

United States v. Eric Shibley, CR20-174 JCC

Instructions to Prospective Jurors

This is a criminal case in which the government of the United States of America, the plaintiff, has charged the defendant Eric Shibley with several counts of wire fraud, bank fraud and money laundering, arising from various loan applications he made in the spring of 2020 in connection with federal Covid-19 relief programs set up by the government, the Paycheck Protection Program (PPP) and the Economic Injury Disaster Loan (EIDL) program. The government contends that Mr. Shibley's loan applications contained material false and fraudulent information and documentation and that he laundered the proceeds of the loans.

Mr. Shibley is a 42-year-old man, a naturalized U.S. citizen originally from Bangladesh. He denies committing any fraud or laundering any ill-gotten gain.

The following Juror Questionnaire is directed at obtaining information about you that will enable the court and the parties to ensure a fair and impartial trial. Please answer each question below as completely and accurately as possible. To ensure that your responses are not influenced by the opinions of others, you should fill out the Questionnaire by yourself without consulting any other person. If there is not sufficient space provided for you to write your full answer to one or more questions, use the blank pages at the end of the Questionnaire to complete your answer.

After you have completed your answers, please sign your name, acknowledging that your answers have the effect of a statement given to the court under oath. Your answers will be used solely in the selection of a jury in his case and will be destroyed at its conclusion.

Thank you for your cooperation.

JUROR QUESTIONNAIRE

Juror number: _____ (The number is on your summons.)

1. Have you read or heard anything about this case before coming to court today?

If so, what have you read or heard?

2. As a result of what you have read or heard about this case, have you formed any opinion or belief about the guilt or innocence of the defendant or about the way this case has been handled by the United States government?

If so, please explain.

3. Are you familiar with the Paycheck Protection Program (PPP) under the CARES Act?

a. Have you or an immediate family member ever applied for a PPP loan?

b. Or for a loan through the federal Small Business Administration (SBA)?

4. Do you have any particular thought or feelings on the government policy of providing loan assistance on very lenient terms?

5. Does anyone feel the government policy of, under certain conditions, loan forgiveness of government loans in which the borrower does not have to pay the money back?

6. Have you or an immediate family member ever been employed by or connected with:

- a. any state or local law enforcement agency?
- b. prosecuting attorney's office?
- c. a federal, state or local correctional facility?
- d. U.S. immigration or U.S. customs enforcement?
- e. any federal law enforcement agency?
- f. any other federal agency?
- g. any public or private entity as a security guard?
- h. any federal, state or local court system?
- i. any court probation or parole office?
- j. military police?

6. Have you ever served on a state or federal grand jury?

7. Have you ever served as a trial juror? Criminal or civil?
8. Have you ever testified at a trial or deposition or other legal proceeding?
9. Do you have any opinions, either positive or negative, about how federal law enforcement agencies operate?
10. Would you be able to judge the credibility of an FBI or other federal law enforcement agent witness or a police officer in the same way as any other witness?
11. Would you tend to give greater weight or credibility, even slightly, to the testimony of a law enforcement officer merely because he or she is testifying for the government?
12. Are you or any immediate family members foreign-born who later became naturalized United States citizens?
13. Does you have experience, either in your work or socially, with recent immigrants to the United States?

14. Do you understand that the fact that a defendant has been indicted by a grand jury is not evidence of guilt and is merely the way a charge is brought to trial?

15. Does anyone disagree with the principle that a criminal defendant is presumed innocent? Would you require the defendant to prove his innocence of the charges?

16. Do you feel it is unfair to the government to require it to prove every element of the charged offenses beyond a reasonable doubt?

17. A defendant has no burden, nor is he required, to testify in his own defense. Would any prospective juror require that the defendant testify at this trial or produce other evidence to prove his innocence?

18. Would you be more comfortable answering any of the above questions out of the presence of the other jurors?

19. Do you have other significant feelings about the general subject matter of this case that you feel should be discussed with the court and parties?

20. Based on what you know at this point, do you have any concerns about your own ability to fairly judge the evidence in this case?

21. Have you received a coronavirus vaccination?

22. If not, what is the reason you have not been vaccinated?

23. Other than hardship because of the expected length of the trial is there any reason why you would not want to serve as a juror in this case?

Declaration

I declare under the penalty of perjury under the laws of the State of Washington that all my answers to the questions on this Jury Questionnaire are, to the best of my knowledge and belief, true and correct.

Executed this ____ day of November, 2021, at Seattle, Washington.

JUROR SIGNATURE