not be numerous times.

9 MR. EDWARDS-BALFOUR: Your Honor, we'd like to
10 respond.

11 I think the juror was saying that she, said she
12 would like to be impartial but I think the proper protocol
13 here would be to ask her, remind her she's under oath and ask
14 her whether or not she could be impartial. She seemed to
15 suggest that she could be but she didn't give a clear answer.
16 I think if Your Honor would ask her directly, remind her of
17 her duty and just ask her could she be impartial, yes or no, I
18 think that would help to clarify whether or not she would be a
19 juror that could fit on this.

20 THE COURT: We'll see when we call her back, we'll
21 see what she says. If she still says no --

22 MR. TALKIN: Your Honor, I also have an objection to
23 saying "I remind you you're under oath" because that can --

24 THE COURT: No. No.

25 MR. TALKIN: It can be perceived to twist arms.

1 THE COURT: Okay. Next?

2 (In open court.)

3 THE CLERK: Juror 44.

4 (Sidebar continues; prospective juror joins.)

5 THE COURT: Hi. How are you?

6 THE PROSPECTIVE JUROR: Good. How are you?

7 THE COURT: Good.

8 THE PROSPECTIVE JUROR: There were a couple of
9 questions that I said "yes" to.

10 THE COURT: Okay.

11 THE PROSPECTIVE JUROR: One was the travel. My
12 family has travel booked from the 20th to the 24th.

13 THE COURT: Not good. Where are you going?

14 THE PROSPECTIVE JUROR: Boston, north of Boston.

15 THE COURT: It's all booked? You have arrangements
16 made?

17 THE PROSPECTIVE JUROR: Well, we have a car booked.

18 THE COURT: Okay. That's right during the trial so
19 this trial wouldn't be a good thing for you.

20 THE PROSPECTIVE JUROR: The others are I previously
21 worked for a bank. That's 20 years ago.

22 THE COURT: Okay.

23 THE PROSPECTIVE JUROR: But I did. And I
24 technically benefited from a PPP loan. My company applied,
25 not me personally, but they did receive one.

1 THE COURT: Okay. Well, thank you. We'll be back
2 to you.

3 THE PROSPECTIVE JUROR: Was that the only employment
4 related question was working for a bank?

5 THE COURT: No, law employment and a few others.

6 THE PROSPECTIVE JUROR: Do you want --

7 THE COURT: No, I don't think so. I think we've
8 heard enough.

9 THE PROSPECTIVE JUROR: Thank you.

10 (Prospective juror leaves.)

11 MR. AMIR: We think we'll most likely be done by
12 then.

13 THE COURT: But we might not be done in time for her
14 trip.

15 MR. TALKIN: I move --

16 MR. AMIR: It seems a remote chance the trial won't
17 be that long, plus she can join her family later.

18 MR. TALKIN: I don't want my client to be at the
19 whims of how she feels about whether she joins her family
20 later or we don't know. We've let other jurors go for similar
21 concerns and I think this is --

22 THE COURT: Yes. I'm going to excuse her.

23 (In open court.)

24 THE CLERK: Juror 14.

25 (Sidebar continues; prospective juror joins.) .

1 THE PROSPECTIVE JUROR: I had the one question about
2 banking. My cousin's husband is a vice president for Chase.

3 THE COURT: Would that affect your ability to be
4 fair and impartial?

5 THE PROSPECTIVE JUROR: No, but I wanted to
6 disclose. You're probably going to smirk about it.

7 THE COURT: Thank you.

8 THE PROSPECTIVE JUROR: Thank you.

9 (Prospective juror leaves.)

10 (In open court.)

11 THE CLERK: Juror 41.

12 (Sidebar continues; prospective juror joins.)

13 THE PROSPECTIVE JUROR: Good afternoon.

14 THE COURT: Hi. Good afternoon.

15 THE PROSPECTIVE JUROR: I tried to get this moved to
16 a closer location because it's too much travel for me. It's,
17 like, the distance.

18 THE COURT: Where do you live?

19 THE PROSPECTIVE JUROR: Out east.

20 THE COURT: How far east?

21 THE PROSPECTIVE JUROR: Middle Suffolk County, West
22 Babylon area.

23 THE COURT: Unfortunately, the way our jury plan has
24 been approved, it's all the way from Staten Island to Montauk.

25 THE PROSPECTIVE JUROR: I get that.

1 THE COURT: And that's --

2 THE PROSPECTIVE JUROR: Being out of work all these
3 days, I lose too much money to pay my bills.

4 THE COURT: What kind of work do you do?

5 THE PROSPECTIVE JUROR: I run a dealership, a Mack
6 Truck dealership. The biggest Mack Truck dealership on the
7 East Coast.

8 THE COURT: So who takes over when you're sick?

9 THE PROSPECTIVE JUROR: Like some guy fills in for
10 me. I actually ran outside to call making sure everything was
11 all right. Thank God nothing was going bad today.

12 THE COURT: Any questions?

13 MR. EDWARDS-BALFOUR: No questions.

14 MR. TALKIN: No.

15 THE PROSPECTIVE JUROR: If the trucks don't go, we
16 don't get supplies.

17 THE COURT: The problem is that everyone is
18 required --

19 THE PROSPECTIVE JUROR: I don't have problems with
20 doing it but if it would be closer to my house, it would be
21 easier.

22 THE COURT: Unfortunately, we're not in control of
23 the locations for the jury pool. So it's going to be very
24 hard for us.

25 Okay. Any other questions?

1 MR. GREENSPAN: No.

2 THE COURT: Okay. Thank you.

3 THE PROSPECTIVE JUROR: Thank you.

4 (Prospective juror leaves.)

5 THE COURT: Any thoughts?

6 MR. AMIR: It does seem like he'd rather work excuse
7 to me.

8 MR. TALKIN: I mean I feel for him but --

9 MR. GREENSPAN: We have to sit jurors from Suffolk
10 County.

11 MR. TALKIN: I do understand the problem but that's
12 a court-wide problem as opposed to this case.

13 THE COURT: It's the way the jury plan was approved.
14 Okay. Let's do Juror No. 43 now.

15 (In open court.)

16 THE CLERK: Juror No. 43, can you please come back
17 up?

18 (Sidebar continues; prospective juror joins.)

19 THE COURT: Hi. We don't want you to feel any
20 pressure at all.

21 THE PROSPECTIVE JUROR: Okay.

22 THE COURT: We just want you to just respond the way
23 you really feel.

24 THE PROSPECTIVE JUROR: Okay.

25 THE COURT: So if you feel that there would be some

1 way that you might be thinking of your friend and may be
2 influenced, you know, to favor the bank over the defendant or
3 vice versa, the defendant over the bank, then this wouldn't be
4 the right case for you. If you think that you could sit and
5 put everything out of your mind and listen to only what's
6 happening in court --

7 THE PROSPECTIVE JUROR: Right.

8 THE COURT: -- and be fair and impartial on this
9 case, then this would be the right case for you.

10 THE PROSPECTIVE JUROR: Okay. I do have a tendency
11 to lean more for the bank side than the defendant.

12 THE COURT: Yes.

13 THE PROSPECTIVE JUROR: So --

14 THE COURT: So you think you might be, even before
15 hearing the evidence, that you might --

16 THE PROSPECTIVE JUROR: Kind of, yes.

17 THE COURT: -- be biased towards the bank?

18 THE PROSPECTIVE JUROR: Right.

19 THE COURT: Okay. Any questions?

20 MR. EDWARDS-BALFOUR: No questions.

21 THE COURT: Well, thank you for your honesty. I
22 think this is not the right case for you.

23 THE PROSPECTIVE JUROR: I'm sorry. Thank you.

24 THE COURT: Not a problem.

25 (Prospective juror leaves.)

1 MR. TALKIN: I move to cause. I renew my motion for
2 cause.

3 THE COURT: Granted. For 43?

4 MR. TALKIN: Yes, I renew my motion for cause.

5 THE COURT: Granted.

6 MR. TALKIN: Thank you.

7 THE COURT: Okay.

8 (In open court; sidebar ends.)

9 THE CLERK: Juror No. 43 , you are excused.

10 (Prospective juror excused.)

11 THE CLERK: Replacing Prospective Juror No. 43 is
12 Juror No. 45, Luis Chiguichon. Can you please take seat
13 number 5. Thank you.

14 Juror No. 44, you are excused.

15 (Prospective juror excused.)

16 THE CLERK: Replacing Prospective No. 44 is No. 46,
17 David Perez. Can you please come take seat 13.

18 THE COURT: Those of you who were just recently
19 chosen, does any one of you have a "yes" answer to any of my
20 past questions?

21 You're Juror No. 46?

22 THE PROSPECTIVE JUROR: Yes, 46.

23 THE COURT: Can you come up to the sidebar, please.

24 (The following occurred at sidebar; prospective
25 juror joins.)

1 THE COURT: Hi, Mr. Perez.

2 THE PROSPECTIVE JUROR: Hello. Work.

3 THE COURT: You have a conflict?

4 THE PROSPECTIVE JUROR: Yes, work.

5 THE COURT: What kind of work do you do?

6 THE PROSPECTIVE JUROR: I do overnight. I just came
7 in from Whole Foods and then I do more time on another job.

8 THE COURT: Could you hear?

9 MR. TALKIN: I could not hear.

10 THE PROSPECTIVE JUROR: So I do overnight at
11 Whole Foods.

12 THE COURT: What do you do at Whole Foods?

13 THE PROSPECTIVE JUROR: I do retail, stocking
14 cheese, beer. Then I do another job during the day.

15 THE COURT: Okay. Any questions?

16 MR. EDWARDS-BALFOUR: No questions.

17 MR. TALKIN: No.

18 THE COURT: All right. So do you have another
19 source of income or is that your only income?

20 THE PROSPECTIVE JUROR: No, my two incomes is there.

21 THE COURT: I'm sorry?

22 THE PROSPECTIVE JUROR: Those are my two incomes.

23 THE COURT: Both at Whole Foods? You said two
24 incomes. One is Whole Foods.

25 THE PROSPECTIVE JUROR: And the other one is

1 Family Dollar.

2 THE COURT: Where do you work at the Family Dollar?

3 THE PROSPECTIVE JUROR: It's, like, four blocks.

4 It's in Brooklyn.

5 THE COURT: What hours do you work there?

6 THE PROSPECTIVE JUROR: It's 10 to 1.

7 THE COURT: So you work from 10 to 1 at

8 Family Dollar?

9 THE PROSPECTIVE JUROR: And then overnight is from
10 10 to 6.

11 THE COURT: If you had jury duty, would they pay
12 you?

13 THE PROSPECTIVE JUROR: No.

14 THE COURT: Are you sure?

15 THE PROSPECTIVE JUROR: Just PTO hours, I only have
16 like 20. I would have to take time off.

17 THE COURT: But do they know that you've been called
18 for jury duty?

19 THE PROSPECTIVE JUROR: So on Friday, when I called,
20 they said I was going to come today so I let them know on
21 Sunday and they said just today was excused.

22 THE COURT: You're worried you'll lose your income
23 or your job?

24 THE PROSPECTIVE JUROR: I'm pretty sure I would lose
25 my job because PTO hours is only 20. So I could only come for

1 three days if I came.

2 THE COURT: Because it's illegal to fire someone
3 because they're on jury duty.

4 THE PROSPECTIVE JUROR: I'm not sure how that works.
5 Only I'm -- I only know.

6 THE COURT: Any questions?

7 MR. TALKIN: No.

8 MR. EDWARDS-BALFOUR: No.

9 THE COURT: Any other "yes" answers or is that it?

10 THE PROSPECTIVE JUROR: No, that's just it.

11 THE COURT: Okay. Thank you.

12 (Prospective juror leaves.)

13 MR. EDWARDS-BALFOUR: It's illegal to fire someone
14 because they're on jury duty. I don't think --

15 THE COURT: It's not legal to do that, but --

16 MR. EDWARDS-BALFOUR: Yes, I mean we're fine.

17 MR. AMIR: I mean it's not -- the only thing I'm
18 sympathetic is that he has to work overnight and then come
19 here having not slept. Other than that, I find it a little
20 bit unconvincing, but if he were to come here after not having
21 slept, that would impair his ability to serve as a juror. So
22 I don't think we would oppose his being struck.

23 MR. TALKIN: That's fine. We'll consent.

24 THE COURT: Okay. Let's excuse him. He's going to
25 be stressed.

1 MR. AMIR: Yes.

2 MR. EDWARDS-BALFOUR: Should we maybe wait to
3 announce the other people that are excused until the
4 mid-afternoon break because it seems that people might be
5 getting the indication that --

6 MR. AMIR: -- if they say yes, they get to leave.

7 THE COURT: Okay.

8 MR. GREENSPAN: That's fine.

9 THE CLERK: Twenty-six checked his passport
10 appointment during the break so he would like to come up.

11 THE COURT: Okay.

12 (In open court.)

13 THE CLERK: Juror Number 26.

14 (Sidebar continues; prospective juror joins.)

15 THE COURT: Hi.

16 THE PROSPECTIVE JUROR: I wanted to confirm that my
17 conflict was on June 20th, Thursday, at 12:00 p.m. You told
18 me to ask after the break.

19 THE COURT: Yes.

20 THE PROSPECTIVE JUROR: I think it's just that.

21 MR. AMIR: It's right on the cusp.

22 THE COURT: I think we should excuse him.

23 MR. AMIR: No objection from us.

24 THE COURT: We'll excuse you. You've been waiting
25 for this appointment.

1 THE PROSPECTIVE JUROR: Sorry?

2 THE COURT: We'll excuse you because of that
3 appointment.

4 THE PROSPECTIVE JUROR: Thank you so much,
5 Your Honor. Is that it?

6 THE COURT: Yes. Go back in your seat.

7 He was 26.

8 Okay. Is there anybody else?

9 THE CLERK: Forty-two.

10 (In open court.)

11 THE CLERK: Juror No. 42.

12 (Sidebar continues; prospective juror joins.)

13 THE COURT: Hello.

14 THE PROSPECTIVE JUROR: Yes. My English is my
15 second language and I, you know, I can read simple and
16 communicate simple but, you know, really complicate, I cannot
17 do it.

18 THE COURT: Have you been able to understand me?

19 THE PROSPECTIVE JUROR: Yes.

20 THE COURT: Well, that's a start.

21 THE PROSPECTIVE JUROR: Huh?

22 THE COURT: That's good.

23 THE PROSPECTIVE JUROR: But, you know what, I don't
24 want to waste you time. So you said -- if you want to keep me
25 here, I will stay but I want to tell you, tell you the truth

1 because, you know, my hearing and communication not so well in
2 English because that's secondary.

3 THE COURT: If you could understand me, I was
4 discussing fairly complicated topics and if you understood --

5 THE PROSPECTIVE JUROR: Yes. You know, when you, in
6 the beginning, talk about the case, I really don't quite
7 understand it.

8 THE COURT: Well, we haven't talked much about the
9 case.

10 THE PROSPECTIVE JUROR: But you, at the beginning,
11 you just talk about what, the bank and everything, you know, I
12 just can't understand it.

13 THE COURT: Are you working?

14 THE PROSPECTIVE JUROR: Yes.

15 THE COURT: What kind of work do you do?

16 THE PROSPECTIVE JUROR: I working at Chinese
17 company, patient care associate.

18 THE COURT: And what do you do there?

19 THE PROSPECTIVE JUROR: Patient care.

20 THE COURT: So --

21 THE PROSPECTIVE JUROR: It's a pharmacy.

22 THE COURT: Oh, it's a pharmacy?

23 THE PROSPECTIVE JUROR: Yes.

24 THE COURT: Okay. And do you -- are your customers
25 English speaking and Chinese speaking?

1 THE PROSPECTIVE JUROR: Most of them, 95 percent is
2 Chinese customer.

3 THE COURT: Okay. Any questions?

4 All right. Thank you very much.

5 THE PROSPECTIVE JUROR: Thank you.

6 (Prospective juror leaves.)

7 MR. TALKIN: It's fine. On consent.

8 MR. EDWARDS-BALFOUR: She spoke English fine.

9 MR. TALKIN: But we can't divine --

10 THE COURT: She told me she understood everything I
11 said.

12 MR. AMIR: She spoke perfectly fluently. This is
13 the Eastern District of New York. Plenty of people are not
14 native English speakers.

15 MR. TALKIN: I don't know what else to say but she
16 said she didn't understand the law when you talked at the
17 beginning of the case.

18 THE COURT: Yes.

19 MR. AMIR: I think there's a distinction between
20 understanding what wire fraud means and it's a confusing term
21 and understanding everything you've said to her, she responded
22 perfectly, albeit with an accent. I don't think we should
23 strike people who aren't native English speakers.

24 MR. TALKIN: I agree with that but I don't agree
25 with not striking them when they say they don't understand --

1 THE COURT: Without giving a test --

2 MR. TALKIN: -- and they're concerned about it.

3 THE COURT: Without giving her a test, we don't know
4 that she has sufficient skills so we'll have to rely on what
5 she says. So I am going to excuse her.

6 Anybody else?

7 THE CLERK: That's it for this round.

8 THE COURT: Okay.

9 (In open court; sidebar ends.)

10 THE COURT: The next series of questions concerns
11 law enforcement, your relationship with law enforcement.

12 Is there anyone here who works in law enforcement?

13 Anybody here who has a close family member or a
14 close friend who is employed in law enforcement?

15 Yes?

16 THE PROSPECTIVE JUROR: My Godfather is a cop, a
17 police officer.

18 THE COURT: Do you discuss his work with him?

19 THE PROSPECTIVE JUROR: I don't really discuss a lot
20 with him about it.

21 THE COURT: So would the testimony of a law
22 enforcement officer and someone who is not a law enforcement
23 officer about the same fact, could you listen to the testimony
24 and decide which you find more credible?

25 THE PROSPECTIVE JUROR: Yes.

1 THE COURT: Or do you think you would be biased
2 towards one or the other?

3 THE PROSPECTIVE JUROR: I think I could still, I
4 could still discern the truth.

5 THE COURT: Okay. Anyone else, a close friend or
6 family member?

7 THE PROSPECTIVE JUROR: My stepfather.

8 THE COURT: Okay. Could you come up to sidebar
9 please.

10 (The following occurred at sidebar; prospective
11 juror joins.)

12 THE COURT: Hi.

13 THE PROSPECTIVE JUROR: My stepfather is an officer.
14 He's a cop in Freeport.

15 THE COURT: I think the court reporter -- you need
16 to look at the court reporter so she can hear.

17 THE PROSPECTIVE JUROR: My stepfather is a cop in
18 Freeport.

19 THE COURT: Okay. How long has he done that?

20 THE PROSPECTIVE JUROR: He's been there for like
21 30 years or something, yes.

22 THE COURT: Do you talk about his work with him?

23 THE PROSPECTIVE JUROR: Sometimes he does.

24 THE COURT: And it's possible that there will be
25 testimony in this case from law enforcement officers and

1 civilians, essentially, about the same issues and they may
2 disagree. Do you think you could listen with an open mind or
3 do you think you would necessarily favor law enforcement or
4 non, or disfavor law enforcement?

5 THE PROSPECTIVE JUROR: I'm not really sure. It's
6 possible. I don't want to say, like, yes or no.

7 THE COURT: Well, right now, do you think that you
8 might have a bias?

9 THE PROSPECTIVE JUROR: I could, yes. I guess, yes.

10 THE COURT: So, for example, if it were just really
11 simple testimony about whether the light at an intersection
12 was green or red and there was going to be a law enforcement
13 witness or non-law enforcement witness and one said green and
14 the other said red, do you think you would be able to examine
15 their positions critically and try to see who had the best
16 opportunity to see the light, where they were standing from,
17 et cetera, et cetera, or do you think you would start off
18 favoring law enforcement, for example, or disfavoring law
19 enforcement?

20 THE PROSPECTIVE JUROR: I'm not sure. I'm not sure
21 exactly what you mean, like, if it was testimony, like, I
22 didn't see the light myself. If --

23 THE COURT: You didn't see it. You were seated on
24 the jury. And you heard -- you heard a police officer testify
25 about an event, you know, whether a light was red or green or

1 whether it was raining outside or who they identified, and
2 there was someone who was not a law enforcement officer who
3 was testifying about the same thing but disagreed, they each
4 had a different perception of what happened.

5 THE PROSPECTIVE JUROR: Probably, yes, I would
6 probably be a little biased towards one party over the other.

7 THE COURT: Which one would it be?

8 THE PROSPECTIVE JUROR: I'd probably -- the law
9 enforcement officer.

10 THE COURT: So it would take more evidence to
11 convince you that the law enforcement officer was wrong --

12 THE PROSPECTIVE JUROR: Yes. Yes.

13 THE COURT: -- than it would for a civilian?

14 THE PROSPECTIVE JUROR: Right.

15 THE COURT: Any questions?

16 MR. EDWARDS-BALFOUR: No questions.

17 MR. TALKIN: No questions.

18 THE PROSPECTIVE JUROR: I'm good?

19 THE COURT: Thank you very much.

20 (Continued on next page.)
21
22
23
24
25

1 (Sidebar conference.)

2 (The following occurred at sidebar.)

3 (Continuing.)

4 MR. OLLEN: We move for cause, Your Honor.

5 MR. AMIR: No opposition.

6 THE COURT: Granted.

7 We'll hold off a little bit longer.

8 (End of sidebar conference.)

9 (In open court.)

10 THE COURT: When I speak of law enforcement officers
11 or agencies, that would include, the U.S. Attorney's Office
12 for the Eastern District of New York, the United States
13 Department of Justice, the Federal Bureau of Investigation,
14 the Office of the Inspector General for the Board of
15 Governors -- or the Board of Governors of the Federal Reserve
16 System, the Bureau of Consumer Financial Protection with the
17 United States Small Business Administration or FDIC, Federal
18 Deposit Insurance Company.

19 Does anybody work for any of those agencies or have
20 any close family members or friends that do?

21 Even if you're not currently employed by any of
22 those agencies, have you ever been employed by a law
23 enforcement agency?

24 Have you ever had close family members and friends
25 who were employed by a law enforcement agency?

1 THE PROSPECTIVE JUROR: My father was a police
2 officer but he's been deceased for over 22 years.

3 THE COURT: Would that affect your ability to be
4 fail and impartial in this case?

5 THE PROSPECTIVE JUROR: No, that wouldn't affect my
6 ability.

7 THE COURT: Thank you.

8 Have you or any member of your family or a close
9 friend, either as an individual or in the course of business,
10 ever been a party to a legal action or dispute with the
11 United States?

12 Have you ever been sued by the United States, you've
13 ever sued the United States or any of its agencies, its
14 officers, its departments or employees?

15 Is there anyone here who is a lawyer?

16 Anyone who is here a paralegal or law trained in any
17 way?

18 Has anyone here ever had any education or training
19 or applied to work for or actually worked for or volunteered
20 for any area of criminal defense such as a public defenders
21 office, a law office or a private investigation firm?

22 Do you have any close family members or friends who
23 are attorneys or employees of a law firm?

24 Okay. Three of you. I think we can answer from
25 where you are.

Jury Selection

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1 THE PROSPECTIVE JUROR: Yes. I have many friends
2 who are lawyers. No, it will not affect my decision.

3 THE COURT: Do any of them work in criminal defense
4 or are they mostly civil lawyers?

5 THE PROSPECTIVE JUROR: Real -- no criminal that I
6 can think of.

7 THE COURT: Okay.

8 So that was Juror Number 6.

9 Who in the second row? Juror Number 9?

10 THE PROSPECTIVE JUROR: I have a family member who
11 is an intern at a law firm.

12 THE COURT: Currently?

13 THE PROSPECTIVE JUROR: Yes, currently.

14 THE COURT: Do you know what kind of law firm it is?

15 THE PROSPECTIVE JUROR: I'm not sure exactly what
16 they do. I think they cover a bunch of things, though.

17 THE COURT: Do you know the name of the firm?

18 THE PROSPECTIVE JUROR: I know it's in Mineola over
19 near Roosevelt Field Mall. I don't know the name of the firm.

20 THE COURT: Do you ever discuss work with your
21 friend who is the intern?

22 THE PROSPECTIVE JUROR: No, I do not.

23 THE COURT: Would that influence you in any way in
24 this case?

25 THE PROSPECTIVE JUROR: No, it would not.

Jury Selection

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1 THE COURT: Anyone else?

2 Row three? On the side here? Row four, with yes?

3 THE PROSPECTIVE JUROR: I work for a law firm in
4 Manhattan. My best friend's husband that owns his own law
5 firm is now recently deceased, but I'm very close friends with
6 them.

7 THE COURT: And what is the name of the firm?

8 THE PROSPECTIVE JUROR: Carnegate, Adelsbach and
9 Bernstein (phonetic.)

10 THE COURT: Do any of them do criminal law?

11 THE PROSPECTIVE JUROR: My girlfriend's husband did,
12 yes.

13 THE COURT: Okay. Would that affect -- that your
14 girlfriend's husband was a criminal lawyer affect you in any
15 way in this case?

16 THE PROSPECTIVE JUROR: No.

17 THE COURT: Okay. Anyone else?

18 Yes?

19 THE PROSPECTIVE JUROR: I have a good friend. He's
20 in insurance law.

21 THE COURT: Insurance law?

22 THE PROSPECTIVE JUROR: Yes. No criminal.

23 THE COURT: Okay. Would that affect you in any way
24 in this case?

25 THE PROSPECTIVE JUROR: No.

Jury Selection

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1 THE COURT: Have you or any member of your family or
2 close friends ever been involved in a lawsuit of any kind?

3 We'll start with Juror Number 9.

4 THE PROSPECTIVE JUROR: My dad owns some McDonald's
5 restaurants and he's been involved in lawsuits revolving
6 around that.

7 THE COURT: Is there anything about that experience
8 that would make it difficult for you to be fair and impartial
9 in this case?

10 THE PROSPECTIVE JUROR: I don't think so.

11 THE COURT: Okay.

12 THE CLERK: 29.

13 THE PROSPECTIVE JUROR: Yes. My mother was in a
14 vehicular accident. So regarding the injuries and insurance
15 claims.

16 THE COURT: And that was a civil lawsuit?

17 THE PROSPECTIVE JUROR: Yes.

18 THE COURT: Is there anything about that --

19 THE PROSPECTIVE JUROR: No.

20 THE COURT: -- nothing that would affect you in this
21 case?

22 THE PROSPECTIVE JUROR: No.

23 THE COURT: Okay.

24 You will hear about what allegedly happened at
25 poplar bank, bang could poppy lar spin issue and testimony

1 from witnesses that worked at P bank. Do you currently have
2 an account at poplar bank or P B?

3 Have you ever had an account there in the past?

4 Do you have any other experience with Popular Bank
5 or Banco Popular.

6 You may hear testimony from what are called
7 cooperating witnesses in this case, people who have pleaded
8 guilty and have entered into an agreement with the Government
9 to testify.

10 The Government has agreed to bring the witness's
11 cooperation to the attention to the sentencing judge by
12 writing a letter. Based on that letter, the judge might
13 impose a sentence on the cooperating witness that is less than
14 he or she would have otherwise received. The Government is
15 permitted to enter into these kinds of agreements. The jury
16 may take the terms of such agreements into account together
17 with other factors that bear on the issue of credibility in
18 evaluating the witness's credibility.

19 Is there anything -- well, is there anybody here who
20 has any strong opinions by cooperating witnesses?

21 Is there anything about the fact that a witness is
22 cooperating in exchange for leniency that would prevent you
23 from being a fair and impartial juror in this case?

24 Will you be able to follow the Court's
25 instructions -- is there anyone who will not be able to follow

1 the Court's instructions on how to evaluate the credibility of
2 such a witness?

3 I think what this is getting at is anyone who
4 testifies at a trial as a witness can be evaluated by you, the
5 jury, to determine the credibility of their testimony, and the
6 question is whether or not you will be able to fairly and
7 objectively to evaluate the testimony of a cooperating
8 witness, is there is any reason why you will not be able to do
9 that?

10 Is that a fair statement of the Government's
11 concern?

12 MR. AMIR: Yes, Your Honor.

13 THE COURT: Is that a fair statement of the
14 defense's concern?

15 MR. OLLEN: Yes, Your Honor.

16 THE COURT: Okay.

17 Have you or any of your close friends or relatives
18 ever been the victim of a crime or the witness to a crime?

19 Do you want come up to sidebar.

20 (Sidebar conference.)

21 (The following occurred at sidebar.)

22 (Prospective juror joins.)

23 THE COURT: Hi.

24 THE PROSPECTIVE JUROR: I was robbed at gunpoint
25 when I was a late teen. So that's 30 years ago.

1 THE COURT: Okay. But you have not forgotten it?

2 THE PROSPECTIVE JUROR: I have not forgotten it. It
3 was quite frightening.

4 THE COURT: I can imagine.

5 THE PROSPECTIVE JUROR: But they caught the guy and
6 he's in jail, so.

7 THE COURT: Okay. Is there anything about that
8 experience that you would affect you in this case?

9 THE PROSPECTIVE JUROR: I don't think so.

10 THE COURT: Okay.

11 THE PROSPECTIVE JUROR: I think it's a different
12 crime.

13 THE COURT: And different person and different time?

14 THE PROSPECTIVE JUROR: Yes.

15 THE COURT: All right.

16 THE PROSPECTIVE JUROR: I'm a lot older and wiser
17 now.

18 THE COURT: Any questions?

19 MR. POWERS: No questions.

20 MR. AMIR: No.

21 THE COURT: No questions?

22 MR. GREENSPAN: Was there a trial in that hearing?
23 Did you have to testify or anything?

24 THE PROSPECTIVE JUROR: I did not have to testify.
25 I think because I was underage.

1 THE COURT: I think I'm not going to pursue that
2 anything further, but is there anything that -- we've seen you
3 before, right? You've had a chance to think. Is there
4 anything that you have not mentioned to us that would affect
5 your ability to be fair and impartial or you feel pretty
6 comfortable that you can be?

7 THE PROSPECTIVE JUROR: I'm pretty comfortable.

8 THE COURT: Good. Thank you.

9 THE PROSPECTIVE JUROR: Thank you.

10 (Prospective juror leaves.)

11 (End of sidebar conference.)

12 (In open court.)

13 THE COURT: Now, in the beginning of morning, I
14 asked if you ever served on a jury, so this is a follow-up to
15 those questions. Have you ever served on a grand jury in a
16 state or federal court?

17 Okay. Is there anything about that experience that
18 would make it difficult for you to be fair and impartial? I'm
19 speaking to Juror Number 4.

20 THE PROSPECTIVE JUROR: No.

21 THE COURT: And there was another hand.

22 Hi. Anything about that experience that would make
23 it difficult for you to be fair and impartial in this case?

24 THE PROSPECTIVE JUROR: Not really. One case was
25 about -- against a law enforcement person, so -- but --

1302
Sidebar

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1 THE COURT: Do you want to come up -- why don't you
2 come up to sidebar and talk for a second.

3 (Sidebar conference.)

4 (The following occurred at sidebar.)

5 (Prospective juror joins.)

6 THE COURT: Hello again.

7 THE PROSPECTIVE JUROR: Hi.

8 THE COURT: If you can come around this side.

9 THE PROSPECTIVE JUROR: It was a case where an
10 officer actually shot someone in a car, so I'm -- but I don't
11 think it would impact me, but it was -- he was found guilty of
12 being intoxicated and just shooting someone.

13 THE COURT: Do you think the criminal justice system
14 worked the way it should have?

15 THE PROSPECTIVE JUROR: Yes.

16 THE COURT: And --

17 THE PROSPECTIVE JUROR: It did.

18 THE COURT: And do you think the grand jury
19 functioned the way it should have in that case?

20 THE PROSPECTIVE JUROR: Yes.

21 THE COURT: And you were involved with the grand
22 jury, is it?

23 THE PROSPECTIVE JUROR: Grand jury, yes.

24 THE COURT: Do you know what happened with the case?

25 THE PROSPECTIVE JUROR: Yes, he was found guilty.

1 THE COURT: Okay. So you've had experience on a
2 jury to decide credibility of witnesses and whether or not
3 there's sufficient evidence at least to bring an indictment?

4 THE PROSPECTIVE JUROR: Yeah, that's the only time
5 I've ever been on an --

6 THE COURT: Okay.

7 THE PROSPECTIVE JUROR: But there were all law
8 enforcement that were witnesses, so -- anyway, that's it.

9 THE COURT: All right. So do you think you can be
10 fair and impartial in this case?

11 THE PROSPECTIVE JUROR: Yes, I can. Yeah.

12 THE COURT: Any questions?

13 MR. EDWARDS-BALFOUR: No questions.

14 Thank you, again.

15 (Prospective juror leaves.)

16 MR. AMIR: Thank you.

17 THE COURT: Do you want me to go through whether
18 civil juries, if they sat on and reached verdicts? I think we
19 had raised this but we didn't really get to question them
20 individually.

21 MR. OLLEN: I think you had raised it.

22 THE COURT: I don't see the need for it.

23 MR. OLLEN: I guess the only thing I would ask that
24 you follow-up is if they understand the difference between a
25 verdict in a civil case and a criminal case and how it's a

1 different standard, other than that.

2 THE COURT: Right.

3 MR. OLLEN: And they'll be able to follow that.

4 Other than that --

5 THE COURT: I did mention the proof beyond a
6 reasonable doubt and I think I've said it about 20 times but
7 I'm happy to say it again.

8 MR. OLLEN: Just so they understand it's different
9 in a civil case.

10 THE COURT: Absolutely.

11 Anything else you feel strongly about before I get
12 back to see what's going on?

13 MR. OLLEN: No.

14 THE COURT: So basically we've covered everything
15 that needs to be covered at this point.

16 MR. EDWARDS-BALFOUR: So far we have.

17 THE COURT: Except for the individuals --

18 MR. AMIR: Names and places.

19 THE COURT: Names and places and individual
20 questions, that's it.

21 MR. EDWARDS-BALFOUR: Yes.

22 MR. AMIR: Yes, that's right, and I assume once
23 we've kind of narrowed the universe, we will ask questions
24 about like what kind of news they watch?

25 That will be at the end of questions.

1 MR. AMIR: That's what I thought.

2 THE COURT: People don't read newspapers anymore.

3 (End of sidebar conference.)

4 (In open court.)

5 THE COURT: A question and then just a statement.

6 We'll start with the statement. You probably have understood
7 from the beginning of this jury selection that there's a
8 difference in the standard of proof between a civil case and a
9 criminal case.

10 In a criminal case, the Government has to prove each
11 and every charge against a defendant by proof beyond a
12 reasonable doubt. That is not the same standard as in a civil
13 case. So those of you who may have served on civil juries
14 know that in most cases, the standard is proof by
15 preponderance of the evidence, that means just a little bit
16 more likely than not that the proof is true. In very rare
17 cases, proof can be by clear and convincing evidence.

18 This case here is a criminal case and the issue is
19 whether or not the Government has proven charges against the
20 defendant by proof beyond a reasonable doubt. I just want to
21 make sure that that's clear to everyone.

22 And you're in the home stretch. I think this was
23 clear in the questions I asked before, but I want to make sure
24 I didn't miss this:

25 Is there anyone here who has ever been arrested for

1 or convicted of a crime either you or your family member or a
2 close friend? And all answers will, of course, be at sidebar.

3 Okay. Ma'am, I think you're not called yet.

4 THE PROSPECTIVE JUROR: I'm behind so -- is this
5 okay I'm not if the first row --

6 THE COURT: I don't think you're in the group that
7 answers quite yet. Thanks.

8 Okay. Now I am going to read you a list of
9 potential witness in the case. There are, by no means, any
10 guarantee or likelihood that all of them will be witnesses in
11 the case or will testify, but the purpose of reading is to
12 make sure that none of you knows any of the individuals or
13 places that we're talking about.

14 All right. You've already been introduced to those
15 sitting at counsel's table and you've all told me, except for
16 one of you, that you don't know anyone at counsel's table. Is
17 that still correct? Is there anyone who knows someone that
18 you now realize, that you didn't realize before?

19 Okay. I'm just going to read the names again.

20 Anuli Okeke, Sanford Talkin, Esquire,
21 Noam Greenspan, Esquire, Assistant U.S. Attorney
22 Turner Buford, Chand Edwards-Balfour, Adam Amir,
23 Jennifer Bilinkas, Samuel Ronchetti, Michaela Ausbrooks, and
24 Jeff Tomson.

25 Elvin Adames, A-D-A-M-E-S; Jose Anormaliza,

1 A-N-O-R-M-A-L-I-Z-A; Mark Balsam; Hashim Campbell;
2 Anthony Castro; Mary Cvengros, I'm going to spell that,
3 C-V-E-N-G-R-O-S; Tenin Diallo, first name Tenin, T-E-N-I-N,
4 last name Diallo, D-I-A-L-L-O; Stephen Donnelly;
5 Carlos Gorgas; Bernadette Kouame, last name is spelled
6 K-O-U-A-M-E; Brahima Lengane, first name, B-R-A-H-I-M-A,
7 Brahima, last name Lengane, L-E-N-G-A-N-E; Jeff Tomson you've
8 heard; Peter Tsakonas, T-S-A-K-O-N-A-S; Lauren Munoz,
9 Auguste Nipabi, last name spelled N-I-P-A-B-I; Daniel Onove,
10 O-N-O-V-E; Richard Pinero; Guadalupe Ponce; Lenny Sanchez;
11 Israel Viloria; Charleane Wint, W-I-N-T; Assana Zampaligre,
12 Z-A-M-P-A-L-I-G-R-E; Shelly Zielinski, Z-I-L-I-N-S-K-I;
13 Carlos Maldonado; Dareen Cofield; David Thomas;
14 Donnell Gaskins; Jesse Rolan; Kizzilie Davis, K-I-Z-Z-I-L-I-E;
15 Michael De Leon; Naeem Cofield, first name spelled, N-A-E-E-M,
16 last name, C-O-F-I-E-L-D; Ricardo Miranda; Yalitza Soto,
17 Y-A-L-I-T-I-Z-A; Benadette Kouame; Fatoumata Bamba; first name
18 F-A-T-O-U-M-A-T-A, last name Bamba, B-A-M-B-A;
19 Benedite Kouassi, B-E-N-E-D-I-T-E, K-O-U-A-S-S-I;
20 Fatime Lengane; Alicia Vignola, and that's it.

21 Any other names I haven't mentioned?

22 MR. EDWARDS-BALFOUR: Yes, Your Honor. Would you
23 like me to hand up the list or would you like me to read it?

24 THE COURT: Is there more on the list? Oh, I have
25 the recent entities and I have the places. Are there any

1 other --

2 Okay. You can read the names off. You're better at
3 pronouncing them.

4 MR. EDWARDS-BALFOUR: Bakary Diarra, Chas Kerin, and
5 there was one more, Raymond Ruiz.

6 THE COURT: How do you spell the last name?

7 MR. EDWARDS-BALFOUR: R-U-I-Z.

8 THE COURT: Thank you.

9 All right. Now we have relevant entities. So we
10 have Popular Bank, Small Business Administration, R.R.
11 Franklin Avenue, Inc., Rapid Realty NYC, Car Expert Auto
12 Group, AutoNext, Global Auto Sales, Sorayas House of Beauty,
13 Mommy's African Hair Braiding, Ni Global Enterprises, first
14 word is N-I, Hot Spot Clothing, Assana Hair Braiding, Fatim's
15 Hair Braiding and Business Space, Benne Hair Braiding, Laser
16 Cut Barbershop, Hot Spot Clothing, C+C Apartment Management,
17 LLC.

18 Any yes answers?

19 And places, I assume that these places, since
20 they're fairly generic and we're talking about where people
21 live, work, or are familiar with.

22 MR. EDWARDS-BALFOUR: That's correct, Your Honor.

23 THE COURT: So the first one is 125th Street in
24 Manhattan. Anybody work there, live there, spend a lot of
25 time there?

1 Oxford Road, New Rochelle, New York; Boston Road,
2 Bronx, New York; Plymouth Avenue, Bronx, New York; Emmons
3 Avenue, Brooklyn, New York?

4 Any yes answers?

5 Okay. Allison, would you like to read the names of
6 those --

7 THE CLERK: Okay.

8 Juror Number 46, you're excused. Replacing
9 Prospective Juror Number 46 with Juror Number 47,
10 Paul Scheeren. Can you please take seat number 13.

11 Juror Number 26, you're excused. Juror Number 48,
12 Regine Curmon, could you please take seat number 26.

13 Juror Number 42, you are excused. Juror Number 49, Renan
14 Tavera, would you please take seat 27. Thank you. And then
15 Juror Number 22, you're excused. Replacing Prospective Juror
16 Number 22 with Juror Number 50.

17 Great. Thank you.

18 THE COURT: All right. Welcome. Do any of you have
19 any yes answers to my questions?

20 All right. In the first row, anyone? Second row?
21 Third row?

22 Sir? Please.

23 (Sidebar conference.)

24 (The following occurred at sidebar.)

25 (Prospective juror joins.)

1 THE COURT: Mr. Scheeren, tell me what are your yes
2 answers.

3 THE PROSPECTIVE JUROR: I'm not exactly sure the
4 scope of business involvement with the federal government and
5 payments. Is it specific to Covid? I had a farm and I
6 participated substantially with the federal government in
7 credit -- lines of credit that were backed by the government;
8 subsidiary payments for my crops, disaster payments, etcetera.
9 None of it was Covid related, but it was a tangled
10 relationship with the federal government.

11 THE COURT: Okay. So we'll start with the precise
12 question. This case is basically about Covid, right?

13 MR. EDWARDS-BALFOUR: Yes.

14 THE PROSPECTIVE JUROR: No Covid money was involved.

15 THE COURT: Okay. Is there anything about that
16 relationship with the Government that would make it hard for
17 you to be fair and impartial to the Government or someone who
18 is being charged by the Government?

19 THE PROSPECTIVE JUROR: I think I could be fair. I
20 do have, as I said, a ten-year relationship that was rather
21 extensive. Being a farmer, you're in and out of federal
22 government all the time and, so, my experience was all good
23 and I think I could be fair, but I will be coming to it with
24 ten years of experience in that type of thing.

25 THE COURT: Okay. But when you say fair, do you

1 have an open mind as to the facts in this case?

2 THE PROSPECTIVE JUROR: I do.

3 THE COURT: And without hearing any testimony, would
4 you think that you might favor one side or the other?

5 THE PROSPECTIVE JUROR: No, I don't.

6 THE COURT: Okay.

7 Any questions from the Government?

8 MR. EDWARDS-BALFOUR: No questions from the
9 Government.

10 THE COURT: Defense?

11 MR. OLLEN: None from us.

12 THE COURT: Okay.

13 Where was your farm?

14 THE PROSPECTIVE JUROR: Upstate. Just north of
15 Albany. Little town called Schaghticoke.

16 THE COURT: Schaghticoke?

17 THE PROSPECTIVE JUROR: Yes.

18 THE COURT: Okay. Great. We'll be back to you in a
19 little bit with more individual questions unless you would
20 rather all hear those now.

21 MR. OLLEN: No. Nothing.

22 THE COURT: Thanks a lot.

23 (Prospective juror leaves.)

24 (Prospective juror joins.)

25 THE COURT: Hello. How are you? Please come over

1 here.

2 THE PROSPECTIVE JUROR: Sure. A couple of yeses.

3 THE COURT: Okay.

4 THE PROSPECTIVE JUROR: I have travel booked
5 June 19th and also on the 23rd. June 19th is a ferry,
6 June 23rd is travel to Charlotte. All that information is on
7 my phone which is downstairs. I have two retired family
8 members in law enforcement.

9 THE COURT: Okay.

10 THE PROSPECTIVE JUROR: One was assistant deputy
11 warden of Riker's Island. The other one was Manhattan Transit
12 District Four which is involved, right now, in a pending court
13 case. I just don't know anything about it. I think -- oh, my
14 boyfriend of 15 years is the assistant vice president of
15 lending for Suffolk Credit Union on the island. That's pretty
16 much it. I think I got all the questions there. I don't
17 know -- I'm trying to think of anything else.

18 THE COURT: That's pretty good.

19 THE PROSPECTIVE JUROR: I've been here for a long
20 time.

21 THE COURT: I'm going to ask the Government if you
22 have any questions you would like to ask.

23 MR. AMIR: Just on your travel. Can you just
24 elaborate a little more on that?

25 THE PROSPECTIVE JUROR: June 19th I have ferry

1 reservations to go up to New London and up to Rhode Island,
2 and June 23rd I have vacation booked to Charlotte to the 23rd
3 to 26th.

4 THE COURT: On the 19th you said?

5 THE PROSPECTIVE JUROR: Rhode Island ferry
6 reservations out of Orient Point.

7 THE COURT: Is that for work --

8 THE PROSPECTIVE JUROR: I come back on the 21st and
9 then I fly out to -- I fly down to Charlotte on the 23rd.

10 THE COURT: Is this business or --

11 THE PROSPECTIVE JUROR: Pleasure.

12 THE COURT: Any questions?

13 MR. OLLEN: No.

14 THE COURT: Okay. Thank you so much.

15 THE PROSPECTIVE JUROR: Thank you.

16 (Prospective juror leaves.)

17 MR. EDWARDS-BALFOUR: No objection to moving for
18 cause.

19 MR. OLLEN: We agree.

20 THE COURT: Juror stricken.

21 THE CLERK: Juror Number 48.

22 (Prospective juror joins.)

23 THE COURT: Good afternoon.

24 THE PROSPECTIVE JUROR: Good afternoon.

25 THE COURT: Ms. Curmon?

1 THE PROSPECTIVE JUROR: Yes.

2 THE COURT: If you could stand right over there for
3 the court reporter. Great.

4 THE PROSPECTIVE JUROR: I do have a trip planned for
5 this week and I come back Monday. I do have a brother who was
6 just released from federal prison -- was it federal. I'm not
7 sure, and I have a sister that's in the Army that's studying
8 to be a lawyer, and I do have a cousin that works for a law
9 firm.

10 THE COURT: Okay. Let's start with your vacation
11 plans.

12 THE PROSPECTIVE JUROR: Yes.

13 THE COURT: I'm sure that's what you're thinking
14 about. When do you leave?

15 THE PROSPECTIVE JUROR: Thursday morning.

16 THE COURT: How do you travel?

17 THE PROSPECTIVE JUROR: I'm flying out.

18 THE COURT: Where are you going to?

19 THE PROSPECTIVE JUROR: Nother Carolina.

20 THE COURT: When are you coming back?

21 THE PROSPECTIVE JUROR: Monday afternoon.

22 THE COURT: I think we're starting Monday morning so
23 I think it probably won't work for you.

24 THE PROSPECTIVE JUROR: Okay.

25 THE COURT: Do you have flexible reservations?

1 THE PROSPECTIVE JUROR: I don't. I didn't get the
2 insurance.

3 THE COURT: Okay.

4 Any questions from anyone?

5 MR. OLLEN: No questions.

6 MR. EDWARDS-BALFOUR: No questions.

7 THE COURT: Thank you.

8 THE PROSPECTIVE JUROR: Thank you.

9 (Prospective juror leaves.)

10 MR. EDWARDS-BALFOUR: The Government does not object
11 to removing her.

12 MR. OLLEN: Nor do we.

13 THE COURT: Okay.

14 (Prospective juror joins.)

15 THE COURT: Hello.

16 THE PROSPECTIVE JUROR: Hi, Your Honor.

17 THE COURT: How are you?

18 THE PROSPECTIVE JUROR: Good. How are you?

19 THE COURT: Good. What brings you up here?

20 THE PROSPECTIVE JUROR: I don't think I could be
21 fair and impartial for this trial, Your Honor.

22 THE COURT: Why?

23 THE PROSPECTIVE JUROR: I know it's not totally
24 similar situation, but I have a couple coworkers right now,
25 close coworkers that are out on disability and I know deep

1 down inside, I don't have any evidence or anything, I know
2 just the way they talk and joke around that -- and just by
3 observing them physically, that they're lying and that they're
4 doing something fraudulent.

5 THE COURT: So I think what you're saying is you're
6 using your analytical skills, your ability to observe and to
7 look at the evidence and you've made up your mind about your
8 coworkers?

9 THE PROSPECTIVE JUROR: Yes.

10 THE COURT: Could you do the same thing on a jury?

11 THE PROSPECTIVE JUROR: I probably -- with this
12 particular trial, I probably do the same since it's about
13 fraud and I know -- I know that people could easily just do
14 fraud.

15 THE COURT: People also could not do fraudulent
16 things as well. So, I mean, the question really is, would you
17 be able to separate those who do fraudulent transactions from
18 those who didn't or would you just, merely because the
19 Government has accused them of a crime, would that be enough
20 to make you believe that it's more likely than not that they
21 did it?

22 THE PROSPECTIVE JUROR: I keep thinking the fact
23 that the defendant who is in court, that there must be
24 substantial evidence against her and my mind is already
25 leaning towards her being guilty.

1 THE COURT: What kind of work do you do?

2 THE PROSPECTIVE JUROR: I work in a post office.

3 THE COURT: Okay. How long have you worked there?

4 THE PROSPECTIVE JUROR: 16 years.

5 THE COURT: Okay.

6 Any questions?

7 MR. EDWARDS-BALFOUR: No questions from the
8 Government.

9 THE COURT: Any questions?

10 MR. OLLEN: No.

11 THE COURT: Okay. Thank you for --

12 THE PROSPECTIVE JUROR: Thank you, Your Honor.

13 (Prospective juror leaves.)

14 MR. OLLEN: I move for cause.

15 MR. EDWARDS-BALFOUR: No objection from the
16 Government.

17 THE COURT: Yeah. Okay.

18 THE CLERK: Juror Number 7 wants to come up.

19 THE COURT: Okay.

20 (Prospective juror joins.)

21 THE COURT: Hi. How are you doing?

22 THE PROSPECTIVE JUROR: I do not fully understand,
23 like, everything that you're saying, like, because of the
24 language barrier. Like, a lot of the details about the case,
25 like, I do not understand them fully.

1 THE COURT: What's your native language?

2 THE PROSPECTIVE JUROR: Russian.

3 THE COURT: Russian?

4 THE PROSPECTIVE JUROR: Yes.

5 THE COURT: How old are you?

6 THE PROSPECTIVE JUROR: I'm 21.

7 THE COURT: Are you still in school?

8 THE PROSPECTIVE JUROR: Yeah. I'm in college.

9 Like, I can understand the majority of what you're saying, but
10 certain details, I don't, like, I'm -- I'm missing them.

11 THE COURT: Is school out for you -- where do you go
12 to school?

13 THE PROSPECTIVE JUROR: I go to City College.

14 THE COURT: Okay. Is the semester over right now or
15 are you still in school?

16 THE PROSPECTIVE JUROR: I'm taking a summer
17 semester.

18 THE COURT: When does it start?

19 THE PROSPECTIVE JUROR: Today.

20 THE COURT: So you couldn't be on the jury anyway,
21 you would miss school for two weeks.

22 THE PROSPECTIVE JUROR: It's online.

23 THE COURT: Oh, it's online?

24 THE PROSPECTIVE JUROR: Yeah.

25 THE COURT: So what did you not understand?

1 THE PROSPECTIVE JUROR: Like, when you were talking
2 about the case, like, a lot of the words, I did not know the
3 meaning of them.

4 THE COURT: Okay.

5 Does anybody have any questions?

6 MR. EDWARDS-BALFOUR: No questions.

7 MR. OLLEN: No.

8 THE COURT: Okay. You probably are exposed to a lot
9 of pretty diverse words in school too.

10 THE PROSPECTIVE JUROR: Yeah. I'm a psychology
11 major, but, like, when you -- like, it's easier for me to
12 learn, like, in a textbook, but with a spoken language, it's
13 harder for me to -- to understand it.

14 THE COURT: How long have you been in this country?

15 THE PROSPECTIVE JUROR: I've been ten years but I'm
16 like -- all my surroundings is Russian speaking, like, my
17 friends, my family.

18 THE COURT: Well, you sound pretty articulate and
19 pretty fluent and your accent's good.

20 THE PROSPECTIVE JUROR: Thank you.

21 THE COURT: So, anyway, no questions?

22 MR. EDWARDS-BALFOUR: No questions.

23 THE COURT: No questions?

24 MR. OLLEN: No.

25 THE COURT: Okay. Thanks.

1 (Prospective juror leaves.)

2 MR. OLLEN: I'll move for cause. I mean, I
3 understand he's in college and he's a psychology major and it
4 doesn't make a ton of sense, however, he told us that he can
5 dig into the books and figure it out but when he hears it, and
6 that's what's going to be happening here for the most part,
7 and he's not going able to analyze it like he would if we have
8 some legal terms come up.

9 MR. POWERS: No objection from the Government.

10 THE COURT: I agree but I have to say that when you
11 get an accent like that, that's that good and he's that
12 fluent, I think it's unlikely --

13 MR. OLLEN: I understand but we've got to take him
14 at his word.

15 THE COURT: I will.

16 MR. AMIR: I also find it troubling he came up now
17 when it wasn't really called for. So as a matter of listening
18 and following instructions, it's problematic.

19 THE COURT: Okay.

20 (End of sidebar conference.)

21 (In open court.)

22 THE COURT: I think we might as well have everyone
23 come up at this point. So let's replace those jurors.

24 Juror Number 50, you're excused. Replacing
25 Prospective Juror Number 50, Juror Number 51, John Railton.

Jury Selection

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1 Could you please take seat number 22. Should be in one of
2 those front rows.

3 Juror Number 48, you're excused. Replacing
4 Prospective Juror Number 48, Juror Number 52, John Pulice.
5 Could you please take seat number 26. Juror Number 49, you're
6 excused. Replacing Juror Number 49 with Juror Number 43,
7 Ms. Islam. Could you please take seat -- 53. Sorry. Seat
8 27. Sorry about that. Juror Number 7, you are excused.
9 Replacing Prospective Juror Number seven, Juror Number 54,
10 Celia Granda. Can you please take seat number 7.

11 Do any of the recently called jurors have a yes
12 answer to any of my questions?

13 Sir, please come up.

14 (Sidebar conference.)

15 (The following occurred at sidebar.)

16

17 (Continued on the following page.)

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SIDEBAR CONFERENCE

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1 (Continuing.)

2 (The following occurred at sidebar.)

3 (Prospective Juror enters sidebar.)

4 THE COURT: How are you?

5 THE PROSPECTIVE JUROR: Good, good.

6 Earlier you had asked about a criminal trial. I had
7 participated in a criminal trial on jury with a verdict of
8 yes. I didn't know if that was relevant. You asked the
9 question, so I just wanted to remind you I participated there.

10 My wife works for Citibank. She's been there for 39
11 years. You asked about bank relatives.

12 THE COURT: What does she do?

13 THE PROSPECTIVE JUROR: She's in marketing.

14 And there was, I have good friends that are in law
15 enforcement. Active Nassau County PD and then also retired
16 Nassau County, and also retired Amityville Village, and that
17 was my work. I'm sorry.

18 THE COURT: You're doing pretty well.

19 THE PROSPECTIVE JUROR: Oh, not so well.

20 Oh, Grand Jury. I participated in Grand Jury.

21 THE COURT: State Grand Jury?

22 THE PROSPECTIVE JUROR: Nassau County.

23 THE COURT: Is there anything about your experiences
24 on the jury or Grand Jury that would make it hard to be fair
25 and impartial?

JURY SELECTION

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1 THE PROSPECTIVE JUROR: No. Not at all.

2 THE COURT: Can you be fair and impartial
3 in this case?

4 THE PROSPECTIVE JUROR: I can.

5 THE COURT: Okay. Any questions?

6 MR. EDWARDS-BALFOUR: No questions from the
7 Government.

8 THE COURT: Questions?

9 MR. TALKIN: Just the same question about you have a
10 lot of friends that are police or retired police.

11 If at the end of the case, is it going to cause you
12 any hesitancy if you believe that the people haven't met their
13 burden to say not guilty, are you willing to explain it to all
14 your friends?

15 THE PROSPECTIVE JUROR: It's not a problem.

16 MR. TALKIN: Nothing further. Thank you.

17 THE COURT: Thank you.

18 (Prospective Juror exits sidebar.)

19 THE COURT: We're ready for the individual
20 questions, unless I missed something.

21 MR. TALKIN: I think we replaced everybody.

22 THE COURT: I think we have. So we're going good.

23 (End of sidebar conference.)

24 (In open court; Prospective Jurors present.)

25 THE COURT: All right. This is the last series of

1 questions.

2 There will be six or seven questions of just
3 individual questions to give the lawyers an opportunity to get
4 to know a little bit more about you. They have to do with
5 where you live and how long you've lived there, whether you
6 rent what education experience you've had, what kind of work
7 you have, either done or are doing currently, who else lives
8 in your household, where you get your news from, whether
9 you've had any military service, and whether you belong to any
10 organizations. It's essentially, what we ask of everyone.

11 Am I missing anything from the Government's
12 perspective?

13 MR. EDWARDS-BALFOUR: No, Your Honor.

14 THE COURT: The defense?

15 MR. TALKIN: No, Your Honor.

16 THE COURT: So we'll just start in numerical order.

17 Starting with Juror Number 1, where do you live and
18 how long do you live there?

19 THE PROSPECTIVE JUROR: I live in Sayville New York
20 which is in Suffolk County.

21 What else did you want to know?

22 THE COURT: How long have you lived there?

23 THE PROSPECTIVE JUROR: Oh, my whole life, really.

24 My parents bought the house when I was six months old. I
25 moved out for a few years, and when they passed away, I bought

JURY SELECTION

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1 it. So I guess I bought it, I don't know, 18 years ago or
2 something like that.

3 THE COURT: What kind of education or training do
4 you have?

5 THE PROSPECTIVE JUROR: I'm a teacher. So I have a
6 master's degree.

7 THE COURT: And what do you teach?

8 THE PROSPECTIVE JUROR: I teach social studies.

9 THE COURT: For what ages?

10 THE PROSPECTIVE JUROR: Twelfth grade. Right now
11 I'm teaching just 12th grade. I'm an economics teacher.
12 Usually, though, I teach 12th grade economics and 10th grade
13 global history. This year, just economics.

14 THE COURT: How long have you worked there?

15 THE PROSPECTIVE JUROR: This is my 22nd year.

16 THE COURT: And where do you teach?

17 THE PROSPECTIVE JUROR: East Islip High School.

18 THE COURT: Do you supervise anybody in your job,
19 other than the kids?

20 THE PROSPECTIVE JUROR: No, no.

21 THE COURT: And who else lives in your household?

22 THE PROSPECTIVE JUROR: I have a husband -- my
23 husband and my daughter, Holly.

24 THE COURT: And how old is your daughter?

25 THE PROSPECTIVE JUROR: She's 12.

1 THE COURT: What does your husband do?

2 THE PROSPECTIVE JUROR: He owns his own business.
3 He as a seafood distributor.

4 THE COURT: Where do you get your news from?

5 THE PROSPECTIVE JUROR: The internet. You know,
6 different websites.

7 THE COURT: Any ones in particular?

8 THE PROSPECTIVE JUROR: I wouldn't say any ones in
9 particular. But I do, you know, several different websites.

10 THE COURT: You like to look at a variety of
11 different news sources?

12 THE PROSPECTIVE JUROR: Yes. Yeah.

13 THE COURT: Okay. Is there any reason that you
14 could not be fair and impartial in this case?

15 THE PROSPECTIVE JUROR: No.

16 THE COURT: Okay. Thank you.

17 Juror Number 2, where do you live and how long have
18 you lived there?

19 THE PROSPECTIVE JUROR: I live in Flushing, New York
20 I've lived there for 15 years.

21 THE COURT: I forgot to ask Juror Number 1, do you
22 belong to any associations, clubs?

23 THE PROSPECTIVE JUROR: Well, I do have my real
24 estate license. So I guess The Long Island Board of Realtors.

25 THE COURT: Okay. Thank you.

JURY SELECTION

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1 So where do you live and how long have you lived
2 there?

3 THE PROSPECTIVE JUROR: I live in Flushing, New York
4 for 15 years.

5 THE COURT: Do you own or rent?

6 THE PROSPECTIVE JUROR: I own.

7 THE COURT: Do you have any specialized education or
8 training?

9 THE PROSPECTIVE JUROR: I have a bachelor's degree.

10 THE COURT: In anything in particular?

11 THE PROSPECTIVE JUROR: In industrial design.

12 THE COURT: Are you currently working?

13 THE PROSPECTIVE JUROR: Yes. I'm a reinsurance
14 underwriter.

15 THE COURT: How long have you worked there?

16 THE PROSPECTIVE JUROR: Well, I kind of boomeranged.
17 So I worked for the company for seven years prior to leaving
18 to a competitor, and I just went back. So eight months, but
19 also, six years and eight months.

20 THE COURT: And what do you do in your job as I
21 underwriter?

22 THE PROSPECTIVE JUROR: I price commercial liability
23 insurance.

24 THE COURT: Have you been doing that throughout the
25 years you've been employed --

JURY SELECTION

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1 THE PROSPECTIVE JUROR: Yes. I've been in the
2 industry for 20 years.

3 THE COURT: All right. Do you supervise anyone in
4 your current job?

5 THE PROSPECTIVE JUROR: Not officially. I'm a team
6 leader, but not in the sense of a true manager or a
7 supervisor.

8 THE COURT: What do you do as a team leader?

9 THE PROSPECTIVE JUROR: Well, team leaders are sort
10 of more of a referral desk role. So as an underwriter, we
11 have authority to quote business and in the capacity where we
12 share our thoughts and discuss our risk appetites.

13 THE COURT: Who else lives with you in your
14 household, if anyone?

15 THE PROSPECTIVE JUROR: I am married. I live with
16 my husband and my 15 year old son.

17 THE COURT: Is and is your husband employed?

18 THE PROSPECTIVE JUROR: He is self-employed.

19 THE COURT: What does he do?

20 THE PROSPECTIVE JUROR: He's an IT consultant.

21 THE COURT: And is it a son or daughter?

22 THE PROSPECTIVE JUROR: I have a son.

23 THE COURT: And when you were a child, what were the
24 occupations of your family, of your parents?

25 THE PROSPECTIVE JUROR: Prior to immigrating to the

1 State, my father was a civil engineer and my mother was a
2 nurse. Since coming to America, they worked in the garment
3 district.

4 THE COURT: And I should have asked Juror Number 1
5 that same question.

6 THE PROSPECTIVE JUROR: My father was a police
7 officer, and then when he retired from that, he went into
8 construction, and my mother was a homemaker. She was not
9 employed.

10 THE COURT: Thank you. Where do you get your news
11 from?

12 THE PROSPECTIVE JUROR: Mostly Google News.

13 THE COURT: Do you ever read any newspapers or watch
14 any T.V. program?

15 THE PROSPECTIVE JUROR: T.V. would be CNN.
16 Newspaper would be the Times.

17 THE COURT: Do you have any hobbies or how do you
18 like to spend your leisure time?

19 THE PROSPECTIVE JUROR: I like to walk a lot and I
20 like to travel.

21 THE COURT: Okay. Same question for Juror Number 1.

22 THE PROSPECTIVE JUROR: I was just thinking of that.
23 My leisure time is with a 12 year old, she's in travel sports,
24 so five nights a week, she's going somewhere with sports. So
25 that and then the summertime, it's the beach.

JURY SELECTION

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1 THE COURT: Okay. Thanks. Juror Number 2, do you
2 belong to any clubs or organizations?

3 THE PROSPECTIVE JUROR: I do not.

4 THE COURT: Okay. Is there any reason that you
5 could not be fair and impartial in this case?

6 THE PROSPECTIVE JUROR: No.

7 THE COURT: Thank you. Juror Number 3, where do you
8 live in how long have you lived there?

9 THE PROSPECTIVE JUROR: I live in Park Slopes. I
10 have been there for 15 years.

11 THE COURT: Do you own or rent?

12 THE PROSPECTIVE JUROR: We rent.

13 THE COURT: Do you have any specialized training or
14 training?

15 THE PROSPECTIVE JUROR: Yeah, I have a bachelor's in
16 civil engineering from the Polytechnical Institute of Mexico,
17 and then a bachelor's in electrical engineering from the
18 University of California San Diego.

19 THE COURT: When did you get that degree?

20 THE PROSPECTIVE JUROR: 2007.

21 THE COURT: Are you currently employed?

22 THE PROSPECTIVE JUROR: Yes, sir.

23 THE COURT: Where do you work?

24 THE PROSPECTIVE JUROR: I work for Con Edison.

25 THE COURT: How long have you worked there?

1 THE PROSPECTIVE JUROR: About nine years.

2 THE COURT: What do you do there?

3 THE PROSPECTIVE JUROR: I work in the -- we have so
4 many departments, but the one that I work in is distribution
5 engineering.

6 THE COURT: Who do you do in your job?

7 THE PROSPECTIVE JUROR: It's kind of vague. We --
8 my title is just engineer. But I support the substations in
9 all the New York City region, including Westchester. Then
10 making sure all those stations, they're in, like, working
11 order and that's in general what I perform, what I do.

12 THE COURT: Does anyone else live with you in your
13 household?

14 THE PROSPECTIVE JUROR: Just me and my wife.

15 THE COURT: Is she employed?

16 THE PROSPECTIVE JUROR: Yes.

17 THE COURT: What does she do?

18 THE PROSPECTIVE JUROR: She's a research analyst.

19 THE COURT: Self-employed or for a company?

20 THE PROSPECTIVE JUROR: No, she works for -- I
21 believe the name of the company is SEU 1199.

22 THE COURT: Okay. And what does she do as a
23 research analyst?

24 THE PROSPECTIVE JUROR: She works for, like,
25 collecting -- they support many of their students. They're

1 trying to get their credentials to be nurses or doctors, like
2 anything in the medical field, and they create programs to
3 help those student, like, get the credentials. And she
4 collects like a database, she does, like, a cell base and
5 stuff like that.

6 THE COURT: Do you have any children adults?

7 THE PROSPECTIVE JUROR: We have no childrens.

8 THE COURT: What were the occupations of your
9 parents?

10 THE PROSPECTIVE JUROR: My father, he was a
11 mechanical engineer, and my mom, she was a housewife.

12 THE COURT: Where do you get your news from?

13 THE PROSPECTIVE JUROR: Different things, like,
14 sometimes from a T.V., like, CBS, CNN. Like, any of the news.
15 And also from the New York Times or sometimes even from, like,
16 a podcast.

17 THE COURT: Do you belong to any organizations or
18 associations?

19 THE PROSPECTIVE JUROR: No.

20 THE COURT: Who do you like to do in your spare
21 time?

22 THE PROSPECTIVE JUROR: I am a long-distance runner.

23 THE COURT: How long distance?

24 THE PROSPECTIVE JUROR: Like marathons.

25 THE COURT: Wow. Okay. How many have you done?

JURY SELECTION

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1 THE PROSPECTIVE JUROR: Probably close to 20, 18,
2 19.

3 THE COURT: Did you ever win?

4 THE PROSPECTIVE JUROR: Never win. I just finish.
5 You happy to finish.

6 THE COURT: Can you be fair and impartial
7 in this case?

8 THE PROSPECTIVE JUROR: I think so.

9 THE COURT: Thank you.

10 Juror Number 4, where do you live? How long have
11 you lived there?

12 THE PROSPECTIVE JUROR: I live in Queens,
13 Queens, New York. I've lived there my while life, so for 29
14 years.

15 THE COURT: Do you own or rent?

16 THE PROSPECTIVE JUROR: I live with my mom, so
17 neither.

18 THE COURT: Do you have any specialized training or
19 education?

20 THE PROSPECTIVE JUROR: I have a bachelor's degree.

21 THE COURT: Are you currently employed?

22 THE PROSPECTIVE JUROR: Yes.

23 THE COURT: What kind of work do you do?

24 THE PROSPECTIVE JUROR: I work in digital
25 advertising.

JURY SELECTION

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1 THE COURT: How long have you been done that?

2 THE PROSPECTIVE JUROR: About eight years now.

3 THE COURT: And do you work at a company or on your
4 own?

5 THE PROSPECTIVE JUROR: I work at a company.

6 THE COURT: What company do you work for?

7 THE PROSPECTIVE JUROR: It's a media agency called
8 Essence Media Co.

9 THE COURT: And what do you do in your job?

10 THE PROSPECTIVE JUROR: I work with clients to help
11 make their digital marketing campaigns more successful, track
12 their business.

13 THE COURT: Do you supervise anyone in your job?

14 THE PROSPECTIVE JUROR: Not officially. I'm a
15 project lead on certain projects where I delegate to other
16 people, but I don't officially manage them.

17 THE COURT: Is your mother employed?

18 THE PROSPECTIVE JUROR: Yes.

19 THE COURT: What kind of work does she do?

20 THE PROSPECTIVE JUROR: She's which home health
21 aide.

22 THE COURT: Where do you get your news from?

23 THE PROSPECTIVE JUROR: Mostly the internet.

24 THE COURT: Any particular sources?

25 THE PROSPECTIVE JUROR: It's really a variety. New

1 York Times, Washington Post. It's really mixed. Also, social
2 media, as well.

3 THE COURT: Do you belong to any organizations?

4 THE PROSPECTIVE JUROR: No.

5 THE COURT: Do you have any hobbies or specialized
6 ways you like to spend your leisure time?

7 THE PROSPECTIVE JUROR: Mostly just spending time
8 with my family and cooking. That's it.

9 THE COURT: Okay. Can you be fair and impartial in
10 this case?

11 THE PROSPECTIVE JUROR: Can I answer that one
12 privately, actually?

13 THE COURT: Yes. Come on up.

14 (The following occurred at sidebar.)

15 THE PROSPECTIVE JUROR: So I don't know if I have a
16 yes-or-no answer to that question. I do want to disclose that
17 I have a lot of friends and close family who are small
18 business owners, and I don't know if that's going to impact at
19 all. But I just wanted to say that.

20 THE COURT: How do you think it might impact?

21 THE PROSPECTIVE JUROR: It just seemed like based on
22 some of the questions, there were a lot of small businesses
23 that were coming up and questions about, I don't know, how
24 people operate their small businesses.

25 THE COURT: So are you saying that you might have

1 some knowledge that you acquired outside of the courtroom that
2 you might refer to in that time?

3 THE PROSPECTIVE JUROR: Very little. My family will
4 have conversations about things like this while I'm around,
5 not necessarily anything that I know at the top of my mind.
6 But I heard PPC has come up or PPP has come up in the past.
7 Not that I know yes or no that they've applied or they have
8 knowledge about it, but it is a topic of conversation that's
9 around me.

10 THE COURT: What kinds of issues might this raise?

11 MR. TALKIN: I don't see any.

12 THE COURT: So basically, if you were on the jury,
13 you'd be sitting in those seats back there, and you'd be
14 hearing testimony, and you might be hearing testimony from
15 people who were witnesses for the Government, witnesses for
16 the defense, and they might be talking about similar things.
17 But they might disagree. And the question is, is there anyone
18 that you could think of, any type of witness, small business
19 owner, not small business owner, government official, whose
20 testimony you would automatically give greater weight to than
21 anyone else's, or would you be able to sit, listen to the
22 testimony in the courtroom, and decide what weight to give it,
23 based on the evidence that you hear?

24 THE PROSPECTIVE JUROR: I don't think I would give
25 weight to one versus the other based off of any knowledge.

JURY SELECTION

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1 THE COURT: So do you feel that you have a pretty
2 open mind?

3 THE PROSPECTIVE JUROR: I think so.

4 THE COURT: Okay. Any questions?

5 MR. TALKIN: No.

6 MR. EDWARDS-BALFOUR: No questions.

7 THE COURT: Okay. Thank you.

8 (End of sidebar conference.)

9 (In open court; Prospective Jurors present.)

10 THE COURT: Juror Number 5. There you are.

11 Where do you live? How long have you lived there?

12 THE PROSPECTIVE JUROR: I live in Richmond, Queens.

13 I live there for almost 25 years.

14 THE COURT: Do you own other rent?

15 THE PROSPECTIVE JUROR: I rent.

16 THE COURT: Does anyone else live with you in your
17 household?

18 THE PROSPECTIVE JUROR: My wife and my two kids.

19 THE COURT: How old are your kids?

20 THE PROSPECTIVE JUROR: My youngest one is 22 and
21 my -- the other one is 30.

22 THE COURT: Do you have any specialized training or
23 education?

24 THE PROSPECTIVE JUROR: Not really. No.

25 THE COURT: What's the last level of schooling that

1 you finished?

2 THE PROSPECTIVE JUROR: I did 11th grade.

3 THE COURT: Okay. What kind of work do you do?

4 THE PROSPECTIVE JUROR: I just get early retirement.
5 I used to work at the school as the maintenance.

6 THE COURT: How long have you worked there?

7 THE PROSPECTIVE JUROR: Nine years.

8 THE COURT: And where is the school located?

9 THE PROSPECTIVE JUROR: In 85th Street in Manhattan.
10 In Lexington.

11 THE COURT: Okay. Does either of your children
12 work?

13 THE PROSPECTIVE JUROR: Yes.

14 THE COURT: What kind of work do they do?

15 THE PROSPECTIVE JUROR: One is bartender and the
16 other one is business, internet business. Sell things and --
17 by the internet.

18 THE COURT: And does your wife work?

19 THE PROSPECTIVE JUROR: Yes.

20 THE COURT: What kind of work does she do.

21 THE PROSPECTIVE JUROR: She do Uber and Lyft.

22 THE COURT: I'm sorry, I didn't hear that.

23 THE PROSPECTIVE JUROR: Uber and Lyft.

24 THE COURT: Oh, Uber and Lyft, okay.

25 Well, that's quite a diverse household you have.

JURY SELECTION

167

1 THE PROSPECTIVE JUROR: Yes. I do part time, also.

2 THE COURT: With the Uber and the Lyft?

3 THE PROSPECTIVE JUROR: Yes.

4 THE COURT: So you have, essentially, two jobs?

5 THE PROSPECTIVE JUROR: Or both, yes.

6 THE COURT: Where do you get your news from?

7 THE PROSPECTIVE JUROR: I can't understand that
8 question you're saying. The news from where?

9 THE COURT: Well, do you read newspapers?

10 THE PROSPECTIVE JUROR: What happened? I can't
11 understand that question.

12 THE COURT: Okay. Do you listen to the news on the
13 radio, watch the news on television?

14 THE PROSPECTIVE JUROR: Oh, the news, the news.

15 THE COURT: Get news from the internet?

16 THE PROSPECTIVE JUROR: Yes. Internet yes.

17 THE COURT: Where do you get your news, which
18 internet site do you like?

19 THE PROSPECTIVE JUROR: Not -- really, I don't
20 understand the question. My English is not -- I understand
21 50/50. I understand probably -- I 10 years ago sit on a case,
22 but this one is too much for me. Probably I understand 50/50.
23 I don't know. I would like to serve because I like to serve
24 my country. You understand? But I don't know it is okay for
25 you and my English is not that good.

SIDEBAR CONFERENCE

168

1 THE COURT: Okay. We'll come back to you.

2 THE PROSPECTIVE JUROR: Okay.

3 THE COURT: Did you have difficulty understanding me
4 when I was explaining the case.

5 THE PROSPECTIVE JUROR: No. Not really.

6 THE COURT: When you're at work, do you speak a lot
7 of English in your work?

8 THE PROSPECTIVE JUROR: Yes, I speak with the
9 teachers and the students.

10 THE COURT: Why don't you just come up to sidebar.

11 THE PROSPECTIVE JUROR: Sure.

12 (The following occurred at sidebar.)

13 THE COURT: Thank you.

14 THE PROSPECTIVE JUROR: Hello. You're welcome.

15 THE COURT: So why do you think you'll have trouble
16 understanding?

17 THE PROSPECTIVE JUROR: Some words, it's difficult
18 for me to understand. But most, I understand. I would like
19 to serve. Now, I'm really early retirement, I would like to
20 serve my country. But that's some difficult things probably
21 it is okay to excuse me.

22 THE COURT: So you think that you miss 50 percent of
23 what people say?

24 THE PROSPECTIVE JUROR: That's about it. That's
25 about it.

JURY SELECTION

169

1 THE COURT: Yeah. Any questions?

2 MR. EDWARDS-BALFOUR: No questions.

3 MR. TALKIN: Nothing.

4 THE COURT: Yeah, I think this could be a
5 complicated case and could be technical and it might be
6 difficult for you to understand.

7 THE PROSPECTIVE JUROR: Yes. Okay.

8 THE COURT: Thank you for telling us.

9 THE PROSPECTIVE JUROR: You're welcome.

10 THE COURT: Good luck to you.

11 (Prospective Juror enters sidebar.)

12 MR. EDWARDS-BALFOUR: Your Honor, do we want to wait
13 until we go through all of them before we excuse him so that
14 more people don't want to jump out.

15 THE COURT: Well, everybody knows his language, so I
16 don't think there will be --

17 MR. AMIR: I just think we're giving a roadmap --

18 THE COURT: I don't think so. We'll see.

19 I can wait though. I'm happy to wait until we go
20 through the whole list.

21 (End of sidebar conference.)

22 (In open court; Prospective Jurors present.)

23 THE COURT: Okay. Juror Number 6, where do you live
24 and how long have you lived there?

25 THE PROSPECTIVE JUROR: Is this on? Yes. I live in

JURY SELECTION

170

1 Brooklyn. I've lived here since 2006.

2 THE COURT: Do you have any specialized training or
3 education?

4 THE PROSPECTIVE JUROR: I have a bachelor of science
5 in communications with a major in marketing, advertising,
6 public relations, and anything fun like that.

7 THE COURT: And do you own or rent your home?

8 THE PROSPECTIVE JUROR: We own.

9 THE COURT: I think you told us this before, but how
10 are you employed?

11 THE PROSPECTIVE JUROR: I am the head of New York
12 America for a British letter goods company.

13 THE COURT: How long have you worked there?

14 THE PROSPECTIVE JUROR: With this company, for
15 almost two years.

16 THE COURT: Do you supervise anyone in your job?

17 THE PROSPECTIVE JUROR: I have seven direct reports
18 and then there's approximately 25 people below them, yes.

19 THE COURT: Who else lives with you in your
20 household?

21 THE PROSPECTIVE JUROR: My husband and my daughter.

22 THE COURT: Is either of them employed?

23 THE PROSPECTIVE JUROR: My husband is employed, yes.

24 THE COURT: What kind of work does he do?

25 THE PROSPECTIVE JUROR: He works in finance using

JURY SELECTION

171

1 insurance products.

2 THE COURT: What kind of work did your parents do?

3 THE PROSPECTIVE JUROR: My father was in finance
4 working for GE and my mother was a homemaker.

5 THE COURT: Where do you get your news from?

6 THE PROSPECTIVE JUROR: A variety of sources.
7 Anything from New York Times to Washington Post to Apple News.

8 THE COURT: Do you belong to any clubs or
9 associations or groups?

10 THE PROSPECTIVE JUROR: I volunteer through New York
11 Cares as regularly as my schedule allows.

12 THE COURT: What do you do for them?

13 THE PROSPECTIVE JUROR: I usually oscillate between
14 a group in Red Hook called Food First Pantry and/or on the
15 weekends, I volunteer with the Red Hook conservancy which is
16 another group, and if my time does permit, I also do
17 participate with the Fort Greene Park and do work with them on
18 the weekends.

19 THE COURT: Do you have any leisure time?

20 THE PROSPECTIVE JUROR: No.

21 THE COURT: If you did have leisure time, how would
22 you use it?

23 THE PROSPECTIVE JUROR: Reading my book which I got
24 to do today. Thank you.

25 THE COURT: Is there any reason that you might not

JURY SELECTION

172

1 be fair and impartial in this case?

2 THE PROSPECTIVE JUROR: No.

3 THE COURT: Okay. Juror Number 7.

4 THE PROSPECTIVE JUROR: Hi. What's the first
5 question? I'm sorry.

6 THE COURT: Where do you live and how long have you
7 lived there?

8 THE PROSPECTIVE JUROR: I live in West Islip, but
9 I've lived there my whole life.

10 THE COURT: Do you rent or own?

11 THE PROSPECTIVE JUROR: We own.

12 THE COURT: How long have you lived in that
13 particular home?

14 THE PROSPECTIVE JUROR: This one, three years.

15 THE COURT: Does anyone else live with you in your
16 household?

17 THE PROSPECTIVE JUROR: Yes. My husband and I have
18 two children.

19 THE COURT: Is your husband employed?

20 THE PROSPECTIVE JUROR: Yes.

21 THE COURT: What kind of work does he do?

22 THE PROSPECTIVE JUROR: He's an account manager for
23 an IT company.

24 THE COURT: And how long has he done that?

25 THE PROSPECTIVE JUROR: Oh, God, 15 years, 12 years

JURY SELECTION

173

1 somewhere around there.

2 THE COURT: And did either your parents work?

3 THE PROSPECTIVE JUROR: Yes.

4 THE COURT: What kind of work did he do?

5 THE PROSPECTIVE JUROR: My dad worked on engines and
6 airplanes for an aviation company, and my mom worked in
7 customer service and she now is an assistant for a school.

8 THE COURT: And are you employed?

9 THE PROSPECTIVE JUROR: Yes.

10 THE COURT: What kind of work do you do?

11 THE PROSPECTIVE JUROR: I'm a property insurance
12 adjustor.

13 THE COURT: How long have you done that?

14 THE PROSPECTIVE JUROR: About nine years.

15 THE COURT: Do you work for yourself or for a
16 company?

17 THE PROSPECTIVE JUROR: For a company.

18 THE COURT: And do you have a title?

19 THE PROSPECTIVE JUROR: Yes. We're considered --
20 well, my position is an outside property adjustor.

21 THE COURT: And what do you do in your job?

22 THE PROSPECTIVE JUROR: I would go to somebody's
23 house and I would evaluate the damages that they have, I would
24 create an estimate after I've seen if they have coverage, and
25 then I would settle with the insured based off of my estimate.

JURY SELECTION

174

1 THE COURT: Did you have any involvement with COVID
2 funds or anything similar --

3 THE PROSPECTIVE JUROR: Not really.

4 THE COURT: -- during the pandemic.

5 THE PROSPECTIVE JUROR: Not really. The only
6 difference was I had to stay home and work from home to
7 evaluate these people's damages, because we couldn't really go
8 to their house.

9 THE COURT: All right. I take it you weren't
10 involved with loans or with any PPP money or any of those
11 issues?

12 THE PROSPECTIVE JUROR: No, no.

13 THE COURT: Do you supervise anyone in your job?

14 THE PROSPECTIVE JUROR: No.

15 THE COURT: Where do you get your news from?

16 THE PROSPECTIVE JUROR: Anywhere, really. Mostly
17 the T.V. So like CNN, MSNBC.

18 THE COURT: Do you have any hobbies?

19 THE PROSPECTIVE JUROR: My kids are in a lot of
20 sports, so I either have to transport them some place or I'll
21 be on my bike at home.

22 THE COURT: Is that what you do in your leisure
23 time?

24 THE PROSPECTIVE JUROR: Yes.

25 THE COURT: Is there any reason that you would not

JURY SELECTION

175

1 be fair and impartial in this case?

2 THE PROSPECTIVE JUROR: No.

3 THE COURT: Thank you.

4 Juror Number 8.

5 THE PROSPECTIVE JUROR: Hi.

6 THE COURT: So where do you live and how long have
7 you lived there?

8 THE PROSPECTIVE JUROR: I live in Whitestone,
9 Queens, and I've lived there basically my whole life, apart
10 from three years when I was younger.

11 THE COURT: Okay. And do you own or rent?

12 THE PROSPECTIVE JUROR: I live in my parents
13 apartment.

14 THE COURT: And do you have any specialized training
15 or education?

16 THE PROSPECTIVE JUROR: I'm in undergrad right now.

17 THE COURT: Is your semester over?

18 THE PROSPECTIVE JUROR: Yes.

19 THE COURT: Will you be going to school during the
20 summer?

21 THE PROSPECTIVE JUROR: No.

22 THE COURT: Do you have a major?

23 THE PROSPECTIVE JUROR: Yes. It's peace and justice
24 studies.

25 THE COURT: Where do you go to school.

JURY SELECTION

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1 THE PROSPECTIVE JUROR: Pace University.

2 THE COURT: What year are you?

3 THE PROSPECTIVE JUROR: I'm going into my last year,
4 fourth year.

5 THE COURT: And do you have any plans of what you'll
6 be doing after you graduate?

7 THE PROSPECTIVE JUROR: No.

8 THE COURT: Do your parents work?

9 THE PROSPECTIVE JUROR: Yes.

10 THE COURT: What kind of work do they do?

11 THE PROSPECTIVE JUROR: My mommy is a flight
12 attendant, and my dad does hospitality consulting.

13 THE COURT: How do you get your news?

14 THE PROSPECTIVE JUROR: Mainly the internet.
15 Sometimes social media. Specifically, like, Al Jazeera, Fox,
16 yeah.

17 THE COURT: Okay. Do you have any hobbies or things
18 that you like to do during your leisure time?

19 THE PROSPECTIVE JUROR: Mainly just, like, hanging
20 out with friends, sometimes activism. Yeah.

21 THE COURT: What kind of activism?

22 THE PROSPECTIVE JUROR: It's pretty broad. Being a
23 peace and justice studies major, it kind of ranges. Like,
24 racial justice, climate justice.

25 THE COURT: So do you volunteer?

JURY SELECTION

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1 THE PROSPECTIVE JUROR: No, it's kind of sporadic.

2 THE COURT: Oh, all right.

3 THE PROSPECTIVE JUROR: Yeah.

4 THE COURT: Can you be fair and impartial

5 in this case?

6 THE PROSPECTIVE JUROR: Yes.

7 THE COURT: Thank you.

8

9 (Continued on the following page.)

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JURY SELECTION

178

1 THE COURT: Juror No. 9.

2 THE PROSPECTIVE JUROR: I'm from Port Washington,
3 New York. I've lived there for my whole life.

4 THE COURT: Do you own or rent at this time?

5 THE PROSPECTIVE JUROR: I live with my parents
6 there.

7 THE COURT: Are they working?

8 THE PROSPECTIVE JUROR: My dad works. My mom
9 doesn't.

10 THE COURT: What --

11 THE PROSPECTIVE JUROR: My dad owns a bunch of
12 McDonald's restaurants and my mom used to be a teacher but she
13 retired when I was born.

14 THE COURT: And do you have any specialized training
15 or education?

16 THE PROSPECTIVE JUROR: I'm about to be a junior in
17 college.

18 THE COURT: Okay. Do you have a major?

19 THE PROSPECTIVE JUROR: Finance major.

20 THE COURT: Are you currently employed?

21 THE PROSPECTIVE JUROR: I am. I work as a waiter.

22 THE COURT: How long have you done that?

23 THE PROSPECTIVE JUROR: I've done it -- I did it the
24 end of my senior year of high school, the whole year, and then
25 every summer since then.

1 THE COURT: What kind of restaurant do you work in?

2 THE PROSPECTIVE JUROR: It's an Irish pub.

3 THE COURT: Where to you get your news from?

4 THE PROSPECTIVE JUROR: Generally, TV or social
5 media, usually Fox.

6 THE COURT: Do you have any hobbies or special ways
7 you like to spend your leisure time?

8 THE PROSPECTIVE JUROR: Just go out with my friends,
9 play football or basketball, something like that.

10 THE COURT: Can you be fair and impartial in this
11 case?

12 THE PROSPECTIVE JUROR: I think so.

13 THE COURT: Great. Thank you.

14 Juror No. 10.

15 THE PROSPECTIVE JUROR: Hi. How are you?

16 THE COURT: Good. How are you doing?

17 THE PROSPECTIVE JUROR: Good.

18 THE COURT: So where do you live and how long have
19 you lived there?

20 THE PROSPECTIVE JUROR: I live in Staten Island
21 New York, and I've lived there my whole life.

22 THE COURT: Do you own or rent?

23 THE PROSPECTIVE JUROR: I live in my parents' house
24 and they own the house.

25 THE COURT: Does anybody else live in the household

JURY SELECTION

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1 at this time?

2 THE PROSPECTIVE JUROR: Yes, my grandmother.

3 THE COURT: Is she employed?

4 THE PROSPECTIVE JUROR: No.

5 THE COURT: Are you employed at this time?

6 THE PROSPECTIVE JUROR: Yes.

7 THE COURT: Do you have any specialized training or
8 education?

9 THE PROSPECTIVE JUROR: No.

10 THE COURT: What's the last level of schooling that
11 you finished?

12 THE PROSPECTIVE JUROR: High school. I have some
13 college credits but high school is what I finished.

14 THE COURT: So are you employed now?

15 THE PROSPECTIVE JUROR: Yes.

16 THE COURT: Where do you work?

17 THE PROSPECTIVE JUROR: I'm a para professional in a
18 middle school.

19 THE COURT: How long have you done that?

20 THE PROSPECTIVE JUROR: Five years.

21 THE COURT: What do you do in your job?

22 THE PROSPECTIVE JUROR: I work with children with
23 disabilities, special needs and things like that, and I help
24 them in school.

25 THE COURT: Do you have any special training in

JURY SELECTION

181

1 developmental disabilities?

2 THE PROSPECTIVE JUROR: No.

3 THE COURT: On-the-job training?

4 THE PROSPECTIVE JUROR: Yes, yes, we do on-the-job
5 training, no, like, certificates or anything like that really
6 though.

7 THE COURT: Right.

8 THE PROSPECTIVE JUROR: Yes.

9 THE COURT: Where do you get your news from?

10 THE PROSPECTIVE JUROR: Fox News, New York Post.

11 THE COURT: And do you have any hobbies or ways that
12 you like to spend your leisure time?

13 THE PROSPECTIVE JUROR: Yes, I go to upstate
14 New York a lot. I do fishing, boating, hiking, things like
15 that.

16 THE COURT: Do you belong to any clubs or
17 associations?

18 THE PROSPECTIVE JUROR: No, not that I can think of.

19 THE COURT: Where do you go when you go upstate?

20 THE PROSPECTIVE JUROR: White Lake, New York. It's
21 in Sullivan County.

22 THE COURT: Can you be fair and impartial in this
23 case?

24 THE PROSPECTIVE JUROR: I believe so.

25 THE COURT: Thank you.

JURY SELECTION

182

1 THE PROSPECTIVE JUROR: Hi.

2 THE COURT: Hi.

3 THE PROSPECTIVE JUROR: Brooklyn, New York, born and
4 raised. The same house.

5 THE COURT: Do you own or rent?

6 THE PROSPECTIVE JUROR: Own.

7 THE COURT: Does anyone else live with you in your
8 household?

9 THE PROSPECTIVE JUROR: My elderly mother.

10 THE COURT: Is she employed?

11 THE PROSPECTIVE JUROR: No.

12 THE COURT: Do you have any specialized training or
13 education?

14 THE PROSPECTIVE JUROR: Some college.

15 THE COURT: Did you have a major?

16 THE PROSPECTIVE JUROR: Business management.

17 THE COURT: And you're working at this time?

18 THE PROSPECTIVE JUROR: Yes.

19 THE COURT: What kind of work do you do?

20 THE PROSPECTIVE JUROR: Accounts receivable for a
21 clothing manufacturer, Steve Madden.

22 THE COURT: How long have you been there?

23 THE PROSPECTIVE JUROR: Twenty-five years.

24 THE COURT: And how large an organization is that?

25 THE PROSPECTIVE JUROR: It's a public traded

JURY SELECTION

183

1 company.

2 THE COURT: Okay. Do you supervise anyone in the
3 job?

4 THE PROSPECTIVE JUROR: Not really, no.

5 THE COURT: What kind of work did your parents do
6 when they were working?

7 THE PROSPECTIVE JUROR: My father, he's deceased.
8 He used to own property, self-employed. And my mom is, was a
9 housewife.

10 THE COURT: Do you have any hobbies or things you
11 like to do in your leisure time?

12 THE PROSPECTIVE JUROR: Right now, taking care of my
13 mom. She's 90 years old.

14 THE COURT: Ninety?

15 THE PROSPECTIVE JUROR: Yes.

16 THE COURT: Wow. Good luck to her.

17 THE PROSPECTIVE JUROR: Thanks.

18 THE COURT: Can you be fair and impartial in this
19 case?

20 THE PROSPECTIVE JUROR: Yes, I can.

21 THE COURT: Thank you.

22 THE PROSPECTIVE JUROR: Hi.

23 THE COURT: Hi. Juror No. 12?

24 THE PROSPECTIVE JUROR: Yes. I live in Farmingdale,
25 New York.

JURY SELECTION

184

1 THE COURT: How long have you lived there?

2 THE PROSPECTIVE JUROR: A little over a year.

3 THE COURT: Do you own or rent?

4 THE PROSPECTIVE JUROR: Own.

5 THE COURT: Does anyone else live with you in your
6 household?

7 THE PROSPECTIVE JUROR: Just my wife.

8 THE COURT: Is she employed?

9 THE PROSPECTIVE JUROR: Yes.

10 THE COURT: What kind of work does she do?

11 THE PROSPECTIVE JUROR: She's a social worker.

12 THE COURT: What kind of social worker?

13 THE PROSPECTIVE JUROR: She deals with elementary
14 school, any issues with the kids.

15 THE COURT: How long has she worked there?

16 THE PROSPECTIVE JUROR: About two years now.

17 THE COURT: And are you employed?

18 THE PROSPECTIVE JUROR: Yes.

19 THE COURT: What kind of work do you do?

20 THE PROSPECTIVE JUROR: I'm a bookkeeper.

21 THE COURT: And do you have any specialized training
22 or education?

23 THE PROSPECTIVE JUROR: I have a Bachelor's in
24 accounting.

25 THE COURT: And where do you work?

JURY SELECTION

185

1 THE PROSPECTIVE JUROR: It's for an HVAC company.

2 THE COURT: How long have you been there?

3 THE PROSPECTIVE JUROR: For about five years.

4 THE COURT: Do you supervise anyone there?

5 THE PROSPECTIVE JUROR: No.

6 THE COURT: When you were younger, what occupations
7 did your parents have, if any?

8 THE PROSPECTIVE JUROR: My dad was a retail manager
9 and he's been in sales. Right now, he is at Raymour &
10 Flanigan. And my mom is unemployed.

11 THE COURT: Do you have any spare time?

12 THE PROSPECTIVE JUROR: Yes.

13 THE COURT: What do you like to do in your spare
14 time?

15 THE PROSPECTIVE JUROR: I like to play pickleball.

16 THE COURT: Where do you get your news from?

17 THE PROSPECTIVE JUROR: Google, New York Times.

18 THE COURT: Can you be fair and impartial in this
19 case?

20 THE PROSPECTIVE JUROR: Yes.

21 THE COURT: And do you belong to any associations or
22 clubs?

23 THE PROSPECTIVE JUROR: No.

24 THE COURT: Okay. Thank you.

25 Are you good at pickleball, by the way?

CMH

OCR

RMR

CRR

FCRR

JURY SELECTION

186

1 THE PROSPECTIVE JUROR: Yes.

2 THE COURT: I saw an exhibition with John McEnroe,
3 the tennis star. He got creamed, he got killed. Apparently,
4 pickleball is a totally different sport.

5 Hi.

6 THE PROSPECTIVE JUROR: Hi.

7 THE COURT: Where do you live or how long have you
8 lived there?

9 THE PROSPECTIVE JUROR: I've lived in Huntington
10 Station for about ten years.

11 THE COURT: And before that, you lived --

12 THE PROSPECTIVE JUROR: I lived throughout
13 Long Island in a variety of small towns.

14 THE COURT: Okay. Do you own or rent?

15 THE PROSPECTIVE JUROR: I rent.

16 THE COURT: Does anyone else live with you in your
17 household?

18 THE PROSPECTIVE JUROR: No.

19 THE COURT: Do you have any specialized training or
20 education?

21 THE PROSPECTIVE JUROR: I have a Bachelor's in plant
22 breeding and genetics.

23 THE COURT: And you were in farming?

24 THE PROSPECTIVE JUROR: That's correct.

25 THE COURT: Were you actually a plant breeder?

1 THE PROSPECTIVE JUROR: Yes. It was a seed farm,
2 yes.

3 THE COURT: Can you tell us what you did?

4 THE PROSPECTIVE JUROR: Farmers do not keep back a
5 portion of this year's crop to replant. It doesn't work that
6 way anymore. They come to a breeder like me who produces a
7 seed crop for them every year and they plant that to harvest
8 the grain which is a feed, not a seed.

9 THE COURT: And are you doing that still?

10 THE PROSPECTIVE JUROR: No. The farm closed about
11 20 years ago.

12 THE COURT: So are you involved in that field at all
13 or just as a hobby?

14 THE PROSPECTIVE JUROR: Not at all. Once I moved to
15 Long Island, farming was over. The farm was upstate.

16 THE COURT: Okay. And are you employed now?

17 THE PROSPECTIVE JUROR: Yes.

18 THE COURT: What kind of work do you do?

19 THE PROSPECTIVE JUROR: I'm a Maintenance Mechanic 3
20 with Smithtown schools.

21 THE COURT: How long have you done that?

22 THE PROSPECTIVE JUROR: About six years.

23 THE COURT: Do you supervise anyone in your job?

24 THE PROSPECTIVE JUROR: In the morning, I run a
25 small crew that does preventive maintenance district-wide. We

1 take care of all of the air handling equipment in the
2 district.

3 THE COURT: Where do you get your news from?

4 THE PROSPECTIVE JUROR: In the morning when I'm
5 making the coffee, I have News 12 which is a local station in
6 the background. I drive to work very early because we have to
7 get there before the students come in and I listen to the BBC
8 on the drive. It's very interesting to me. And when I'm
9 making dinner when I get home, I usually have C-SPAN on or CNN
10 in the background.

11 THE COURT: Do you read any print?

12 THE PROSPECTIVE JUROR: No.

13 THE COURT: Does anybody -- raise your hand. Does
14 anybody read newspapers anymore?

15 THE PROSPECTIVE JUROR: Sometimes on the weekend.

16 THE COURT: On paper or online. Okay.

17 So what do you like to do in your spare time?

18 THE PROSPECTIVE JUROR: I like to camp in the
19 Catskills.

20 THE COURT: Do you have any -- well, do you have any
21 hobbies in addition to camping?

22 THE PROSPECTIVE JUROR: No. I go for a daily walk
23 but that's about it.

24 THE COURT: Okay. Do you belong to any clubs or
25 associations?

JURY SELECTION

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1 THE PROSPECTIVE JUROR: No.

2 THE COURT: Can you be fair and impartial in this
3 case?

4 THE PROSPECTIVE JUROR: I can.

5 THE COURT: Thank you.

6 Juror No. 14.

7 THE PROSPECTIVE JUROR: Hi.

8 THE COURT: Where do you live and how long have you
9 lived there?

10 THE PROSPECTIVE JUROR: Jackson Heights, Queens,
11 30 years.

12 THE COURT: Do you own or rent?

13 THE PROSPECTIVE JUROR: Own.

14 THE COURT: Does anyone else live with you in the
15 household?

16 THE PROSPECTIVE JUROR: My mom and my sister.

17 THE COURT: Do either of them work?

18 THE PROSPECTIVE JUROR: My sister is an attorney
19 interning in the U.N. My mom is retired but she manages real
20 estate.

21 THE COURT: And do you have any specialized
22 training?

23 THE PROSPECTIVE JUROR: I have a Doctorate degree in
24 educational administration.

25 THE COURT: Are you currently employed?

JURY SELECTION

190

1 THE PROSPECTIVE JUROR: Yes.

2 THE COURT: What do you do?

3 THE PROSPECTIVE JUROR: New York City Department of
4 Education. So our team supports the district with early
5 childhood best practices and through classrooms.

6 THE COURT: Do you go from school to school?

7 THE PROSPECTIVE JUROR: So we have a caseload of 40
8 programs, yes, 40 schools.

9 THE COURT: Wow. Do you supervise anybody in your
10 job?

11 THE PROSPECTIVE JUROR: I supervise three social
12 workers and two instructional coordinators.

13 THE COURT: Where do you get your news from?

14 THE PROSPECTIVE JUROR: Apple News, BBC, Greek news,
15 international. You get different perspectives.

16 THE COURT: Do you have any hobbies or things you
17 like to do in your spare time?

18 THE PROSPECTIVE JUROR: Gardening, volunteering,
19 walking, cooking, any projects.

20 THE COURT: Where do you like to volunteer?

21 THE PROSPECTIVE JUROR: I follow Volunteer Match on
22 New York Cares and whatever projects they have, local soup
23 kitchens, church projects.

24 THE COURT: Wow.

25 Can you be fair and impartial in this case?

JURY SELECTION

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1 THE PROSPECTIVE JUROR: Yes.

2 THE COURT: Thank you very much.

3 Juror Number 15. Good afternoon.

4 THE PROSPECTIVE JUROR: Good afternoon.

5 THE COURT: Sir, where do you live and how long have
6 you lived there?

7 THE PROSPECTIVE JUROR: I live in Rosedale, Queens.
8 I've been there 17 years.

9 THE COURT: Do you own or rent?

10 THE PROSPECTIVE JUROR: Own.

11 THE COURT: Does anyone else live with you in your
12 household?

13 THE PROSPECTIVE JUROR: I live with my wife and her
14 niece.

15 THE COURT: Does your wife work at this time?

16 THE PROSPECTIVE JUROR: Yes, she does. She works
17 with an import company, brokerage company.

18 THE COURT: Real estate?

19 THE PROSPECTIVE JUROR: No, like, goods for
20 importation.

21 THE COURT: Oh.

22 THE PROSPECTIVE JUROR: Like those companies.

23 THE COURT: Do you have any specialized training or
24 education?

25 THE PROSPECTIVE JUROR: No.

JURY SELECTION

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1 THE COURT: What kind of -- what's the last level of
2 school that you finished?

3 THE PROSPECTIVE JUROR: I finished high school. I
4 did some college, college degree, some colleges here but I
5 didn't finish it.

6 THE COURT: Okay.

7 THE PROSPECTIVE JUROR: I dropped out.

8 THE COURT: Are you working now?

9 THE PROSPECTIVE JUROR: Yes, I am working now.

10 THE COURT: What kind of work do you do?

11 THE PROSPECTIVE JUROR: I'm a forklift operator.

12 THE COURT: And where do you work?

13 THE PROSPECTIVE JUROR: The MTA.

14 THE COURT: How long have you done that?

15 THE PROSPECTIVE JUROR: I've been there since 2017,
16 January 2017.

17 THE COURT: Do you supervise anyone in your job?

18 THE PROSPECTIVE JUROR: No, I don't.

19 THE COURT: And you said that your wife's niece also
20 lives in the house?

21 THE PROSPECTIVE JUROR: Yes, she does.

22 THE COURT: Is she employed?

23 THE PROSPECTIVE JUROR: Yes. She's employed.

24 THE COURT: What does she do?

25 THE PROSPECTIVE JUROR: She works at the airport.

1 She deals with the passengers with the wheelchair.

2 THE COURT: Oh, okay. Where do you get your news
3 from?

4 THE PROSPECTIVE JUROR: Mostly anything my wife
5 watches, I watch whatever.

6 THE COURT: What does she watch?

7 THE PROSPECTIVE JUROR: Mostly she watch CNBC,
8 sometimes she watch CNN, Fox News, ABC. It depends on what's
9 going on.

10 THE COURT: A variety?

11 THE PROSPECTIVE JUROR: A variety, yes.

12 THE COURT: What do you like to do in your spare
13 time?

14 THE PROSPECTIVE JUROR: I like to eat, listen to
15 music, traveling.

16 THE COURT: Okay. Do you belong to any clubs or
17 associations?

18 THE PROSPECTIVE JUROR: No, I don't.

19 THE COURT: Can you be fair or impartial in this
20 case?

21 THE PROSPECTIVE JUROR: Yes, I can.

22 THE COURT: Okay. Juror number 16.

23 THE PROSPECTIVE JUROR: Hi. How are you?

24 THE COURT: Good. Thanks. How are you?

25 THE PROSPECTIVE JUROR: Good. I live in Bay Shore,

JURY SELECTION

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1 New York. I've been there, I own, seven years.

2 THE COURT: Do you have any specialized training or
3 education?

4 THE PROSPECTIVE JUROR: No.

5 THE COURT: Are you employed?

6 THE PROSPECTIVE JUROR: I work for Stop & Shop
7 Supermarket.

8 THE COURT: Great. What do you do there?

9 THE PROSPECTIVE JUROR: I'm a grocery manager.

10 THE COURT: How long have you done that?

11 THE PROSPECTIVE JUROR: Twenty-two years.

12 THE COURT: All in the same store or different
13 places?

14 THE PROSPECTIVE JUROR: They transfer me around now
15 and then.

16 THE COURT: How many people would you say you
17 supervise?

18 THE PROSPECTIVE JUROR: The night crew and maybe one
19 or two people during the day.

20 THE COURT: Do you work mostly at night?

21 THE PROSPECTIVE JUROR: I work during the day.

22 THE COURT: Oh, okay.

23 THE PROSPECTIVE JUROR: But I see them in the
24 morning when I come in.

25 THE COURT: Does anyone else live with you in your

JURY SELECTION

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1 household?

2 THE PROSPECTIVE JUROR: My girlfriend.

3 THE COURT: Okay. And what -- does she work?

4 THE PROSPECTIVE JUROR: She's a receptionist at a
5 doctor's office.

6 THE COURT: Okay. Where do you get your news from?

7 THE PROSPECTIVE JUROR: Fox News, CNN, some on the
8 internet.

9 THE COURT: Do you have any hobbies or special ways
10 you like to spend your spare time?

11 THE PROSPECTIVE JUROR: Music, that type of thing.

12 THE COURT: What kind of music?

13 THE PROSPECTIVE JUROR: I listen to a little bit of
14 everything.

15 THE COURT: Can you be fair and impartial in this
16 case?

17 THE PROSPECTIVE JUROR: I think so.

18 THE COURT; okay. Thank you.

19 Good afternoon, ma'am.

20 THE PROSPECTIVE JUROR: Hello. Good afternoon.

21 THE COURT: Where do you live and how long have you
22 lived there?

23 THE PROSPECTIVE JUROR: I live in Brooklyn,
24 25 years.

25 THE COURT: Do you own or rent?

JURY SELECTION

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1 THE PROSPECTIVE JUROR: Own.

2 THE COURT: Does anyone else live with you in your
3 household?

4 THE PROSPECTIVE JUROR: My husband and my daughter.

5 THE COURT: Do they work?

6 THE PROSPECTIVE JUROR: My husband retired. And my
7 daughter works at MTA, bus operator.

8 THE COURT: And what did your husband do before he
9 retired?

10 THE PROSPECTIVE JUROR: In Jersey, he used to work
11 in Jersey for 49 years.

12 THE COURT: And what kind of work did he do?

13 THE PROSPECTIVE JUROR: Chemistry.

14 THE COURT: Are you employed?

15 THE PROSPECTIVE JUROR: Yes, I am.

16 THE COURT: What kind of work do you do?

17 THE PROSPECTIVE JUROR: School bus attendant.

18 THE COURT: How long have you done that?

19 THE PROSPECTIVE JUROR: Five years.

20 THE COURT: And what school district do you work in?

21 THE PROSPECTIVE JUROR: I worked in Queens, Corona.

22 THE COURT: Okay. Where do you get your news from?

23 THE PROSPECTIVE JUROR: ABC, NBC, that's it.

24 THE COURT: What do you like to do in your spare
25 time?

JURY SELECTION

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1 THE PROSPECTIVE JUROR: Sleep and travel.

2 THE COURT: Where do you like to travel to?

3 THE PROSPECTIVE JUROR: Different countries, the
4 islands.

5 THE COURT: Do you have any hobbies that you like?

6 THE PROSPECTIVE JUROR: Dancing.

7 THE COURT: What kind of dancing?

8 THE PROSPECTIVE JUROR: Soba. That's from the
9 Caribbean.

10 THE COURT: Wow. Can you be fair and impartial in
11 this case?

12 THE PROSPECTIVE JUROR: I think so.

13 THE COURT: Okay. Thank you very much.

14 THE PROSPECTIVE JUROR: Hi, Your Honor.

15 THE COURT: Hi. How are you?

16 THE PROSPECTIVE JUROR: I'm doing well.

17 THE COURT: So where do you live and how long have
18 you lived there?

19 THE PROSPECTIVE JUROR: I live in Queens, New York.
20 I've been living there for the entirety of my life since we
21 emigrated in '98 and I've been in my place for seven years.

22 THE COURT: Where did you emigrate from?

23 THE PROSPECTIVE JUROR: South Korea.

24 THE COURT: And do you live with anyone else in your
25 household?

JURY SELECTION

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1 THE PROSPECTIVE JUROR: Yes. I live with my family,
2 mother, father, and an older brother.

3 THE COURT: And do any of them work?

4 THE PROSPECTIVE JUROR: Yes. My father works as a
5 chef and then my older brother is an HVAC engineer.

6 THE COURT: What kind of food does your father cook?

7 THE PROSPECTIVE JUROR: Korean food. Korean
8 barbecue.

9 THE COURT: I think the jury would be lucky to have
10 you.

11 THE PROSPECTIVE JUROR: Honored to be here.

12 THE COURT: Do you have any specialized education or
13 training?

14 THE PROSPECTIVE JUROR: Yes, I have a Bachelor's
15 degree in corporate communications.

16 THE COURT: Are you working now?

17 THE PROSPECTIVE JUROR: Yes.

18 THE COURT: What kind of work do you do?

19 THE PROSPECTIVE JUROR: I'm a senior climate
20 solution associate working in Midtown, working primarily with
21 tech clients to help them with their research in qualitative
22 and quantitative ways.

23 THE COURT: Do you supervise anybody in your work?

24 THE PROSPECTIVE JUROR: Not really, no.

25 THE COURT: You work in a team?

1 THE PROSPECTIVE JUROR: I'm working within a team,
2 yes.

3 THE COURT: Where do you get your news from?

4 THE PROSPECTIVE JUROR: Primarily, social media.
5 TikTok and Instagram. And then I guess on my morning commute,
6 I open my e-mail and I get the morning newsletters from The
7 New York Times and Morning Brew.

8 THE COURT: Do you have any hobbies or special ways
9 you like to spend your leisure time?

10 THE PROSPECTIVE JUROR: I also like dancing. I also
11 enjoy traveling and going to cafes and hanging out with my
12 friends.

13 THE COURT: Do you belong to any clubs or
14 associations?

15 THE PROSPECTIVE JUROR: No, I do not.

16 THE COURT: Can you be fair and impartial in this
17 case?

18 THE PROSPECTIVE JUROR: Yes.

19 THE COURT: Thank you.

20 THE PROSPECTIVE JUROR: Hi.

21 THE COURT: Good afternoon. You're Juror No. 19?

22 THE PROSPECTIVE JUROR: Yes.

23 THE COURT: So where do you live and how long have
24 you lived there?

25 THE PROSPECTIVE JUROR: I living in Brooklyn, New

JURY SELECTION

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1 York for 18 years and I live with my wife and two boy.

2 THE COURT: And is your wife employed?

3 THE PROSPECTIVE JUROR: Yes. She work with me.

4 THE COURT: Okay. You have your own business?

5 THE PROSPECTIVE JUROR: Yes.

6 THE COURT: Tell us about it.

7 THE PROSPECTIVE JUROR: I own a small print shop and
8 I, pretty much I do everything by myself and manage the whole
9 company for eight year already.

10 THE COURT: And do you have any specialized training
11 or education?

12 THE PROSPECTIVE JUROR: No.

13 THE COURT: Do you supervise anyone? I assume or do
14 you do everything yourself?

15 THE PROSPECTIVE JUROR: Yes, myself.

16 THE COURT: So no other employees?

17 THE PROSPECTIVE JUROR: Sometimes I do hire some
18 temporary worker for some special job, I need rush and need it
19 by the fifth day.

20 THE COURT: Do you have any spare time?

21 THE PROSPECTIVE JUROR: Yes.

22 THE COURT: What do you like do in your spare time?

23 THE PROSPECTIVE JUROR: Ride out by the water.

24 THE COURT: And -- go ahead.

25 THE PROSPECTIVE JUROR: Sorry. And if not, in the

1 summertime, I would ride outside and in the wintertime, I do
2 it at the home ride.

3 THE COURT: When you say ride, what do you ride?

4 THE PROSPECTIVE JUROR: The bike. I mean the
5 bicycle.

6 THE COURT: Oh, riding the bicycle. Okay.

7 Do you belong to any clubs or associations?

8 THE PROSPECTIVE JUROR: No.

9 THE COURT: Where do you get your news from?

10 THE PROSPECTIVE JUROR: I'm sorry?

11 THE COURT: Where do you get your news from?

12 THE PROSPECTIVE JUROR: TV most of the time and some
13 of the internet radio.

14 THE COURT: Any particular television stations or
15 internet sites?

16 THE PROSPECTIVE JUROR: ABC and Google Search
17 whatever come up, and YouTube, whatever.

18 THE COURT: Okay. Did you have any involvement with
19 PPP money when you were, during COVID?

20 THE PROSPECTIVE JUROR: Yes.

21 THE COURT: Okay. Did you discuss that fully with
22 us at sidebar?

23 THE PROSPECTIVE JUROR: No.

24 THE COURT: Okay. I'm going to ask you to just come
25 up for a second at sidebar.

1 (The following occurred at sidebar; prospective
2 juror joins.)

3 THE COURT: Yes.

4 THE PROSPECTIVE JUROR: Yes. I mentioned that I'm
5 in a small business and the when the pandemic come up, I do
6 apply for the PPP and the first time that I applied it,
7 everything cool, I just get the money and they forgive for
8 everything for the first time. And the second time, I do
9 apply it, I knew I have some over, I think a couple hundred
10 dollars, but I still applied it and rejected the second apply.

11 THE COURT: Okay. How do you feel about that?

12 THE PROSPECTIVE JUROR: It's okay. At that point,
13 my business went up because of the pandemic, some of the
14 businesses really need help, I help them to print up some of
15 the stuff and I doing good at that time.

16 THE COURT: Now, there may be some discussion of PPP
17 money and loans and whatever. Would you be able to listen to
18 the evidence and --

19 THE PROSPECTIVE JUROR: Yes. Yes.

20 THE COURT: -- try to evaluate it fairly without
21 referring to your own personal experience?

22 THE PROSPECTIVE JUROR: Yes. Sure.

23 THE COURT: Okay. Any questions?

24 MR. EDWARDS-BALFOUR: No questions.

25 MR. TALKIN: No.

1 THE COURT: Okay. Thank you. I appreciate it.

2 THE PROSPECTIVE JUROR: Thank you.

3 (In open court; sidebar ends.)

4 THE COURT: So, once again, can you be fair and
5 impartial in this case?

6 THE PROSPECTIVE JUROR: Yes.

7 THE COURT: Thank you.

8 Juror No. 20.

9 THE PROSPECTIVE JUROR: Hi. I live in Brooklyn,
10 New York for 20 years.

11 THE COURT: Do you own or rent?

12 THE PROSPECTIVE JUROR: I own.

13 THE COURT: Does anyone else live with you in the
14 household?

15 THE PROSPECTIVE JUROR: I live with my husband and
16 two children who are 8 and 11.

17 THE COURT: Is your husband employed?

18 THE PROSPECTIVE JUROR: Yes.

19 THE COURT: What kind of work does he do?

20 THE PROSPECTIVE JUROR: He's a collections manager
21 at a museum.

22 THE COURT: And do you have any specialized training
23 or education? I think we went into this before.

24 THE PROSPECTIVE JUROR: I have a Master's degree in
25 education, special education. I'm a middle school math

1 teacher.

2 THE COURT: Right. And how long have you been doing
3 that?

4 THE PROSPECTIVE JUROR: Nineteen years, give or
5 take.

6 THE COURT: When you were a child, what was the
7 occupations of your parents, if any?

8 THE PROSPECTIVE JUROR: My dad is a therapist and
9 was self-employed and my mom was a professor of education at
10 NYU.

11 THE COURT: Where do you get your news from?

12 THE PROSPECTIVE JUROR: I listen to NPR while I make
13 dinner. I might read the New York Times.

14 THE COURT: Do you have any hobbies that you like to
15 pursue during your leisure time?

16 THE PROSPECTIVE JUROR: If I have time, I like to
17 sleep some extra time. Taking care of my kids, I am also in
18 my sports-mom phase of life.

19 THE COURT: Can you be fair and impartial in this
20 case?

21 THE PROSPECTIVE JUROR: Yes.

22 THE COURT: Do you belong to any clubs or
23 associations?

24 THE PROSPECTIVE JUROR: I'm a UFT union member.

25 THE COURT: Okay. Thank you.

1 Juror 21.

2 THE PROSPECTIVE JUROR: Hello.

3 THE COURT: Where do you live and how long have you
4 lived there?

5 THE PROSPECTIVE JUROR: Staten Island, 37 years.

6 THE COURT: Do you own or rent?

7 THE PROSPECTIVE JUROR: Own.

8 THE COURT: Does anyone else live with you in your
9 household?

10 THE PROSPECTIVE JUROR: Yes, my husband and my son.

11 THE COURT: Are either of them working?

12 THE PROSPECTIVE JUROR: They are both working. My
13 husband is a facility manager for a hospital and my son is a
14 patient assistant at a behavioral health facility.

15 THE COURT: Do you have any specialized training or
16 education?

17 THE PROSPECTIVE JUROR: I don't. High school. I
18 finished high school. That was it.

19 THE COURT: Are you employed?

20 THE PROSPECTIVE JUROR: Yes.

21 THE COURT: What kind of work do you do?

22 THE PROSPECTIVE JUROR: I audit graduation
23 applications in the registrar office for CUNY College of
24 Staten Island.

25 THE COURT: How long have you done that?

1 THE PROSPECTIVE JUROR: I've been in that office for
2 eight years, but I've been with the college since 2006.

3 THE COURT: Do you supervise anybody in your job?

4 THE PROSPECTIVE JUROR: No.

5 THE COURT: Do you belong to any clubs or
6 associations?

7 THE PROSPECTIVE JUROR: I do not.

8 THE COURT: What do you like to do in your spare
9 time?

10 THE PROSPECTIVE JUROR: I love to travel, I like
11 dancing, I look cooking, baking and just napping when I can.

12 THE COURT: Can you be fair and impartial?

13 THE PROSPECTIVE JUROR: I believe so.

14 THE COURT: Thank you.

15 THE PROSPECTIVE JUROR: Thank you.

16 THE PROSPECTIVE JUROR: Hello.

17 THE COURT: Hi. Juror No. 22?

18 THE PROSPECTIVE JUROR: Yes.

19 THE COURT: Where do you live and how long have you
20 lived there?

21 THE PROSPECTIVE JUROR: Currently, in West Babylon.
22 Been there about six years.

23 THE COURT: Do you own or rent?

24 THE PROSPECTIVE JUROR: I rent. My wife, who I'm
25 separated from, she lives in the house that I own.

1 THE COURT: Are you currently employed?

2 THE PROSPECTIVE JUROR: I am.

3 THE COURT: What --

4 THE PROSPECTIVE JUROR: I work for a fin-tech
5 company. I'm an IT and cyber security risk manager.

6 THE COURT: How long have you been there?

7 THE PROSPECTIVE JUROR: Three years.

8 THE COURT: Do you supervise anyone in your job?

9 THE PROSPECTIVE JUROR: I do. I just got two
10 trainees and then a summer intern will be coming in next
11 month.

12 THE COURT: Okay. Do you have any specialized
13 training and education?

14 THE PROSPECTIVE JUROR: Yes. I went to school for
15 business management and computer science. I have an IT
16 software development background.

17 THE COURT: Where do you get your news from?

18 THE PROSPECTIVE JUROR: It varies. Broadcast would
19 be ABC, CBS, CNN. Online, it's MSN, CNN and News 12.

20 THE COURT: Can you be fair and impartial?

21 THE PROSPECTIVE JUROR: I can, yes.

22 THE COURT: And do you belong to any clubs or
23 associations?

24 THE PROSPECTIVE JUROR: No clubs or associations.
25 For fun, it's hockey, golf and boating.

1 THE COURT: Okay. Thank you.

2 THE PROSPECTIVE JUROR: Hello.

3 THE COURT: Hi. You're Juror No. 23?

4 THE PROSPECTIVE JUROR: Well, it changed. I was.
5 I'm 41. But anyway, yes. West Babylon, New York.

6 THE COURT: Do you own or rent?

7 THE PROSPECTIVE JUROR: Own.

8 THE COURT: Does anyone else live with you in your
9 household?

10 THE PROSPECTIVE JUROR: Yes, my wife and my three
11 kids.

12 THE COURT: How long have you lived there?

13 THE PROSPECTIVE JUROR: Thirteen, 14 years.

14 THE COURT: Do you have any specialized education or
15 training?

16 THE PROSPECTIVE JUROR: No, just high school.

17 THE COURT: What kind of work do you do now?

18 THE PROSPECTIVE JUROR: I run a service department
19 for a Mack Truck dealership.

20 THE COURT: How long have you done that?

21 THE PROSPECTIVE JUROR: Nineteen years.

22 THE COURT: Do you supervise anybody in your job?

23 THE PROSPECTIVE JUROR: Not really supervise. I
24 just look over them, like make sure they get the right parts.

25 THE COURT: Where do you get your news from?

1 THE PROSPECTIVE JUROR: To be honest with you, I
2 really don't listen to the news. If it's on, it's Channel 12.
3 That's about it really. I'm a big sports nut. I'd rather
4 watch sports.

5 THE COURT: Do you like sports in your spare time as
6 well?

7 THE PROSPECTIVE JUROR: Yes.

8 THE COURT: What do you --

9 THE PROSPECTIVE JUROR: We like to go to Yankee
10 games.

11 THE COURT: And do you have any hobbies?

12 THE PROSPECTIVE JUROR: Big time bowler.

13 THE COURT: Are you good?

14 THE PROSPECTIVE JUROR: Pretty good. A couple of
15 300s.

16 THE COURT: Do you belong to any clubs or
17 associations?

18 THE PROSPECTIVE JUROR: No.

19 THE COURT: Can you be fair and impartial?

20 THE PROSPECTIVE JUROR: I believe I could.

21 THE COURT: Okay. Thank you.

22 Hi.

23 THE PROSPECTIVE JUROR: Can you see me?

24 THE COURT: I can't see you from the screen. What
25 number are you?

1 THE PROSPECTIVE JUROR: I'm 24.

2 THE COURT: Okay. Can you see me now?

3 THE PROSPECTIVE JUROR: I can.

4 Where do you live and how long have you lived there?

5 THE PROSPECTIVE JUROR: Actually, I live right here
6 in DUMBO only for five years. I previously lived in
7 Westchester for many years.

8 THE COURT: Do you own or rent?

9 THE PROSPECTIVE JUROR: We rent here and we own a
10 house in Phoenix which I spend a few months in the winter.

11 THE COURT: Are you currently employed?

12 THE PROSPECTIVE JUROR: No. I had my own business,
13 online business, but I kind of retired two years ago.

14 THE COURT: What's your business?

15 THE PROSPECTIVE JUROR: Design, wall murals.

16 THE COURT: Are you an artist?

17 THE PROSPECTIVE JUROR: Kind of, yes.

18 THE COURT: Artist and designer?

19 THE PROSPECTIVE JUROR: I was a textile designer,
20 yes.

21 THE COURT: Do you have any specialized training or
22 education?

23 THE PROSPECTIVE JUROR: I have a Bachelor in liberal
24 arts and Associate's degree in textile design.

25 THE COURT: Is your husband working?

1 THE PROSPECTIVE JUROR: Yes.

2 THE COURT: What kind of work does he do?

3 THE PROSPECTIVE JUROR: He's the chief investment
4 officer for United Church of Christ pension boards.

5 THE COURT: How long has he been there?

6 THE PROSPECTIVE JUROR: Twelve years.

7 THE COURT: And does he have any specialized
8 training?

9 THE PROSPECTIVE JUROR: Yes. He also has a Bachelor
10 in business.

11 THE COURT: Finance?

12 THE PROSPECTIVE JUROR: Yes.

13 THE COURT: Does anyone else live with you in your
14 household?

15 THE PROSPECTIVE JUROR: No, my kids are grown.

16 THE COURT: What kind of work do they do?

17 THE PROSPECTIVE JUROR: Two of them are actually in
18 PR and the other one works for an urban landscape design
19 company. And I have a two year old grandson.

20 THE COURT: Where do you get your news from?

21 THE PROSPECTIVE JUROR: Some online but CNN, MSNBC
22 usually.

23 THE COURT: And do you have any other hobbies or
24 things that you like to do in your leisure time?

25 THE PROSPECTIVE JUROR: Walking, reading, traveling

1 when I can.

2 THE COURT: Can you be fair and impartial in this
3 case?

4 THE PROSPECTIVE JUROR: Yes, I believe I can.

5 THE COURT: Thank you very much.

6 Juror Number 25.

7 THE PROSPECTIVE JUROR: Hi.

8 THE COURT: Where do you live and how long have you
9 lived there?

10 THE PROSPECTIVE JUROR: I live in Bushwick in
11 Brooklyn for 20 year.

12 THE COURT: Do you own or rent?

13 THE PROSPECTIVE JUROR: Owner.

14 THE COURT: Do you live with anyone else in your
15 household?

16 THE PROSPECTIVE JUROR: No, I living with my wife.

17 THE COURT: Do you have any special training or
18 education?

19 THE PROSPECTIVE JUROR: I am doctor in medicine. I
20 was with therapy and technician an MA.

21 THE COURT: So what is your specialty?

22 THE PROSPECTIVE JUROR: No, I was MA. I don't have
23 a license in this country.

24 THE COURT: Are you employed?

25 THE PROSPECTIVE JUROR: I retired recently in May.

1 THE COURT: What was your last job?

2 THE PROSPECTIVE JUROR: My last job was MA in
3 Wyckoff Hospital.

4 THE COURT: I couldn't hear that.

5 THE PROSPECTIVE JUROR: Pardon me?

6 THE COURT: I'm sorry. I couldn't hear that last
7 thing you said.

8 THE PROSPECTIVE JUROR: My last job was MA, medical
9 assistant, Wyckoff Hospital.

10 THE COURT: Got it. Do you have any children?

11 THE PROSPECTIVE JUROR: I have three kids with my
12 first wife.

13 THE COURT: Are they working now?

14 THE PROSPECTIVE JUROR: They're working. Yes. I
15 have my daughter is, she's a registered nurse. My sons, both,
16 they are both MA now.

17 THE COURT: And I forget, did you tell me if your
18 wife worked?

19 THE PROSPECTIVE JUROR: My wife?

20 THE COURT: Yes.

21 THE PROSPECTIVE JUROR: She's a home attendant.

22 THE COURT: Okay. Where do you get your news?

23 THE PROSPECTIVE JUROR: Oh, television, Telemundo
24 and CBS.

25 THE COURT: Do you have any hobbies or ways you like

1 to spend your time?

2 THE PROSPECTIVE JUROR: I like music, music.

3 THE COURT: Do you make music or listen to music?

4 THE PROSPECTIVE JUROR: I listen to music. I like
5 it.

6 THE COURT: Can you be fair and impartial in this
7 case?

8 THE PROSPECTIVE JUROR: Yes, I do.

9 THE COURT: And do you belong to any clubs or
10 associations?

11 THE PROSPECTIVE JUROR: No.

12 THE COURT: Okay. Thank you very much.

13 THE PROSPECTIVE JUROR: You're welcome.

14 THE PROSPECTIVE JUROR: Hi, Your Honor.

15 THE COURT: Hi.

16 THE PROSPECTIVE JUROR: Staten Island, New York.
17 Been there 23 years which is my whole life.

18 THE COURT: And do you own or rent?

19 THE PROSPECTIVE JUROR: I live with my parents and
20 they own the house.

21 THE COURT: Are your parents employed?

22 THE PROSPECTIVE JUROR: Yes. My father works for
23 the New York City Housing Authority as a bricklayer and my
24 mother manages a hair salon on Staten Island.

25 THE COURT: Are you employed?

1 THE PROSPECTIVE JUROR: Yes. I'm a high school
2 English teacher at Abraham Lincoln High School in
3 Coney Island.

4 THE COURT: How long have you done that?

5 THE PROSPECTIVE JUROR: The end of this school year
6 is going to be my first full year.

7 THE COURT: Wow. Do you have any specialized
8 training or education?

9 THE PROSPECTIVE JUROR: Yes. Bachelor's degree in
10 adolescent education specialized in English literature, grade
11 7 to 12, and I'm halfway through my Master's degree for
12 adolescent special education.

13 THE COURT: Do you have any hobbies that you like to
14 pursue?

15 THE PROSPECTIVE JUROR: Yes, outside of work, I love
16 sports, hanging out with friends, traveling when I can on my
17 spring breaks, winter breaks, summer breaks. So, yes.

18 THE COURT: Can you be fair and impartial in this
19 case?

20 THE PROSPECTIVE JUROR: Yes.

21 THE COURT: Thank you very much.

22 THE PROSPECTIVE JUROR: Good afternoon, sir.

23 THE COURT: Good afternoon.

24 Where do you live and how long have you lived there?

25 THE PROSPECTIVE JUROR: I live in Queens 26 years in

1 Elmhurst.

2 THE COURT: Do you own or rent?

3 THE PROSPECTIVE JUROR: It's rent.

4 THE COURT: And do you live with anyone else in your
5 household?

6 THE PROSPECTIVE JUROR: Yes, my husband, and I have
7 four daughters.

8 THE COURT: Okay. Are you employed?

9 THE PROSPECTIVE JUROR: Yes, I am.

10 THE COURT: What kind of work do you do?

11 THE PROSPECTIVE JUROR: I'm the assistant teacher in
12 VWA preschool.

13 THE COURT: How long have you been there?

14 THE PROSPECTIVE JUROR: I'm there working ten years.

15 THE COURT: Do you have any specialized training or
16 education?

17 THE PROSPECTIVE JUROR: I have Associate degree.

18 THE COURT: And do you -- tell me what an average
19 day is like for you.

20 THE PROSPECTIVE JUROR: I'm sorry, sir?

21 THE COURT: What is your day like? When do you
22 work? What do you do in your job?

23 THE PROSPECTIVE JUROR: Actually, I'm assistant
24 teacher so I'm helping my lead teacher. Like, usually I work,
25 like, the assistant schedule and lead schedule together, I

1 have to do the bulletin board, I have to do the observation
2 for the kids and do some paperwork, and, like, assistant
3 teaching job and lead teaching job, I do it together.

4 THE COURT: Thank you. Does anyone else in your
5 household work?

6 THE PROSPECTIVE JUROR: Yes. My daughter, she's
7 doing her Master degree and she's a schoolteacher too. My
8 second daughter, she finished her Bachelor degree and she's a
9 school teacher too. My third daughter, she is doing, this is
10 her second year and her major is also education and the little
11 one is in seventh grade.

12 THE COURT: And does your husband work?

13 THE PROSPECTIVE JUROR: Yes. My husband is an Uber
14 driver.

15 THE COURT: Okay. Where do you get your news from?

16 THE PROSPECTIVE JUROR: Actually, it's social media,
17 CBS channel and CNN most of the time and also I do the Google
18 search too.

19 THE COURT: Okay. In your spare time, what do you
20 do?

21 THE PROSPECTIVE JUROR: Actually, I don't have
22 enough time, but still I try to find the time for myself a
23 little bit but that time, I love to cook.

24 THE COURT: Can you be fair and impartial in this
25 case?

1 THE PROSPECTIVE JUROR: Yes, sir.

2 THE COURT: Thank you.

3 THE PROSPECTIVE JUROR: You're welcome.

4 THE COURT: Good afternoon again, ma'am. How are
5 you?

6 THE PROSPECTIVE JUROR: Good afternoon, sir.

7 THE COURT: Where do you live and how long have you
8 lived there?

9 THE PROSPECTIVE JUROR: I live in Shirley, New York,
10 for 19 years.

11 THE COURT: Do you own or rent?

12 THE PROSPECTIVE JUROR: I own.

13 THE COURT: Does anyone else live with you in the
14 household?

15 THE PROSPECTIVE JUROR: Yes, my wife.

16 THE COURT: And tell me what each of you does for a
17 living.

18 THE PROSPECTIVE JUROR: Well, I'm retired right now.

19 THE COURT: So what did you do before you retired?

20 THE PROSPECTIVE JUROR: I was an electrical
21 engineer.

22 THE COURT: And your better half?

23 THE PROSPECTIVE JUROR: A nurse.

24 THE COURT: What kind, any specialty?

25 THE PROSPECTIVE JUROR: No. Right now, she's doing

1 home health care.

2 THE COURT: Okay. Anything that had to do with
3 COVID -- how was life for all of you during COVID? I know
4 that's a broad question.

5 THE PROSPECTIVE JUROR: Well, for me, I had just
6 retired so I was like stuck at home. So pretty much, we were
7 stuck at home.

8 THE COURT: Right. And your wife?

9 THE PROSPECTIVE JUROR: We'd go around to places but
10 it was, you know, all kinds of PPE you had to wear and suit up
11 for everything, so we had to be real careful.

12 THE COURT: Okay. Where do you get your news from?

13 THE PROSPECTIVE JUROR: A variety, TV, ABC, NBC,
14 CBS, some internet until I get tired of it. Newspapers,
15 Newsday, New York Times, just anything I could get my hands
16 on.

17 THE COURT: Do you belong to any clubs or
18 associations?

19 THE PROSPECTIVE JUROR: No, I do not.

20 THE COURT: Can you be fair and impartial in this
21 case?

22 THE PROSPECTIVE JUROR: Yes, I can.

23 THE COURT: Okay. Thank you.

24 Sir?

25 THE PROSPECTIVE JUROR: Hello, Your Honor.

1 THE COURT: Where do you live and how long have you
2 lived there?

3 THE PROSPECTIVE JUROR: I live in Brooklyn my whole
4 life so 20 years.

5 THE COURT: Do you own or rent?

6 THE PROSPECTIVE JUROR: I live with my parents but
7 they rent.

8 THE COURT: Are they employed?

9 THE PROSPECTIVE JUROR: My dad owns a beauty supply
10 store and my mom is a housewife.

11 THE COURT: Do you have any specialized training or
12 education?

13 THE PROSPECTIVE JUROR: I'm currently an undergrad
14 majoring in political science.

15 THE COURT: What do you plan on doing when you get
16 out of college?

17 THE PROSPECTIVE JUROR: I hope to go to law school.

18 THE COURT: Okay. Any particular kind of law you'd
19 like to practice?

20 THE PROSPECTIVE JUROR: I'm not sure about that yet.

21 THE COURT: Okay. Is your school over for the
22 semester?

23 THE PROSPECTIVE JUROR: Yes.

24 THE COURT: And are you taking any summer classes?

25 THE PROSPECTIVE JUROR: No. I'm going back in

1 August, fall semester.

2 THE COURT: Where do you get your news from?

3 THE PROSPECTIVE JUROR: Everywhere, usually through,
4 online, through Apple News, the Wall Street Journal, CNN, ABC,
5 Fox, and New York Times, Fox, yes, everything.

6 THE COURT: Okay. And, again, what do you do in
7 your spare time?

8 THE PROSPECTIVE JUROR: I practice, practice music,
9 so piano, guitar, vocals, and going on long walks with my
10 brother.

11 THE COURT: Do you play by yourself or with a group?

12 THE PROSPECTIVE JUROR: Always by myself.

13 THE COURT: Okay. Can you be fair and impartial in
14 this case?

15 THE PROSPECTIVE JUROR: I think so.

16 THE COURT: Do you belong to any clubs or
17 associations?

18 THE PROSPECTIVE JUROR: No.

19 THE COURT: Okay. Thank you.

20 Good afternoon, sir.

21 THE PROSPECTIVE JUROR: Hi. Brooklyn, New York,
22 31 years, rent, single.

23 THE COURT: Anyone else -- so there's no one else
24 living in your household at this time?

25 THE PROSPECTIVE JUROR: No.

1 THE COURT: Do you have any specialized training or
2 education?

3 THE PROSPECTIVE JUROR: Computer science.

4 THE COURT: And are you working at this time?

5 THE PROSPECTIVE JUROR: Yes.

6 THE COURT: What do you do?

7 THE PROSPECTIVE JUROR: Systems engineering manager.

8 THE COURT: For what kind of --

9 THE PROSPECTIVE JUROR: Publishing company.

10 THE COURT: How long have you been there?

11 THE PROSPECTIVE JUROR: Fourteen years.

12 THE COURT: And what do you do in your job?

13 THE PROSPECTIVE JUROR: Basically manage data
14 centers, design architecture of the systems and data centers.

15 THE COURT: Do you supervise anyone or do you do it
16 yourself?

17 THE PROSPECTIVE JUROR: I supervise. I have a team.

18 THE COURT: How big a team do you supervise?

19 THE PROSPECTIVE JUROR: Right now, it's 54 besides
20 me.

21 THE COURT: Do you have any specialized training or
22 education?

23 THE PROSPECTIVE JUROR: Yes, BA in computer science.

24 THE COURT: Do you belong to any clubs or
25 associations?

1 THE PROSPECTIVE JUROR: No.

2 THE COURT: Where do you get your news from?

3 THE PROSPECTIVE JUROR: Yahoo, Apple News, YouTube.

4 THE COURT: Can you be fair and impartial in this
5 case?

6 THE PROSPECTIVE JUROR: Yes.

7 THE COURT: And in your spare time, what do you do?

8 THE PROSPECTIVE JUROR: In-line skating during the
9 summer, skiing during winter.

10 THE COURT: Thank you.

11 THE PROSPECTIVE JUROR: Hello.

12 THE COURT: Hi.

13 THE PROSPECTIVE JUROR: I'm living in Whitestone,
14 New York, in Queens.

15 THE COURT: How long have you lived there?

16 THE PROSPECTIVE JUROR: Nine years.

17 THE COURT: Do you own or rent?

18 THE PROSPECTIVE JUROR: Own.

19 THE COURT: Do you live with anyone else in your
20 household?

21 THE PROSPECTIVE JUROR: With my kids and my husband.

22 THE COURT: And did either of them work?

23 THE PROSPECTIVE JUROR: Yes. My husband is a bus
24 operator and my younger kids, like, just junior high, and
25 older kids in college, one more year until they graduate.

1 THE COURT: Okay. And do you at this point have any
2 specialized training or education?

3 THE PROSPECTIVE JUROR: No. Just -- I'm Associate
4 degree.

5 THE COURT: Are you employed now?

6 THE PROSPECTIVE JUROR: Yes, in United Healthcare.

7 THE COURT: How long have you worked there?

8 THE PROSPECTIVE JUROR: This company, almost three
9 years.

10 THE COURT: What do you do for them?

11 THE PROSPECTIVE JUROR: Doing the seniors. I take
12 care of the senior members. If they want to change plan and
13 they have some plan information, ask the question about the
14 plan, I can explain it to them and change the plan if they
15 want to.

16 THE COURT: Do you work in person or remotely
17 primarily?

18 THE PROSPECTIVE JUROR: No, in the office, in the
19 company office.

20 THE COURT: Okay. What do you like to do in your
21 spare time?

22 THE PROSPECTIVE JUROR: Nothing. Like, the kids,
23 sometimes my kids have basketball and some activity, I bring
24 them there.

25 THE COURT: Okay. Do you belong to any clubs or

1 associations?

2 THE PROSPECTIVE JUROR: No.

3 THE COURT: Can you be fair and impartial in this
4 case?

5 THE PROSPECTIVE JUROR: No.

6 THE COURT: No or yes?

7 THE PROSPECTIVE JUROR: No.

8 THE COURT: You cannot be impartial?

9 THE PROSPECTIVE JUROR: Yeah, I think I cannot be
10 the judge.

11 THE COURT: Okay. Well, I'll talk to you in a few
12 minutes.

13 THE PROSPECTIVE JUROR: Okay.

14 THE COURT: Okay. Ma'am? Good afternoon.

15 THE PROSPECTIVE JUROR: Good afternoon. I live in
16 New Hyde Park, New York. I've lived there most of my life,
17 since I was 11. I own the home. My parents are deceased. I
18 refinanced. I work for a law firm in the City. My career
19 spans over 40 years, three law firms, 17 years apiece just
20 about. All areas, litigation, health care, real estate. I do
21 some bookkeeping for them. In my spare time, I love to cook.
22 I love to go to the theater.

23 Did I miss something? I think I missed something.

24 THE COURT: Clubs or associations?

25 THE PROSPECTIVE JUROR: No associations. My news is

1 through either CNN, News 12, LiveNation, some internet but not
2 much. I'm not that into watching the news. I'd rather read.
3 And I'm sure I can be impartial.

4 THE COURT: Okay. The law question, you've had some
5 exposure to the law over a period of time.

6 THE PROSPECTIVE JUROR: Yes.

7 THE COURT: Would you be able to take your direction
8 from the judge as to what the law is?

9 THE PROSPECTIVE JUROR: Yes, absolutely.

10 THE COURT: All right.

11 THE CLERK: Juror No. 45, you're excused. Thank
12 you.

13 Replacing Prospective Juror No. 45 is Juror No. 55.

14 THE COURT: Sir, when you go downstairs --

15 THE PROSPECTIVE JUROR: Yes.

16 THE COURT: -- just tell them you were excused
17 because of your language ability.

18 THE PROSPECTIVE JUROR: Okay. Thank you.

19 (Prospective juror excused.)

20 THE COURT: Good afternoon, sir.

21 THE PROSPECTIVE JUROR: Good afternoon.

22 THE COURT: Do you have any "yes" answers to any of
23 my questions?

24 THE PROSPECTIVE JUROR: I do.

25 THE COURT: Do you want to come up here?

1 THE PROSPECTIVE JUROR: Sure.

2 THE COURT: If anyone needs to use the restroom, you
3 can take a five minute break to do that now.

4 (The following occurred at sidebar; prospective
5 juror present.)

6 THE PROSPECTIVE JUROR: Several questions. The work
7 one as far as scheduling and supervising teams. The PPP
8 loans, my wife's company has received them. I work in a bank
9 so I spent 20 years working in large banks in Manhattan. And
10 I have friends in the police and I have friends in, that are
11 attorneys.

12 THE COURT: Okay. So let's start from the
13 beginning.

14 THE PROSPECTIVE JUROR: The work thing, a project
15 just launched today. I'm supervising 20 people around the
16 world. It's going to last nine months.

17 THE COURT: What kind of work do you do?

18 THE PROSPECTIVE JUROR: It's IT work and I work at
19 Ernst & Young. We have 420,000 employees and we're serving
20 thousands of clients, some of them financial clients.

21 THE COURT: And what's your role?

22 THE PROSPECTIVE JUROR: My role is leading a team
23 that's going to change about 150 offices worth of networking
24 which is what I do. I'm in electrical engineering. I've been
25 doing this for, you know, 30-plus years. This project just

1 launched this morning so I postponed my start thinking I might
2 be get away.

3 THE COURT: You might be safe for a few days.

4 THE PROSPECTIVE JUROR: I understand.

5 THE COURT: More likely than not, you'll be on the
6 jury for maybe a week and a half, two weeks.

7 MR. EDWARDS-BALFOUR: About, Your Honor.

8 THE COURT: Do you have someone who can sort of
9 stand in for you?

10 THE PROSPECTIVE JUROR: I'll find out tomorrow. So,
11 I guess, maybe. There's people on the team that could carry
12 it for some time so I think so.

13 THE COURT: Okay. If you're sitting in the jury
14 room knowing that this project is going on, will you be
15 able -- you look like a focused person. Would you be able to
16 focus on what's going on in the courtroom?

17 THE PROSPECTIVE JUROR: I think I might be
18 distracted. I can try but I can't swear that I will. This
19 is -- it's a career-changing project and we're expecting
20 layoffs in September so I really have to perform.

21 THE COURT: Okay. What else?

22 THE PROSPECTIVE JUROR: My parents are 97 and 98. I
23 travel to Spain to see them every couple of months. They're
24 trying to sell a house and they're under a lot of strain right
25 now. My niece is suicidal so that's just a mess right now. I

1 was expecting to go to Spain shortly as soon as I can get this
2 project going because I can go to Spain and do this project
3 globally. It's just a very stressful time for them and I was
4 expecting to go soon because of this house sale that they just
5 started. A little crazy.

6 THE COURT: It sounds stressful.

7 THE PROSPECTIVE JUROR: It is.

8 THE COURT: We have a dilemma here in the court --

9 THE PROSPECTIVE JUROR: I understand.

10 THE COURT: -- which is, you know, everyone has an
11 obligation to serve on a jury. We don't really know what's
12 going to be happening in our lives when we're called to serve.

13 THE PROSPECTIVE JUROR: I understand that. I
14 postponed it once in March. This is why I'm here, because I
15 felt I had to do it, and the project and the whole home thing
16 with my parents is just inevitable right now. It is
17 distracting me even from today. And I would be happy to serve
18 at some other point where it's more stable in my life.

19 THE COURT: Anybody have any questions?

20 MR. EDWARDS-BALFOUR: No, no questions.

21 MR. TALKIN: No.

22 MR. BUFORD: Your Honor, just if you could follow up
23 on the PP loan that his wife's company received.

24 THE COURT: Yes.

25 THE PROSPECTIVE JUROR: She works at a chemicals

1 company in Bay Shore, Long Island. Forty persons, I don't
2 know the nature of the loan and the quantity, but I do know
3 they took it.

4 THE COURT: Do you have any preconceived notions --
5 this is a softball I'm throwing you. Do you have any
6 preconceived notions about this case?

7 THE PROSPECTIVE JUROR: I've heard a lot about PPP
8 fraud, I've heard about that, and in some cases, I think
9 it's -- I haven't heard details about all of them but I think
10 it's a terribly unfair thing to do, to take advantage of a
11 pandemic to, I guess, milk the government or take an unfair
12 advantage of funding that comes from public sources and
13 direct, you know, from private pockets.

14 THE COURT: So the question in this case really is
15 did the defendant do what's alleged or not. If the defendant
16 didn't, then --

17 THE PROSPECTIVE JUROR: Correct. I guess it would
18 be up to the government's case.

19 THE COURT: Right, and the government would have to
20 prove beyond a reasonable doubt.

21 THE PROSPECTIVE JUROR: Yes.

22 THE COURT: So are you asking to be excused?

23 THE PROSPECTIVE JUROR: I would value it very much
24 and I would love to serve again.

25 THE COURT: If you had to serve, how much of a

1 hardship would it be for you?

2 THE PROSPECTIVE JUROR: Like, this week, these next
3 couple of weeks?

4 THE COURT: Yes, not this week but starting Monday.

5 THE PROSPECTIVE JUROR: I might be able to get it
6 sorted out, at least the work project, and figure out what my
7 parents are doing and maybe delay the trip for July or August.

8 THE COURT: Would that be unfair of us to ask you to
9 do that?

10 THE PROSPECTIVE JUROR: No, it would not. I think I
11 can do that. Thinking that I have a week to set this up, I
12 think I can do that.

13 THE COURT: I'm going to trust you on this one.

14 THE PROSPECTIVE JUROR: Okay.

15 THE COURT: Okay. Anybody have any questions?

16 MR. EDWARDS-BALFOUR: No questions, Your Honor.

17 MR. TALKIN: No.

18 THE COURT: Okay. Well, good luck.

19 THE PROSPECTIVE JUROR: Thank you, Your Honor. Do I
20 sit back down?

21 THE COURT: Yes, sit back down because we're not
22 going to excuse you at this time.

23 THE PROSPECTIVE JUROR: That's fine. That's fine.
24 Thank you.

25 (Prospective juror leaves.)

1 MR. TALKIN: He's sort of a mixed bag.

2 THE COURT: I think he's an organized, very well --

3 MR. TALKIN: The concerning thing that he said is he
4 would be distracted, obviously, and rightfully so but that's
5 what concerns me. No matter how organized he is and how
6 together he is, he said he would be distracted.

7 THE COURT: But, you know, I think if we took some
8 of the things that the other potential jurors told us about
9 how busy their lives are, how they had to take their kids to
10 sports, all these things, how they have elderly parents,
11 everybody's got distractions in their lives.

12 MR. TALKIN: I understand. I just think this one is
13 on the high end of the scale talking about a career job that's
14 just starting, a career project at a job that's just starting,
15 in combination with his parents and the other relatives, the
16 niece, I just think it's a little more -- I think it's a
17 higher level than somebody else.

18 MR. EDWARDS-BALFOUR: He also said, Your Honor, he
19 also said that he, with this week, he can get his affairs in
20 order. So I think his kind of comments at the beginning were
21 changed once he kind of thought about the fact that he has a
22 week to get his affairs in order so it didn't seem the
23 distraction was as pertinent as it was when he first started.
24 It seemed he might have assumed we were starting trial right
25 away, but once he noticed he had the week to get his affairs

1 in order, he seemed to say he can be impartial.

2 THE COURT: It's only a week and a half to two
3 weeks. I don't see it as a challenge for cause.

4 MR. TALKIN: Okay. Just so the record is clear, I
5 didn't say it but I do challenge for cause. I forgot to say
6 that at the beginning although my remarks indicated it. I
7 just wanted it to be clear.

8 THE COURT: There was cause to believe there was a
9 cause for challenge.

10 MR. TALKIN: Thank you, Judge.

11 (Continued on next page.)
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1 (Continuing.)

2 THE PROSPECTIVE JUROR: Juror up.

3 THE COURT: Hi.

4 THE PROSPECTIVE JUROR: Hi.

5 THE COURT: How are you doing?

6 THE PROSPECTIVE JUROR: Good.

7 THE COURT: You were so adamant before not being
8 able to be fair. Tell me about did.

9 THE PROSPECTIVE JUROR: I don't think my English
10 will be more understand the whole case when starting the case.
11 So, sometimes, maybe my personal judgment will be not fair to
12 say, so I don't want to be -- I think I can't do it.

13 THE COURT: Okay. Do you work?

14 THE PROSPECTIVE JUROR: Yeah.

15 THE COURT: What kind of work do you?

16 THE PROSPECTIVE JUROR: Insurance, health insurance.

17 THE COURT: What do you do in the health insurance
18 industry?

19 THE PROSPECTIVE JUROR: I'm doing with the seniors
20 and for the plan insurance information, I explain to them if
21 you want the change of plan, any plan you want to change, show
22 to you and then we can change for them.

23 THE COURT: This is for United Health?

24 THE PROSPECTIVE JUROR: Yes.

25 THE COURT: How long have you been doing this?

1 THE PROSPECTIVE JUROR: Almost three years in this
2 company.

3 THE COURT: What kinds of companies do you see with
4 insurance?

5 THE PROSPECTIVE JUROR: Seniors. Everyone is over
6 65 or maybe the disabled people.

7 THE COURT: And are all kinds of people different
8 nationalities?

9 THE PROSPECTIVE JUROR: Chinese. We take care of
10 the Chinese members mostly.

11 THE COURT: Primarily chinese?

12 THE PROSPECTIVE JUROR: Some English but 90 -- 95
13 Chinese, but because most of this community is Chinese.

14 THE COURT: So where would you say you're weak in
15 terms of language?

16 THE PROSPECTIVE JUROR: In term -- usually I speak
17 Chinese, Cantonese and Mandarin mostly. English is my second
18 language.

19 THE COURT: All right. And what do you think you
20 don't do well in English?

21 THE PROSPECTIVE JUROR: Because sometimes people
22 like -- talking too fast, maybe can I not fluidly,
23 100 percent, understood what they talking about. That's why.

24 THE COURT: You sound very articulate. You sound
25 like somebody who can speak very well and you sound like

1 someone who can speak in a very complex job where it's not so
2 easy to explain in any language.

3 THE PROSPECTIVE JUROR: Still, sometimes in the
4 court, sometimes people talking, maybe sometime lawyers
5 talking, very professional terms, I can't understand them. I
6 worry I cannot handle that.

7 THE COURT: Any questions?

8 MR. TALKIN: No.

9 MR. EDWARDS-BALFOUR: No questions.

10 THE COURT: Have you ever been called for jury duty
11 before?

12 THE PROSPECTIVE JUROR: I was in the grand jury
13 before for two weeks -- once I got the citizenship, they
14 assigned me to a grand jury. They don't ask me any, like,
15 how's your language, how's your level, they just put me on
16 there, sit there for two weeks.

17 THE COURT: Do you think you made any mistakes?

18 THE PROSPECTIVE JUROR: I was sitting there and just
19 the person put yes and no but I barely, like, maybe I cannot
20 100 percent, maybe 80 percent understand so make the judgment
21 but because, like, the whole team, so not only me can make
22 decision, you know.

23 THE COURT: Right. How long ago was this?

24 THE PROSPECTIVE JUROR: That's, like, a long time.
25 That would be, like, how many years -- maybe more than ten

1 years.

2 THE COURT: So you served on a grand jury ten years
3 ago?

4 THE PROSPECTIVE JUROR: Yeah, over ten years ago.

5 THE COURT: And your English is better now than it
6 was then?

7 THE PROSPECTIVE JUROR: I think about the same.

8 THE COURT: Okay. We'll let you know.

9 THE PROSPECTIVE JUROR: Thank you. No questions?

10 THE COURT: No.

11 THE PROSPECTIVE JUROR: Thank you.

12 THE COURT: You can sit down.

13 (Prospective juror leaves.)

14 MR. TALKIN: Judge, it's the same motion. I think
15 it's the third time I made the motion with this type of a
16 person who seems like they're okay with English but they don't
17 have confidence in their understanding of complex terms, and
18 more importantly with her, it sounds like she didn't
19 understand everything that was in the grand jury and she's
20 like I went along, I was with a team, so she went along with
21 what happened in there and that's very concerning to have a
22 juror who does that. And so for that, I don't think she's fit
23 to be a juror in this or any other case.

24 MR. AMIR: The Government would oppose. I think she
25 used sophisticated language. I think jurors are getting

1 intimidated by words that are technical or legalistic. She
2 assigns, she explains health insurance policies. This is the
3 most diverse district in the country and I don't think you
4 need perfect English to serve your duty as a juror. I think
5 she's perfectly capable.

6 THE COURT: I think the question really is if
7 someone says to us that they don't understand English well and
8 we don't have a way to test their English, are we risking
9 adverse -- will we take the risk that someone will sit on the
10 jury and not truly understand. And I think that's a risk I
11 don't think we should take, I don't think any defendant should
12 have to be in a situation like that.

13 MR. AMIR: Understood. I think she said she
14 understands 80 percent and the challenges she described are
15 from ten years ago.

16 THE COURT: I totally agree with you.

17 MR. AMIR: Yeah.

18 THE COURT: It's just not a risk I'm prepared to
19 take.

20 MR. AMIR: I understand.

21 THE COURT: So the challenge is granted.

22 Why don't you stay here while -- we only have one
23 more person to do, so. We have to replace her.

24 THE CLERK: Juror Number 31, you're excused.
25 Replacing Prospective Juror Number 31, Juror Number 56,

1 Matthew Amante. Please take seat number 31.

2 THE COURT: All right. Why don't you come up here?
3 It takes a little while but we learned from experience.

4 (Prospective juror joins.)

5 THE COURT: Hi. How are you doing?

6 THE PROSPECTIVE JUROR: Hi. How are you.

7 THE COURT: If you could stand here, it's easier for
8 the court reporter to hear you. I have a question. Do you
9 have a yes answer to any of my questions?

10 THE PROSPECTIVE JUROR: I have a few.

11 THE COURT: Let's start with travel. Do you have
12 any travel issues?

13 THE PROSPECTIVE JUROR: No. I don't have any travel
14 issues currently. I do have a lot of family members who are
15 in law enforcement. My mom's a paralegal and I've worked a
16 few summers in a law office.

17 THE COURT: Where?

18 THE PROSPECTIVE JUROR: It's a law firm. It's an
19 office. She worked in Garden City.

20 THE COURT: What did you do there?

21 THE CLERK: Calendar stuff and papers. She still
22 works there. I have a cousin who is a lawyer or in law school
23 right now.

24 THE COURT: The reason we ask the law question
25 people get a little experience and they think they know more

1 than the judge does.

2 THE PROSPECTIVE JUROR: Gotcha.

3 THE COURT: My real question is whether or not you
4 would be able to put aside --

5 THE PROSPECTIVE JUROR: Yeah, I didn't hear much in
6 the law field.

7 THE COURT: Is there any reason why you would not be
8 fair and impartial?

9 THE PROSPECTIVE JUROR: I think I have more bias --
10 I already -- if the Government is doing this, I think their
11 skill's already involved personally.

12 THE COURT: These lawyers look pretty skilled.

13 THE PROSPECTIVE JUROR: What?

14 THE COURT: The defense lawyers look pretty skilled
15 too.

16 THE PROSPECTIVE JUROR: I know. Just mentally, if
17 the Government is accusing of, like, a fraud, I kind of
18 impartially -- believe to myself, all right, it's guilt and I
19 don't think I can part ways with that.

20 THE COURT: So you think you'll be --

21 THE PROSPECTIVE JUROR: I'll be bias, yeah.

22 THE COURT: Bias?

23 THE PROSPECTIVE JUROR: Yeah.

24 THE COURT: Okay.

25 Any questions?

1 MR. EDWARDS-BALFOUR: No questions.

2 MR. TALKIN: None.

3 THE COURT: Okay.

4 (Prospective juror leaves.)

5 MR. EDWARDS-BALFOUR: No objections.

6 MR. TALKIN: I move to excuse.

7 THE COURT: Granted.

8 We've got three or four left.

9 THE CLERK: Juror Number 56, you're excused.

10 Replacing Prospective Juror 57, Juror Number 57, Brien Darcy.
11 Can you please take the seat.

12 (Prospective juror joins.)

13 THE COURT: Hi.

14 THE PROSPECTIVE JUROR: Hello.

15 THE COURT: How are you doing?

16 THE PROSPECTIVE JUROR: I'm doing good.

17 THE COURT: Do you have any yes answers?

18 THE PROSPECTIVE JUROR: Nope.

19 THE COURT: Can you be fair and impartial?

20 THE PROSPECTIVE JUROR: Yeah.

21 THE COURT: Let's go through the general questions.

22 Where do you live and how long have you lived there?

23 THE PROSPECTIVE JUROR: Staten Island, 20 years, my
24 whole life.

25 THE COURT: Do you own or rent?

1 THE PROSPECTIVE JUROR: I live with my grandparents.

2 THE COURT: Okay. What are you doing now for a
3 living?

4 THE PROSPECTIVE JUROR: Professional scuba diver, so
5 I do a bunch of different things.

6 THE COURT: Where do you do the scuba diving?

7 THE PROSPECTIVE JUROR: New York mostly.

8 THE COURT: Do you freelance or do you work with the
9 harbor?

10 THE PROSPECTIVE JUROR: I freelance boat cleaning
11 and stuff like underwater boat cleaning but I do -- I work
12 with the brilliant oyster project and a scuba shop in
13 Manhattan.

14 THE COURT: Which scuba shop?

15 THE PROSPECTIVE JUROR: Pan Aqua.

16 THE COURT: That's where I did my scuba. I trained
17 there years ago. Wow.

18 So did you get a license for what you do or do you
19 have to --

20 THE PROSPECTIVE JUROR: I'm a dive master.

21 THE COURT: A dive master?

22 THE PROSPECTIVE JUROR: Yeah.

23 THE COURT: Wow. Does anybody else in your family
24 work?

25 THE PROSPECTIVE JUROR: My grandpa is a retired

1 coast guard, my grandma, she -- I don't know what she did, it
2 was way before me, but my mom lives -- my mom and dad live in
3 South Carolina. My mom's a gynecology medical assistant and
4 my dad is in the post office.

5 THE COURT: Okay. Where do you get your news from?

6 THE PROSPECTIVE JUROR: Online, mostly, like, social
7 media and, like, Twitter.

8 THE COURT: Okay.

9 THE PROSPECTIVE JUROR: But, also, just kind of what
10 my grandparents are arguing about.

11 THE COURT: They don't agree?

12 THE PROSPECTIVE JUROR: No, they do, but they argue
13 at the T.V.

14 THE COURT: Do you belong to any clubs or
15 associations?

16 THE PROSPECTIVE JUROR: Aside from the Bureau of
17 Prisons and paddy, not really.

18 THE COURT: Cool.

19 Anybody have any questions?

20 MR. EDWARDS-BALFOUR: No questions.

21 MR. TALKIN: No.

22 THE COURT: All right. Nice to meet you.

23 THE PROSPECTIVE JUROR: Nice to meet you.

24 (Prospective juror leaves.)

25 THE COURT: Okay. So I think we have --

1 MR. TALKIN: We just have to question number five,
2 like you just questioned him, with the personal stuff. I
3 think that's the last piece.

4 MS. GREENSPAN: Yeah, seat five, Juror Number 55.

5 THE COURT: Oh, the six questions. We can do it up
6 here in case he has second thoughts, he'll let us know.

7 MR. TALKIN: Okay.

8 THE CLERK: Seat five, please come up again.

9 (Prospective juror joins.)

10 THE COURT: Hi.

11 THE PROSPECTIVE JUROR: Yes, sir.

12 THE COURT: We just wanted to ask you the personal
13 questions here. So where do you live and how long have you
14 lived there?

15 THE PROSPECTIVE JUROR: Huntington, New York, I've
16 been there 23, 24 years.

17 THE COURT: Do you own it?

18 THE PROSPECTIVE JUROR: I own it. I live with my
19 wife and two dogs.

20 THE COURT: Does your wife work?

21 THE PROSPECTIVE JUROR: Yeah. She works at a
22 chemical company in Bay Shore.

23 THE COURT: What does she do there?

24 THE PROSPECTIVE JUROR: Poly R&D is the name of the
25 company. She's a benefits administrator and executive admin

1 for the CFO. Three grown children, all girls, they're moved
2 out of the house.

3 THE COURT: What kind of work do they do?

4 THE PROSPECTIVE JUROR: One is a fashion design
5 major doing mortgage underwriter work, the other one's an
6 acting major doing staffing, work and the other one is a music
7 major doing music production at Peloton bike company.

8 THE COURT: Oh, yeah. So what do you like to do in
9 your spare time? Do you have any --

10 THE PROSPECTIVE JUROR: Yeah, I do. I race my
11 sailboat with my friends and crew.

12 THE COURT: So how do you manage to remain calm and
13 focused when you have a lot of different competing things on
14 your plate?

15 THE PROSPECTIVE JUROR: It's hard. It's been a
16 really crazy couple of years. My niece's psychological state,
17 my parents' advanced age, my parents' dementia, add a six
18 hours flight, 12 hours door to door, kind of thing, it's been
19 hard the last couple years, really tough. I expect their
20 craziness trying to sell a house after living 40 years in it,
21 might just take one of them. I just don't know how they got
22 into that crazy transaction but that adds to the whole work
23 and timing stress.

24 THE COURT: Right. But are you able, in a job like
25 if you went to work tomorrow, would you be able to put out of

1 your mind what's going on with your family?

2 THE PROSPECTIVE JUROR: I do my damnest, right.

3 I'll have four days to set up, deputy project managers to run
4 this thing and cross my fingers. I hope that logs as well and
5 I'll start booking travel for July August time frame, assuming
6 this doesn't take that long.

7 THE COURT: It won't take nearly that long. You'll
8 be done much before that. Okay. And you're feeling
9 comfortable with doing this, as comfortable as one can be?

10 THE PROSPECTIVE JUROR: I'm calling inaudible right
11 now. Just playing it on the fly. I think so.

12 THE COURT: I'm going to leave this decision in your
13 hands. Is that unfair?

14 THE PROSPECTIVE JUROR: No. No. I would like to be
15 excused.

16 THE COURT: Okay.

17 THE PROSPECTIVE JUROR: Defer it. I mean, I'll come
18 back in a couple months.

19 THE COURT: It's just too much for you to handle at
20 one time?

21 THE PROSPECTIVE JUROR: It's a lot. I don't want to
22 be distracted or impatient or wondering what's gonna happen
23 tonight when I open my emails, that kind of thing. I mean,
24 tonight, it's one day of delay, but if we get a few weeks into
25 this, you said week and half, two weeks, I just feel like I'm

1 on eggshells on -- at work, expected lay off since September.
2 So I got to perform my next project.

3 THE COURT: Okay. All right. I'm going to excuse
4 you.

5 THE PROSPECTIVE JUROR: Thank you. I will be on
6 telephone duty, is that --

7 THE COURT: Just tell them that you're postponed for
8 six months.

9 THE PROSPECTIVE JUROR: Okay. Thank you,
10 Your Honor.

11 THE COURT: Sure. Good luck.

12 (Prospective juror excused.)

13 THE PROSPECTIVE JUROR: Do I sit?

14 THE COURT: No. You can go down.

15 THE PROSPECTIVE JUROR: Thank you.

16 (Prospective juror leaves.)

17 THE CLERK: Replacing Prospective Juror Number 55,
18 Juror Number 58, would you please take seat number 5, but if
19 you could just come up to the sidebar.

20 (Prospective juror joins.)

21 THE PROSPECTIVE JUROR: Hello.

22 THE COURT: Hi. How are you?

23 THE PROSPECTIVE JUROR: I'm okay. And you?

24 THE COURT: Pretty good. Do you have any yes
25 answers to any of my questions?

1 THE PROSPECTIVE JUROR: I don't understand the --
2 you talking about but I try. My English no -- it's no longer
3 too much for -- it's --

4 THE COURT: Did you have trouble understanding me?

5 THE PROSPECTIVE JUROR: I unapprehended you.

6 THE COURT: You understood me?

7 THE PROSPECTIVE JUROR: Yeah.

8 THE COURT: Okay. So I think that's a good sign.

9 THE PROSPECTIVE JUROR: Okay.

10 THE COURT: Do you feel comfortable that you could
11 sit in a jury and listen and if you didn't understand
12 something, raise your hand?

13 THE PROSPECTIVE JUROR: I did.

14 THE COURT: Okay. Do you have any other yes
15 answers?

16 THE PROSPECTIVE JUROR: Can you repeat again please?

17 THE COURT: Yeah. In other words, to my questions,
18 do you have any answers?

19 THE PROSPECTIVE JUROR: Yeah.

20 THE COURT: Do you remember what they were?

21 THE PROSPECTIVE JUROR: When you talking about
22 the -- the case, the company, the -- the company, the -- they
23 represent the many, many people made tricky to the city --

24 THE COURT: Don't have a lot of evidence in now.

25 THE PROSPECTIVE JUROR: Yeah, you talking about a

1 lot of thing.

2 THE COURT: A lot of?

3 THE PROSPECTIVE JUROR: You talking about a lot of
4 thing. You talking about the company and the company, you
5 talking about the Popular Bank, you talking about the -- I
6 don't remember --

7 THE COURT: I think -- did you have a little trouble
8 understanding?

9 THE PROSPECTIVE JUROR: A little.

10 THE COURT: A little? Okay. I think perhaps --

11 MR. EDWARDS-BALFOUR: No questions.

12 THE COURT: Any questions?

13 MR. TALKIN: No questions. Thank you.

14 THE COURT: Okay. Thank you. I think we are going
15 to excuse you.

16 THE PROSPECTIVE JUROR: Okay. Thank you.

17 THE COURT: So you can go downstairs to the second
18 floor.

19 THE PROSPECTIVE JUROR: Okay. Thank you.

20 (Prospective juror excused.)

21 THE CLERK: Replacing Prospective Juror Number 58,
22 Juror Number 59, could you please take seat 5.

23 (Prospective juror joins.)

24 THE COURT: Hello.

25 THE PROSPECTIVE JUROR: Hello.

1 THE COURT: How are you doing?

2 THE PROSPECTIVE JUROR: Good. How are you?

3 THE COURT: Do you have any question answers to my
4 questions?

5 THE PROSPECTIVE JUROR: Except that I work for a
6 bank but I think that --

7 THE COURT: That's okay. You can work for a bank.

8 THE PROSPECTIVE JUROR: Yeah.

9 THE COURT: The question is, is the fact that you
10 work for a bank, will that prejudice you or bias you towards
11 one side or another in this case?

12 THE PROSPECTIVE JUROR: No.

13 THE COURT: Or can you listen to the evidence?

14 THE PROSPECTIVE JUROR: I don't think so. It
15 shouldn't -- it shouldn't affect.

16 THE COURT: Can you be fair and impartial in this
17 case?

18 THE PROSPECTIVE JUROR: Yes.

19 THE COURT: Where do you live and how long have you
20 lived there?

21 THE PROSPECTIVE JUROR: I live in Brooklyn. I've
22 been living in Brooklyn for about 20, 25 years.

23 THE COURT: Do you own or rent?

24 THE PROSPECTIVE JUROR: We own a house. My wife and
25 I and my son live in the house.

1 THE COURT: Are you working now?

2 THE PROSPECTIVE JUROR: Yes.

3 THE COURT: What kind of work do you do?

4 THE PROSPECTIVE JUROR: I work as a software
5 engineer slash engineering manager for investment banks and I
6 supervise about six software engineers.

7 THE COURT: How long have you done this?

8 THE PROSPECTIVE JUROR: I worked for the firm for
9 about 24 years now.

10 THE COURT: Do you have any specialized training or
11 degrees?

12 THE PROSPECTIVE JUROR: Yes. I have a bachelor's
13 and master's in computer science.

14 THE COURT: Okay. Where did you get that?

15 THE PROSPECTIVE JUROR: Cornell University.

16 THE COURT: Okay. Do you like to do anything
17 different in your spare time? Any -- is there any activities
18 you like? Any hobbies, any clubs or associations?

19 THE PROSPECTIVE JUROR: I like taking -- hiking with
20 my wife. We try to travel as much as we can when we have
21 time.

22 THE COURT: Does your wife work?

23 THE PROSPECTIVE JUROR: No. She retired in 2019.

24 THE COURT: What did she do?

25 THE PROSPECTIVE JUROR: She was a retail analyst for

1 a discount store called Ross, Ross Stores.

2 THE COURT: Okay.

3 Does anybody have any questions?

4 MR. EDWARDS-BALFOUR: No questions.

5 THE COURT: Questions?

6 MR. TALKIN: No.

7 THE COURT: Okay. Thank you. Just have a seat.

8 (Prospective juror leaves.)

9 THE COURT: Okay. We're good. How much time do you
10 need to confer over your strikes?

11 MR. TALKIN: Ten minutes.

12 MR. EDWARDS-BALFOUR: Ten minutes.

13 THE COURT: Okay.

14 (Off the record discussion.)

15 THE COURT: The lawyers are going to be conferring
16 amongst themselves. They're going to be taking a ten-minute
17 break.

18 MR. AMIR: Your Honor, is there a final decision
19 from the Court about the number of alternates?

20 (Off the record discussion.)

21 THE COURT: So the lawyers are going to be
22 consulting, and you're free, if you wish, to use the restroom,
23 get up and stretch for about ten minutes.

24 (Brief recess.)

25 (Continued on the following page.)

1 (Continuing.)

2 (The following occurred at sidebar in the Jury
3 Room.)

4 THE COURT: Okay. Round one, we have two for the
5 defense.

6 MR. AMIR: Just to be clear, does the defense waive
7 defendant's appearance?

8 MR. TALKIN: We do. And for the record, thank you,
9 Your Honor. We have had time to consult with her about which
10 jurors -- about our jury selection, as well.

11 THE COURT: Thank you.

12 MR. TALKIN: Our first two are numbers nine and 10.

13 THE COURT: Government one, in round one.

14 MR. EDWARDS-BALFOUR: Ready, Your Honor. Eight is
15 the first one for the Government.

16 THE COURT: And then we'll be going to round two.

17 MR. EDWARDS-BALFOUR: Twenty-four.

18 THE COURT: Twenty-four.

19 MR. BUFORD: I'm sorry, just to be clear, Juror
20 Number 24, right, not necessarily seat 24?

21 MR. EDWARDS-BALFOUR: Yes, number 24.

22 MR. TALKIN: Oh, I'm doing it by seat. I think we
23 have to do it by seat.

24 THE COURT: We have to do it by seat.

25 MR. GREENSPAN: In your case, it's both. Juror 24

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1 is in seat 24.

2 THE COURT: One at a time.

3 Go ahead.

4 MR. TALKIN: Let us just double check here. I think
5 it works out here because the ones we picked earlier were the
6 actual numbers and seats, but let's, both sides, double check
7 that.

8 MR. AMIR: Are we referring to Susan Klassen, 24?

9 MR. TALKIN: Yes. And number eight is Ariana Somen.

10 MR. AMIR: Yes.

11 MR. TALKIN: Number nine is Carter Sullivan, and
12 number 10 is Jonathan Klein.

13 It's up to us for two now; is that right, Your
14 Honor?

15 THE COURT: Yes.

16 MR. TALKIN: Number six. That's Laura Kaplan. And
17 number one, that's Michele Cunningham.

18 THE COURT: Okay.

19 MR. EDWARDS-BALFOUR: Ready for us, Your Honor?

20 THE COURT: Yes. Ready.

21 MR. EDWARDS-BALFOUR: Number 20.

22 MR. AMIR: Meryl Glickman is the name of the juror.

23 MR. EDWARDS-BALFOUR: Are you ready for the next
24 one, Your Honor?

25 THE COURT: Yes.

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1 MR. EDWARDS-BALFOUR: Twenty-five.

2 MR. AMIR: Mr. Cuevas.

3 MR. TALKIN: So two from us, correct?

4 THE COURT: Yes.

5 MR. TALKIN: Number two. I'm sorry, that's Lisa
6 Henderson, and number 14, Ms. Tzannetis, T-Z-A-N-N-E-T-I-S.

7 Just for my records, are we at six and three? Is
8 that where we are, as far as used?

9 MS. BILINKAS: Yes.

10 THE COURT: Yes.

11 MS. BILINKAS: Yes.

12 THE COURT: I think you've done four.

13 MS. BILINKAS: We've done four.

14 MR. EDWARDS-BALFOUR: We're up, Your Honor?

15 THE COURT: You're up.

16 MR. EDWARDS-BALFOUR: Number 17.

17 MR. TALKIN: It's two from us now.

18 Are we at the one yet? What round are we in?

19 THE COURT: I think you have the one --

20 MS. BILINKAS: You've done six.

21 MR. TALKIN: So it'll be one more round of two,
22 correct?

23 THE COURT: You have one more round of two.

24 MR. TALKIN: Number 19.

25 MR. EDWARDS-BALFOUR: Oh, that's us?

1 MS. BILINKAS: No, he's got one more.

2 MR. EDWARDS-BALFOUR: I thought because you were
3 looking at me.

4 THE COURT: No I was looking over here because
5 everybody's looking very serious.

6 MR. TALKIN: Number 22.

7 MR. GREENSPAN: John Railton.

8 THE CLERK: That's Juror 51.

9 MR. TALKIN: How many do we have left?

10 THE COURT: They have one left, you have two left.

11 MR. TALKIN: Twenty-eight.

12 MR. EDWARDS-BALFOUR: Seat 26 which is number 52.

13 MR. TALKIN: Sorry, Your Honor, I just want to do a
14 little math.

15 THE COURT: I think it's your last one.

16 MR. TALKIN: Yes, it is.

17 Number 21.

18 THE COURT: And who is number 21?

19 MR. GREENSPAN: That's Ms. De Meo.

20 MR. TALKIN: Theresa De Meo.

21 Your Honor, I want to change my pick on that one.

22 THE COURT: Okay.

23 MR. TALKIN: Instead of keeping Ms. De Meo --
24 instead of number 21, I'm going to take number 12, Mr. Puma.
25 It's Charles Puma, P-U-M-A.

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1 THE COURT: Okay.

2 MR. TALKIN: Sorry about that.

3 So Your Honor do you want to go through who the jury
4 is --

5 THE COURT: Are you all set?

6 MR. TALKIN: We're set on 12.

7 THE COURT: We have the alternates though.

8 MR. TALKIN: Just to confirm, where we're starting
9 with the alternates.

10 THE COURT: Yes.

11 MR. TALKIN: So I have Juror Number 1 as seat three,
12 Felipe Valverde Arellano, and then seat four is Juror Number
13 2, Shoba Persaud, seat five is Juror Number 3, and his name
14 is -- he was the surfer.

15 THE COURT: Scuba diver?

16 MR. GREENSPAN: Correct.

17 THE COURT: Not surfer. It gets below the water,
18 not above the water.

19 MR. GREENSPAN: Fifty-seven.

20 MR. EDWARDS-BALFOUR: I think 59 is the one that
21 wanted to be the next one. Fifty-nine is the next one.

22 So seat 33, seat four -- Juror 33.

23 Juror Number 4, and then juror 59.

24 So the seats are -- the juror that was number 33 is
25 the first seat, juror who had number four is the second seat,

1 the juror who had number 59 is the third seat.

2 MR. TALKIN: And then the fourth juror is in seat
3 seven. And she started --

4 MR. GREENSPAN: She started as 54.

5 MR. EDWARDS-BALFOUR: As 54.

6 MR. GREENSPAN: Should we just stick to juror
7 number?

8 MR. TALKIN: Yes. I don't have that.

9 MR. GREENSPAN: I do.

10 MR. TALKIN: So go ahead.

11 MR. GREENSPAN: So Juror Number 54, Celia Granda
12 would be --

13 THE COURT: I'm just going to step out for a second
14 and tell the 5:00 o'clock that they're out of luck.

15 (Judge ROBERT M. LEVY exits the sidebar.)

16 MR. GREENSPAN: Juror Number 5 will be Milagros
17 Diaz.

18 MR. AMIR: Eleven.

19 MR. GREENSPAN: She was number 11.

20 Juror Number 6 Paul Scheeren.

21 MR. EDWARDS-BALFOUR: Number 47?

22 MR. GREENSPAN: Forty-seven.

23 Juror Number 7, James Sharp. He was wearing number
24 35. Juror Number 8, Jason Hirsch. He was wearing number 40.
25 Juror Number 5 -- or Juror Number 9 will be Joon Suk, wearing

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1 number 18. Juror Number 10, Anthony Caridi. He was wearing
2 number 41. Oh, no, no sorry. Sorry, sorry, sorry. Number 10
3 will be Theresa De Meo because we gave her back. Number 21
4 and 11, Juror Number 11, will be Anthony Caridi. He was
5 wearing number 41. And Juror Number 12 will be Yasmin Islam.
6 She was wearing number 53.

7 MS. BILINKAS: Yup. That's what we have.

8 MR. TALKIN: I agree.

9 (Pause in the proceedings.)

10 (Judge ROBERT M. LEVY enters the courtroom.)

11 THE COURT: Everybody in agreement?

12 MR. TALKIN: Yes.

13 MS. BILINKAS: Yes.

14 THE COURT: Okay. For the alternates round, one for
15 the defense.

16 MR. TALKIN: It's seat 29, and I believe he is
17 number 29.

18 MR. AMIR: Jang.

19 MR. TALKIN: Correct, Mr. Jang.

20 MR. EDWARDS-BALFOUR: We're going to go for 30 which
21 I believe is seat 30.

22 MR. AMIR: Boris.

23 THE COURT: Does everybody agree on the names and
24 numbers?

25 MR. EDWARDS-BALFOUR: Yes.

1 THE COURT: Do we need to read them into the record
2 again or are they good?

3 MR. EDWARDS-BALFOUR: We read the first 12 into the
4 record. We read the first 12 into the record. And right now
5 it's the last two, which is seat number -- I don't know the
6 seat, but Juror Number 57 which has been -- and then after
7 that, it's seat number 32.

8 THE COURT: Allison, everything matches?

9 THE CLERK: Yes.

10 THE COURT: All right. So is the jury satisfactory
11 to the Government?

12 MR. EDWARDS-BALFOUR: It is, Your Honor.

13 THE COURT: To the defense?

14 MR. TALKIN: Yes, Your Honor.

15 THE COURT: Okay. So the plan is that we'll go back
16 into the courtroom, Allison will read the names and numbers
17 off, we'll excuse the jurors who haven't been selected, I'll
18 give a final warning and advice to the pool, they will then be
19 told to be here at 9:30 on Monday --

20 THE CLERK: Yes, to central jury.

21 THE COURT: -- to central jury, and we'll get their
22 names and phone numbers.

23 Is there anything else that needs to be done?

24 MR. TALKIN: Are you going to seat them all in the
25 box once they get their numbers --

1 THE COURT: Yes. Anything else?

2 MR. EDWARDS-BALFOUR: Nothing further from the
3 Government thank you, Your Honor.

4 (End of sidebar conference.)

5 (In open court; Prospective Jurors present.)

6 THE COURT: All right. Thank you, again, for your
7 patience. Ill read of the names of those who have been
8 selected as jurors and as alternates and excuse those who
9 haven't been selected and it'll take us just a couple of
10 minutes to get things organized for the trial on Monday.

11 All right. Before we start -- before Allison, you
12 read --

13 (Pause in the proceedings.)

14 THE CLERK: Okay. Juror Number 1, you're excused.
15 Replacing Prospective Juror Number 1 with Juror Number 33.

16 THE COURT: And, again, thank you all for your
17 patience and your service.

18 THE CLERK: So Prospective Juror Number 33, please
19 take seat one.

20 Prospective Juror Number 2, you're excused.

21 Prospective Juror Number 4, please slide down and
22 take seat number two.

23 Prospective Juror Number 59, you will be taking seat
24 three.

25 Prospective Juror Number 54, you will be taking seat

1 number four.

2 Prospective Juror Number 11, if you could come down
3 to seat number five.

4 Juror Number 6, you're excused.

5 Juror Number 47, please take seat six.

6 Prospective Juror Number 35, you will be filling
7 seat number seven.

8 Prospective Juror Number 8, you are excused.

9 Juror Number 40, please fill seat number eight.

10 Prospective Juror Number 9, you're excused.

11 Juror Number 18, please fill seat nine.

12 Prospective Juror Number 10, you're excused.

13 Juror Number 21, please fill seat 10.

14 Juror Number 41, you will be taking seat 11.

15 And Prospective Juror Number 12, you are excused.

16 Juror Number 53, please fill seat 12.

17 And Juror Number 57, could you please fill seat 13
18 in the top left corner.

19 Prospective Juror Number 14, you're excused.

20 Juror Number 32, please take seat 14.

21 THE COURT: All right. Is the jury acceptable to
22 the Government?

23 MR. EDWARDS-BALFOUR: It is, Your Honor.

24 THE COURT: And to the defense?

25 MR. TALKIN: Yes, Your Honor.

1 All right. Well, thank you. Those of who you have
2 not been selected, you're excused. You may go downstairs and
3 tell them that you weren't selected for the jury. I'm
4 guessing that they will tell you right then and there whether
5 you need come back again. My guess is that having spent a
6 whole day doing this, you will not. But, again, I have no
7 control over that.

8 Thank you so much for your participation. We
9 appreciate it.

10 MR. EDWARDS-BALFOUR: Your Honor.

11 THE COURT: All right. We just have a few
12 administrative details to take care of, but before we do that,
13 I just want to advise all the jurors that the trial will begin
14 next Monday. That's 2/10. Come to Court to the Central Jury
15 Room at 9:30 in the morning as you did today, and
16 Judge Block's chambers will escort you to the courtroom when
17 it's time, and the trial will begin then.

18 Does anybody have any questions so far? Okay.

19 So between now and then and thereafter, you are not
20 to discuss this case at all, not among yourselves or with
21 friends or family or anyone. If someone asks you what
22 happened here today, you're simply to tell them, I've been
23 selected to serve as a juror in a criminal case, and I've been
24 instructed by the judge not to discuss the case with anyone.

25 So if you can, put the case out of your minds.

1 You've heard no evidence, there's been no evidence that's
2 presented so far, nothing on which you could -- which you
3 could consider at this point with respect to evidence. So
4 don't think about the case until you come back on Monday, and
5 the beginning of the trial. At that time, Judge block will
6 give you instructions regarding your conduct as jurors.

7 In the unlikely event that you see something in the
8 newspapers, on the television, on the internet that has to do
9 with this case or something similar, turn it off; don't listen
10 to it. It's not evidence. Anything outside of this courtroom
11 is not evidence.

12 Do not conduct any research on your own. I know you
13 wouldn't do that, but the only evidence that's valid is
14 evidence that comes in that's certified by the judge as
15 admissible, and takes place here in the courtroom. All right.

16 Does anybody have any questions about that?

17 THE PROSPECTIVE JUROR: I just want to reiterate on
18 what you said in the beginning. We came in at 8:30 today. Do
19 you want us to come in at 8:30 or 9:30?

20 THE CLERK: 9:30.

21 THE COURT: Okay. Any other questions?

22 If you see the lawyers or anyone else associated
23 with the case, anybody at counsel table, anyone from here,
24 don't speak to them. Don't think that they're rude if they
25 walk by and you pretend that you're not there. They've been

1 instructed to remain silent and not to have any contact with
2 members of the jury. You all are a separate entrance when you
3 come in through the courtroom. You'll all have your own
4 separate jury room. The whole purpose is to keep you walled
5 off from the -- from anything.

6 Any questions about that? Yes?

7 THE PROSPECTIVE JUROR: Are we going to need to be
8 available for two weeks, you said starting on Monday, 10.

9 THE COURT: We think it's two weeks. It's possible
10 it will be less.

11 THE PROSPECTIVE JUROR: Am I to assume that tomorrow
12 we go back to work -- listener.

13 THE COURT: Yes.

14 THE PROSPECTIVE JUROR: -- or go according to our
15 usual schedule?

16 THE COURT: Yes. This Court has no claims for your
17 time between now and Monday at 9:30.

18 Before you leave, though, we need, first, to give
19 you a phone number to call in case there's some emergency, and
20 also, we need to get your phone numbers and internet addresses
21 just in case.

22 Anything else we need? Anything else from the
23 defense?

24 MR. TALKIN: No. Thank you, Your Honor.

25 THE COURT: From the Government?

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1 MR. EDWARDS-BALFOUR: Nothing further. Thank you,
2 Your Honor.

3 THE COURT: Okay. Allison, how do you want to do
4 this? Do you want them all to come up?

5 THE COURTROOM DEPUTY: I can just pass around a
6 sheet of paper if you could just write your phone number down.

7 THE COURT: Print your name. Do it as legibly as
8 possible.

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11 (Proceedings Concluded at 5:24 p.m. Trial to begin
12 on June 10, 2024 at 9:30 a.m.)

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