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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Case No. 13-20371

-vs-

DOREEN HENDRICKSON,

Detroit, Michigan

Defendant.

July 21, 2014

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TRANSCRIPT OF TRIAL - VOLUME ONE

(JURY VOIR DIRE)

BEFORE THE HONORABLE VICTORIA A. ROBERTS

UNITED STATES DISTRICT COURT JUDGE, and a Jury.

APPEARANCES:

For the Government:

Melissa Siskind, Esq.

Jeffrey McLellan, Esq.

For the Defendant:

Doreen Hendrickson, Pro Per

Standby Counsel:

Andrew Wise, Esq.

Proceedings taken by mechanical stenography, transcript
produced by computer-aided transcription

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WITNESSES :

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None .

E X H I B I T S

NUMBER

IDENTIFICATION

RECEIVED

None .

1 Detroit, Michigan

2 Monday, July 21, 2014

3 (At about 9:35 a.m.)

4 - - -

5 THE COURT: We will formally call the case when the Jury comes up,
6 but I wanted to do one thing preliminarily, Miss Hendrickson, whenever you are ready.
7 You can take your seats. Good morning, everyone.

8 MS. SISKIND: Good morning, Your Honor.

9 MR. McLELLAN: Good morning, Your Honor.

10 THE COURT: Miss Hendrickson, I know we did this during your first trial,
11 but I can't remember that we have done it in this case and that is making the
12 appropriate record to make certain that you understand your rights with respect to
13 representing yourself, so --

14 MRS. HENDRICKSON: Yes.

15 THE COURT: -- Could you come to the podium? I just have a few
16 questions for you. So, Miss Hendrickson, you represented yourself in the first trial that
17 we had, correct?

18 MRS. HENDRICKSON: Yes.

19 THE COURT: And it's your -- and that resulted in a mistrial and you
20 have indicated that you want to represent yourself again in this trial that's about to get
21 underway.

22 MRS. HENDRICKSON: Yes.

23 THE COURT: So I just want to ask you a few questions and make
24 certain that your waiver of counsel is knowing and voluntary because you do have the
25 right to counsel and you have a right to have counsel appointed to represent you if

1 you can't afford a lawyer, and I just want to make certain that you are fully aware of
2 some of the hazards and disadvantages of self-representation.

3 Have you ever studied law, Mrs. Hendrickson?

4 MRS. HENDRICKSON: No, ma'am.

5 THE COURT: And have you ever represented yourself in a criminal
6 action?

7 MRS. HENDRICKSON: Once.

8 THE COURT: And can you tell me about that?

9 MRS. HENDRICKSON: Scary.

10 THE COURT: I'm sorry?

11 MRS. HENDRICKSON: It was scary.

12 THE COURT: No, just the charge that was against you.

13 MRS. HENDRICKSON: Oh. The charge was Contempt of Court.

14 THE COURT: And do you understand that in this trial that's about to get
15 underway that you are charged again with Criminal Contempt in violation of 18 U.S.
16 Code 4013?

17 MRS. HENDRICKSON: Yes, ma'am.

18 THE COURT: And do you understand that if you are found guilty of this
19 Count by a Jury, that the Court can assess \$100 against you and the Court can also
20 impose a term in prison and a term of supervised release?

21 MRS. HENDRICKSON: Yes, ma'am.

22 THE COURT: And the Court can also direct you to pay the Government
23 the money that it is seeking from you?

24 MRS. HENDRICKSON: Yes, ma'am.

25 THE COURT: And Miss Siskind, can you tell me, are there any

1 Guidelines? What would be the sentence in this case or any Guidelines or sentence
2 that the Court would need to take into account?

3 MS. SISKIND: Your Honor, the United States Sentencing Guidelines do
4 not provide any particular calculation for the crime of Contempt. It directs the Court to
5 apply the Guideline for the most analogous offense, which in this case would likely --
6 well, we would have to determine what the most analogous offense would be. One
7 argument is that it would be a tax offense.

8 THE COURT: And what would that be then?

9 MS. SISKIND: It depends on how the Court calculates tax loss if any in
10 this case, which would be an issue of fact for sentencing.

11 THE COURT: Okay. So at this juncture, Miss Hendrickson, unlike many
12 other cases, there is not a Sentencing Guideline that would apply and it sounds like
13 this Court would have quite a bit of discretion, as it always does, but it could depend
14 in large part on the amount of tax loss that the Jury says you might owe the
15 Government. Do you understand that?

16 MRS. HENDRICKSON: Yes.

17 THE COURT: And do you understand that representing yourself, that
18 you are on your own here in defending yourself?

19 MRS. HENDRICKSON: Well, I have Andrew.

20 THE COURT: I know, and I'll get to him. But the Court is not able to
21 give you advice during the course of trial.

22 MRS. HENDRICKSON: Yes.

23 THE COURT: You have said that you want standby counsel and Mr.
24 Wise is here to assist you and to give you some help during the course of the trial.

25 MRS. HENDRICKSON: Yes.

1 THE COURT: So are you familiar, Miss Hendrickson, with the Federal
2 Rules of Evidence?

3 MRS. HENDRICKSON: I've been working on it.

4 THE COURT: All right. And do you understand that the Rules of
5 Evidence govern what evidence may or may not be introduced at trial and that in
6 representing yourself you must abide by the Rules of Evidence and they won't be
7 relaxed for you because you're representing yourself?

8 MRS. HENDRICKSON: Yes, ma'am.

9 THE COURT: And are you familiar with the Federal Rules of Criminal
10 Procedure?

11 MRS. HENDRICKSON: Sort of.

12 THE COURT: And do you understand that those rules govern the way a
13 criminal action is tried in Federal Court and that you are bound by those rules and that
14 they too will not be relaxed for your benefit just because you're representing yourself?

15 MRS. HENDRICKSON: Yes.

16 THE COURT: So the Court does say to you, Miss Hendrickson, that I
17 believe that you would be better off with a trained lawyer defending you than you will
18 be defending yourself. I think it is not wise for you to try to represent yourself. You're
19 not familiar with the law. You're not familiar with the Rules of Evidence or the Rules of
20 Criminal Procedure as you should be, and the Court would urge you not to represent
21 yourself and to allow Mr. Wise to do that.

22 But in light of the penalty that you might suffer if you're found guilty and in light
23 of the difficulties of representing yourself that the Court has just pointed out, is it still
24 your desire to represent yourself and to give up your right to be represented by a
25 lawyer except on a standby basis?

1 MRS. HENDRICKSON: Yes. As I understand it though, I'm allowed to
2 let him take over if I feel overwhelmed?

3 THE COURT: Yes. Mr. Wise, are you prepared to do that?

4 MR. WISE: Yes, Your Honor.

5 THE COURT: Thank you. So this Court, based on the responses that
6 Miss Hendrickson has provided, I do find that Miss Hendrickson has knowingly and
7 voluntarily waived the right to counsel and the Court will therefore allow Miss
8 Hendrickson to proceed in this trial with Mr. Wise acting as standby counsel.
9 Thank you.

10 So we have called for the Jury which should be up momentarily. Let me just
11 take care of a few things.

12 I did see Miss Hendrickson's Witness List and the Witness List filed by the
13 Government. Miss Siskind, are there any Government witnesses in court right now?

14 MS. SISKIND: No, Your Honor.

15 THE COURT: Thank you. And Miss Hendrickson, are there any of your
16 proposed witnesses in court right now?

17 MRS. HENDRICKSON: Two.

18 THE COURT: And who are they?

19 MRS. HENDRICKSON: Dr. Belcher and Brian Wright. Oh, sorry -- three
20 -- and Hal O'Boyle.

21 THE COURT: Dr. Greg Belcher?

22 MRS. HENDRICKSON: And who else?

23 MRS. HENDRICKSON: Brian Wright and Hal O'Boyle.

24 THE COURT: Harold O'Boyle?

25 MRS. HENDRICKSON: Yes.

1 THE COURT: All right. The Court is going to request that when the Jury
2 arrives that they leave the courtroom since this Court does follow a rule of
3 sequestering of witnesses until it's time for them to testify.

4 Also with respect to the voir dire the Court has a list of questions that it allows
5 -- or asks the Jury to answer before the Court asks specific questions and before it
6 allows the parties to ask questions. Going over the proposed voir dire, I do believe
7 that a great number of the questions that both parties have put in their proposed voir
8 dire will be taken care of either through the questions on the sheets that the jurors
9 answer or through the questions that the Court asks the Jury. I do know that some of
10 the questions proposed are along the same lines, but probably in a little more depth
11 and right now I just don't know that the Court is going to allow this kind of depth to be
12 engaged in, but we will see.

13 On your list of proposed voir dire, Miss Hendrickson, you have Heading 17,
14 Adult Grasp of Legal -- of American Legal Principles.

15 MRS. HENDRICKSON: I'm sorry. Which page?

16 THE COURT: It begins on the bottom of page seven and extends to
17 page eight, Adult Grasp of American Legal Principles.

18 MRS. HENDRICKSON: Yes.

19 THE COURT: I don't think that I'm going to allow you to ask those
20 questions, but I just want to give you a heads up on that. I think that the principles
21 that the jurors will have to keep in mind are going to be part of the preliminary
22 questions that the Court asks, and so that's one objection that I have. And I do object
23 to the tone of some of the questions here and I don't think I will allow you to ask them.

24 Do either of the parties have anything preliminarily before the Jury comes up?

25 MS. SISKIND: Yes, Your Honor. The first is I would ask the Court -- and

1 I think maybe we can all agree -- to not reference the fact there was a previous trial in
2 this matter in front of the Jury. That to the extent that we have to reference previous
3 proceedings, we'll just call them previous proceedings or as the Court ruled previously
4 instead of saying at trial.

5 THE COURT: Okay, that's a fair point. Miss Hendrickson?

6 MRS. HENDRICKSON: I don't see the point of it at all. I mean I don't
7 think I have any questions that directly state that anyhow.

8 THE COURT: Wait, wait, wait. You don't see the point of what at all?
9 Of referencing the prior trial?

10 MRS. HENDRICKSON: Oh, why that should be kept a secret.

11 THE COURT: Well --

12 MRS. HENDRICKSON: Like I said, I can't think off the top of my head
13 that I have any questions that actually reference it anyhow, but --

14 THE COURT: Well, if you don't have any questions -- let me finish. If
15 you don't have any questions that actually reference it, then that takes care of part of
16 the problem. Generally, when cases are being retried regardless of the reason, we
17 don't want the Jury to know that there was a previous case. We don't want the Jury to
18 know the outcome of the previous case and just for fundamental fairness, it makes
19 sense that there be no reference to the prior trial and so the Court is going to grant
20 Miss Siskind's request and ask that you make no reference to the trial that ended in a
21 mistrial. All right?

22 MRS. HENDRICKSON: Yes.

23 THE COURT: All right. Thank you.

24 MRS. HENDRICKSON: I understand.

25 THE COURT: Do you have anything else, Miss Siskind?

1 MS. SISKIND: Yes, Your Honor. During the last trial there were certain
2 statements that Mrs. Hendrickson made during her opening remarks to the Jury which
3 the Government did not object to, but given how the evidence came in last time and
4 the types of evidence the Court precluded Mrs. Hendrickson from putting on, the
5 Government wanted to raise that there are certain things she mentioned during her
6 opening that she no longer has a good faith belief that that evidence will come in
7 given the Court's previous rulings. Notably she mentioned to the Jury that they would
8 see evidence that other people had filed tax returns similar to the ones that she filed.
9 Mrs. Hendrickson attempted to get that evidence in through several witnesses and the
10 Court excluded it. So we would ask that she not be permitted to make reference to
11 those facts because she no longer has a good faith belief that it be will be admitted.

12 Similarly, she made arguments during her opening statement about how the
13 Jury could consider the legality of the underlying court order at issue in this Contempt
14 proceeding and Your Honor has ruled several times and in formulating the final jury
15 instructions, instructed the jury in fact that the legality or constitutionality of the
16 underlying Order was not for their consideration in these proceedings, and we would
17 ask that Mrs. Hendrickson be precluded from making those types of arguments at any
18 point, but particularly during opening statements.

19 THE COURT: Response, Mrs. Hendrickson? First of all, do you intend
20 to make these references?

21 MRS. HENDRICKSON: I was going to say I already took out the stuff
22 about other people filing returns similarly. That's already out.

23 THE COURT: So that's not an issue.

24 MRS. HENDRICKSON: That's not an issue, and I'd have to glance at
25 my opening statement again because I was still working on it last night, but I can't say

1 for sure whether the other issue is in it or not.

2 THE COURT: Well, I agree with Miss Siskind that the ruling by Judge
3 Edmunds is not at issue here, cannot be challenged and the Jury cannot consider its
4 legality. So if you do have any reference like that in your opening statement as
5 currently crafted, don't say it to the Jury. All right?

6 MRS. HENDRICKSON: Okay.

7 THE COURT: Thank you. Do you have anything more, Miss Siskind?

8 MS. SISKIND: No, Your Honor.

9 THE COURT: Thank you. Miss Hendrickson, do you have anything
10 before the Jury comes up?

11 MRS. HENDRICKSON: No, I don't.

12 THE COURT: All right. And Miss Siskind, I just want to make certain
13 that based on the Court's Order on motions in limine that there was the redaction of
14 language from the Court of Appeals' decision and from the earlier Indictment.

15 MS. SISKIND: Yes, Your Honor. Those redactions have been made
16 and if the Defense opens the door, we have the unredacted copies ready to be shown
17 should the Court allow it.

18 THE COURT: Thank you. May I ask that the witnesses who are
19 sequestered leave and the other people in the galley can just -- we need to make
20 room for the Jury first and then if there's a place for you to sit, you can take seats.
21 We're ready.

22 **(At about 9:50 a.m. - Prospective Jurors entered courtroom)**

23 THE CLERK OF THE COURT: The Court calls United States of America
24 versus Doreen Hendrickson, case number 13-20371. Counsel, please state your
25 appearances for the record.

1 MS. SISKIND: Good morning, Your Honor. Melissa Siskind and Jeffrey
2 McLellan on behalf of the United States.

3 MRS. HENDRICKSON: Doreen Hendrickson.

4 MR. WISE: And Andrew Wise, standby counsel.

5 THE COURT: Thank you. Good morning, everyone. Good morning,
6 ladies and gentlemen who might be the jurors in this case. I welcome you.

7 First of all, I want to thank you all for being here. I don't see a lot of happy
8 faces out there right now. I know you'd rather be someplace else, but we are glad
9 that you are here. Not everyone does respond to the summons for jury service and
10 sometimes this Court and other Courts, Judges in the building have to take
11 extraordinary measures to get people to show up for jury service and I'll explain to you
12 in a moment why we take extraordinary measures.

13 What we are doing in this courtroom today, ladies and gentlemen, is something
14 that is being played out in other courtrooms in this building right at this moment and in
15 thousands of other courtrooms across the country, both State and Federal, and we do
16 this because the Constitution guarantees people, citizens who can't otherwise resolve
17 their differences a trial by a jury of peers and you are those peers, and if you and
18 other people didn't come, the Judicial branch of Government would simply not be able
19 to function. It would shut down. It is the one branch of Government that really does
20 depend on the day-to-day service and the day-to-day showing up of citizens in order
21 to function, and so we depend on you and we thank you very, very much for being
22 here.

23 There are remarkable things, ladies and gentlemen, that happen during the
24 course of a trial. If you were upstairs in the jury room and if you look around you now,
25 you probably don't see anybody that you've ever met before in life or if you do see

1 someone, it might be only one or two persons. And when jury selection is all done,
2 we will have 14 people in that jury box, 12 of whom will deliberate. So we will have
3 total strangers and we're going to ask you to sit and mingle and listen for several days
4 to the evidence in this case and use your common sense and follow the law that the
5 Court instructs you applies and we're going to ask you to reach a unanimous decision,
6 and that's not always easy to do. You know in your own decision-making when you
7 have other groups to -- other people in a group to make a decision, it is difficult to get
8 to unanimity, but that's what we ask jurors to do and that's what they're able to do in
9 extraordinarily high percentage of cases and to me that is remarkable.

10 We don't have a flawless system of Government, ladies and gentlemen, in this
11 country for anything, but I think it is the best system of Government in the world in
12 order to resolve disputes between citizens, and so you are performing the height of
13 your civic duty by being here today.

14 We are going to engage in a little bit in a process that we call voir dire and voir
15 dire literally means to speak the truth. You will be under oath and we will want to ask
16 you questions to find out whether you are qualified to serve as a juror, whether you
17 have good common sense, good instincts, whether you can be fair, whether you can
18 sit here and listen to evidence with an open mind before you make a decision,
19 whether you have any biases and if you do, whether those biases can be set aside for
20 purposes of this trial. We want to know that you can work with others and that you
21 can respect the points of views of people who don't share your own.

22 To answer these questions about you, you will be asked questions. None of
23 the questions that I or Counsel or Miss Hendrickson put to you are designed to
24 embarrass you and if there is something that you need to say in order to honestly
25 answer one of our questions and you don't want everyone to hear your answer, we

1 can take your answer at side bar outside of the hearing of everyone. It still will
2 become part of the transcript, but it won't be a publicly announced answer.

3 So I say that to say that I don't want you to let the personal nature of the
4 questions that might be put to you to keep you from answering truthfully and as I said,
5 all are designed find out whether you will be qualified to serve on this Jury.

6 Jury service is certainly not going to make you wealthy and you can only make
7 sense of it if you just appreciate the extraordinary civic duty that you are performing
8 for this country. It is the highest civil duty as a civilian that you can perform.

9 Let me say one thing about extraordinary reasons. I know there are websites
10 that exist that tell people how to get out of jury service. Some of you may have been
11 Googling those sites over the last day or maybe even this morning before you got
12 here today. There is a certain amount of compulsion that the Court does have and
13 you can only get out of jury service if you have an extraordinary reason for not being
14 able to serve.

15 So what is extraordinary? Most of you probably have children, you have jobs,
16 you have elderly parents. You have other people that you're caring for and all of
17 those things and all those people are very important, but in the scheme of things and
18 in the scheme of what we have to accomplish in this courtroom, they're not
19 extraordinary reasons. If the Court excused you for those reasons and for those
20 people, we would never be able to sit a jury and so those are not extraordinary.

21 We are going to ask you about any plans that may keep you out of Detroit. We
22 will ask you about health reasons, but I just want to let you know that jobs, family, not
23 extraordinary, although they are important. And when we ask you about those
24 reasons, it is important for you to know how long this trial might take, and so let me
25 just confirm. Miss Siskind, how long do you think trial of this will take?

1 MS. SISKIND: Given the schedule, it will probably last the entire week.

2 THE COURT: And would you concur with that Miss Hendrickson?

3 MRS. HENDRICKSON: That seems reasonable.

4 THE COURT: Thank you. So now I'm going to ask Miss Pinegar to
5 administer an oath to all of you before we start calling you up. Would you rise
6 please?

7 THE CLERK OF THE COURT: Raise your right hands please?

8 **Prospective Jurors Sworn at About 9:58 a.m.**

9 THE CLERK OF THE COURT: Have a seat.

10 THE COURT: Miss Siskind, Mr. Hendrickson, Mr. McLellan, did you
11 decide how to do alternates?

12 MRS. HENDRICKSON: I proposed something for you.

13 THE COURT: You proposed something for me?

14 MRS. HENDRICKSON: Yeah. I left it with Linda.

15 MS. SISKIND: We saw that. There's a little more detail than I think
16 necessary, but we would agree that random selection is the appropriate --

17 THE COURT: At the end?

18 MS. SISKIND: At the end, yes.

19 MRS. HENDRICKSON: Yes.

20 THE COURT: All right. Thank you.

21 THE CLERK OF THE COURT: When I call your name I'll try to
22 pronounce it correctly, but I might not, so you will come through the double doors
23 there and you'll come up to the jury box. The seat number one is farthest from me in
24 that top corner. One through seven and then eight through 14.

25 Juror number 45, Cynthia Vangieson. Juror number 111, Mark Montone. Juror

1 number 40, Deanna Ameye. Number 494, Van Hai Nguyen-Cherry. Number 60,
2 Sean Michael Stivers. Number 406, Kynita Duncan. Number 95, Brian Singer.
3 Number 76, Robert A. Rich. Number 73, Becky Faraj-Musleh. Juror number 72,
4 Carolyn Devine. Number 15, Danielle Marie Parsons. Number 46, Spencer William
5 Thomas. Juror number two, Phyllis Irene Marten. Juror number seven, Therese
6 Marie Bossory.

7 THE COURT: Okay. The voir dire process is now underway and I would
8 just ask that any potential jurors who have not yet been called, don't leave the
9 courtroom because if any of these potential jurors are excused, then the seat will be
10 filled by someone who is remaining in the galley. You'll be asked to answer many of
11 the same questions, so please just pay as close attention as if you were sitting here in
12 the box.

13 Let me make some introductions. Carol Pinegar is my Case Manager and she
14 will be conducting voir dire. To my right closest to the jury box is Patrick Ross Thorne
15 who is one of my Summer interns and he will be assisting during the trial. And Janice
16 Coleman is the court reporter and she needs to write down -- she needs to record,
17 she needs to transcribe everything that gets said during the course of this trial and so
18 when you answer questions, ladies and gentlemen, please preface your answers with
19 your name so that the record will reflect accurately who you are if we ever have to go
20 back and look at the transcript and please keep your voices up as well.

21 Now I would ask Counsel to reintroduce yourselves and at the same time,
22 would you give the jurors your witnesses so that we can find out whether any of them
23 are familiar?

24 MS. SISKIND: Good morning, ladies and gentlemen. My name is
25 Melissa Siskind and this is Jeffrey McLellan. We are trial attorneys with the

1 Department of Justice Tax Division. Our witnesses in this case will be Paul Crowley,
2 Robert Metcalfe and Daniel Applegate. And we will also be joined at counsel table
3 later today by Special Agent Lance Lockhart from the IRS.

4 THE COURT: Thank you very much. Ladies and gentlemen, are
5 counsel or any of the witnesses whose names Miss Siskind just gave you familiar to
6 any of you? Miss Devine.

7 JUROR DEVINE: John Lockhart, IRS, what office is he out of? He
8 sounds real familiar like someone I've talked to maybe in Ann Arbor?

9 MS. SISKIND: It's Lance Lockhart and he's currently out of Lansing,
10 formerly out of the Detroit Office.

11 JUROR DEVINE: Maybe not.

12 THE COURT: So you think he may be someone that you --

13 JUROR DEVINE: I had an employer that was not -- I had an employer
14 that was in a lot of tax problems and I'm trying to remember who --

15 THE COURT: We'll get to particulars. And Miss Siskind, if you could
16 find out. You believe the Lockhart you spoke to was in Ann Arbor?

17 JUROR DEVINE: Would have been out of the Ann Arbor area I'm sure.

18 MS. SISKIND: He was out of Detroit and now he's in Lansing.

19 THE COURT: So we will get to the particulars of that. Anyone else hear
20 a name that sounded familiar? No, okay. Thank you. Miss Hendrickson.

21 MRS. HENDRICKSON: Yes.

22 THE COURT: Please.

23 MRS. HENDRICKSON: Should I just give the most likely because some
24 of these like out of town people may not be here.

25 THE COURT: You should give who you could potentially call as a

1 witness.

2 MRS. HENDRICKSON: Okay. Deborah Blashfield, Jaelle Eby, John
3 Eby, Nancy Edmunds in this building -- you've probably heard her name, but I doubt if
4 any of you know her. Kathryn Hendrickson, T.J. Hendrickson, Jennifer Kirk, Kim
5 Leffler, Robert Metcalfe -- she already mentioned him - Harold O'Boyle, Sally O'Boyle,
6 Kate Pyle, Susan Smith, Sarah Waltner, Tony Wright, Daniel Applegate she already
7 mentioned as well. Greg Belcher, Vivi Schnitzer, Loreen Ludeman, Rob Hendrickson,
8 Brian Wright.

9 THE COURT: Thank you, Mrs. Hendrickson. Ladies and gentlemen, do
10 any of those names sound familiar to any of you?

11 All right. Let me get to the extraordinary reasons. We've said this trial is going
12 to last a week. We intend to go half days for the most part and our half days are nine
13 to 1:30. I think today may be a little longer. We don't know how long it's going to take
14 to sit a jury. So given that schedule and given my definition of extraordinary, is there
15 anyone in the box now who is not able, would not be able to serve as a juror in this
16 case? Can I see any hands in the back row first? And that would be -- how do you
17 say your name?

18 JUROR NGUYEN-CHERRY: Van Hai Nguyen-Cherry. I'm afraid I don't
19 fully speak English and totally understand everything -- anything from the trial.

20 THE COURT: Where's the microphone?

21 JUROR NGUYEN-CHERRY: My name is Van Hai Nguyen-Cherry and
22 my excuse is I'm afraid if I don't speak fully English and totally understand everything
23 from the trial from the Court, so I'm afraid if I can serve this jury duty.

24 THE COURT: All right. Thank you for that. Anyone else in the back
25 row? You can take your seat. Anyone in the front row who would have a problem

1 meeting our schedule? And I see the hand of Mr. Spencer Thomas.

2 JUROR THOMAS: I just have some issues with transportation is the
3 only problem. I had to beg a ride to get here today.

4 THE COURT: Where are you coming from?

5 JUROR THOMAS: Clinton. It's just like about a 15-minute, 20-minute
6 drive past Saline out west.

7 THE COURT: You don't have a car?

8 JUROR THOMAS: I have one in my name, but I need to get repairs
9 made on it before I can drive it.

10 THE COURT: So you don't have a car that is driveable?

11 JUROR THOMAS: No.

12 THE COURT: Thank you. Anyone else in the front row? Thank you.
13 May I see you at side bar please and you Miss Hendrickson and Mr. Wise?

14 **(Sidebar conference out of the hearing of the jury as follows)**

15 THE COURT: Is there any objection to excusing these two potential
16 jurors?

17 MRS. HENDRICKSON: No.

18 MS. SISKIND: No objection from the Government.

19 MRS. HENDRICKSON: None from me.

20 THE COURT: Okay, thank you.

21 **(END OF SIDEBAR CONFERENCE)**

22 THE COURT: The Court will thank and excuse Miss Nguyen-Cherry.
23 You have to go back to the jury room, and Mr. Thomas. Thank you. We will fill seat
24 number one first.

25 THE CLERK OF THE COURT: Juror number 253, Iris Guevara in seat

1 four and juror number 33, Valerie Turner.

2 THE COURT: So Miss Guevara and Miss Turner, any of the names that
3 we read off sound familiar to either of you?

4 JUROR GUEVARA: No.

5 JUROR TURNER: No.

6 THE COURT: And any reason why either of you would not be able to sit
7 on this jury? Miss Guevara.

8 JUROR GUEVARA: I'm on vacation this week.

9 THE COURT: You're here. You're on a staycation?

10 JUROR GUEVARA: I am.

11 THE COURT: Well, I hope you have a good time with us. Sorry.

12 THE COURT: What about you, Miss Turner?

13 JUROR TURNER: I don't know how long we have to sit during the trial,
14 but I'm expecting, so I take frequent restroom breaks.

15 THE COURT: Congratulations. How far along are you?

16 JUROR TURNER: I'm four months.

17 THE COURT: We can -- you can stand, move around, step out of the
18 box if you need to, all right? Would that work for you?

19 JUROR TURNER: Yes.

20 THE COURT: Thank you. So, ladies and gentlemen, you've already
21 seen how we fill chairs as they empty. Each side is going to have several challenges
22 which they can exercise against potential jurors. When they hear answers to
23 questions that don't sit well with them, they can ask the Court to excuse those jurors.
24 We also have challenges that -- for cause. You saw two people who were excused
25 and those were cause challenges and we have to fill the box. So whenever any

1 challenge like that is exercised and granted by the Court, we fill the seat and after all
2 the challenges have been exhausted that each side has, we need to end up ultimately
3 with 14 people, 12 of whom will deliberate and the other two will serve as alternates in
4 case anything happens during the course of the trial and a juror has to be excused.

5 So right now what I want to do is read the Indictment, this is a criminal case. I
6 want to read the Indictment that the Government has issued against Miss
7 Hendrickson and then ask you if any of this sounds familiar to you.

8 At times material to this Indictment -- first of all, the caption is United States of
9 America versus Doreen Hendrickson. At times material to this Indictment, Doreen
10 Hendrickson was a resident of Commerce Township, Michigan.

11 On or about August 25, 2003, Hendrickson filed with the Internal Revenue
12 Service a joint 2002 U.S. Individual Income Tax Return Form 1040 that requested a
13 refund of \$10,152.96 based on the false claim she and her husband earned zero
14 wages in 2002. The IRS issued the requested refund.

15 On or about April 15, 2004, Hendrickson filed with the IRS a joint 2003 U.S.
16 Individual Income Tax Return Form 1040 that requested a refund of \$10,228 based
17 on the false claim that she and her husband earned zero wages in 2003. The IRS
18 issued the requested refund.

19 The 2002 and 2003 returns were based on the false and frivolous theory set
20 forth in a book written by Defendant's husband, Peter Hendrickson, entitled *Cracking*
21 *the Code* that only Federal, State or local Government workers are liable for the
22 payment of Federal income tax or subject to a withholding of Federal income, Social
23 Security and Medicare taxes from their wages under the Internal Revenue laws.

24 On or about May 2nd, 2007 the Eastern District of Michigan issued an
25 Amended Judgment and Order of Permanent Injunction against Hendrickson in the

1 case of United States versus Peter and Doreen Hendrickson, case number
2 2:06-11753. In the Amended Judgment and Order of Permanent Injunction, the Court
3 found that the 2002 and 2003 returns were based upon a frivolous and false theory
4 and found that Hendrickson was indebted to the United States for the 2002 and 2003
5 refunds issued by the IRS. Hendrickson has not repaid any portion of the 2002 and
6 2003 refunds.

7 In paragraph 27 of its May 2nd, 2007 Amended Judgment and Order of
8 Permanent Injunction, the Court ordered that Hendrickson (a), was prohibited from
9 filing any tax return, amended return, form, including but not limited to Form 4852,
10 which is Substitute for Form W-2 Wage and Tax Statement, or other writing or paper
11 with the IRS that is based on the false and frivolous claims set forth in *Cracking the*
12 *Code*, and (b), was required within 30 days of the entry of the Amended Judgment
13 and Order of Permanent Injunction to file with the IRS an amended U.S. Individual
14 Income Tax Return for 2002 and 2003.

15 Count One charges a violation of 18 U.S. Code 4013 Criminal Contempt.

16 Paragraphs One through Six of this Indictment are re-alleged as set forth in full.

17 On or about and between the dates listed below in the Eastern District of
18 Michigan and elsewhere, Doreen Hendrickson did knowingly and willfully disobey and
19 resist the lawful orders of a Court of the United States, namely paragraph 27 of the
20 May 2nd, 2007 Amended Judgment and Order of Permanent Injunction against
21 Defendant Doreen Hendrickson in the case of United States versus Peter and Doreen
22 Hendrickson, case number 2:06-11753 by doing the following things:

23 On March 23, 2009, the Government charges filing a 2008 U.S. Income Tax
24 Return for single and joint filers with no dependents, Form 1040-EZ which falsely
25 recorded that she earned zero wages in 2008, and June 1, 2007 to the present, failing

1 to file with the IRS amended U.S. Individual Tax Returns for 2002 and 2003.

2 This is a true bill and it is signed by the Grand Jury Foreperson. It is signed by
3 the United States Attorney for the Eastern District of Michigan, Barbara McQuade and
4 by Melissa Siskind and Jeffrey Binder. It is dated May 14, 2003.

5 So, ladies and gentlemen, does anything in that Indictment sound familiar to
6 any of you in the box?

7 All right. So the next thing we're going to do is you each have a sheet in your
8 chair and we're going to do Miss Vangieson, with Cynthia Vangieson and then just
9 follow suit and please rise, give your names, use the microphone and give us answers
10 to the questions. Thank you.

11 JUROR VANGIESON: Cynthia Vangieson. Last name is Vangieson. I
12 live in Jackson County and I've lived in Jackson County since I moved here from
13 Ohio. So that's since 1972. My age is 64. I'm married. I have four adult children,
14 and their occupations are my daughter is a physical therapist. My son is in
15 construction in Florida. My two stepdaughters, one is in Human Resources and the
16 other is in college. My present occupation is I'm a college administrator and I work for
17 Baker College. I've been in that position for 20 years. My husband owns his own
18 business. He's a land surveyor. I have a Masters degree in Business Administration.
19 Hobbies include reading, cooking, tennis. I don't hold many memberships in
20 organized groups -- work seems like. Newspapers that I read, it's infrequent New
21 York Times perhaps and no particular magazines that I subscribe to. I did sign up for
22 a Facebook account, but I do not use it nor the others that are listed here. I have no
23 bumper stickers on my car and I think that's it.

24 THE COURT: Thank you. Mr. Montone, good morning.

25 JUROR MONTONE: Good morning. My name is Mark D. Montone. I

1 live in Oakland County, in Novi and I'm 51 years old. I'm married, four kids. My
2 oldest is a student at University of Detroit. I've got a junior at CC, got an eighth
3 grader and a soon to be in first grade seven and a half years old. I work in
4 automotive. I'm a Director of Sales for Lacks Trim Systems in Novi. I've been in the
5 position for five and a half years -- actually six and a half years. I've been with the
6 company 15. I've been in automotive since the mid-80's. My wife is a homemaker.
7 Education, Business degree from Marquette University, MBA from University of
8 Detroit. My hobbies include golf, hunting, reading, trying to just keep things together
9 at home. I'm a member of Oak Point Country Club in Brighton. Also a member of
10 Knights of Columbus as well as Mich Auto which is part of the Detroit Regional
11 Chamber. I'm on a committee there. I read the Wall Street six days a week and also
12 read the Detroit News and the Free Press almost every other day. I'm a member of
13 LinkedIn. I probably read that a few times a week. I don't have any bumper stickers
14 on my car. I would like to mention that my grandfather was a police officer. I went to
15 high school with Dave Gorcica, who's the former Attorney of Oakland County and I
16 went to college with Judge Murphy and I'm a personal friend of his. I don't really know
17 how unbiased I'd be in this case -- I'll state that, but that's all I've got.

18 THE COURT: Thank you.

19 JUROR AMEYE: Hi. My name is Deanna Ameye. I live in Macomb
20 County. I'm 44 years old. I'm married. I have three children. I have one adult child.
21 He has his own business. My other two children are in high school and junior high. I
22 am presently a para-pro, which is somebody who works with special needs children
23 and disabled children in a school setting through Utica Community Schools. I've had
24 this position for three years. My spouse's occupation, he is a manager for a
25 telecommunications company. My education, I have some college, no degree. My

1 hobbies are my children's hobbies. I don't have or belong to any groups. The only
2 magazine I have is the Food Network. I don't do any Facebook, MySpace or any of
3 that. The only bumper stickers I have represent my children's sports and mother of
4 three and love doing it. That's it.

5 THE COURT: Thank you very much. Miss Guevara.

6 JUROR GUEVARA: My name is Iris Guevara. G-u-e-v-a-r-a. I live in
7 Wayne County. I'm 49, married, two children. My son is 17 in high school and I have
8 a daughter in college and her birthday is today. I am a Accounts Receivable at Henry
9 Ford. I've been there eight and a half years. My husband is a mechanic for United
10 States Postal Service. I have some college, no degree. My hobbies, I like to cook,
11 read and I am an avid Facebooker. I am a --

12 THE COURT: (Interjecting) Wait one moment. Who's phone is that?

13 MR. McLELLAN: I have a phone that makes that sound. I don't know if
14 that was mine.

15 THE COURT: Why don't you find it? It's probably yours.

16 MR. McLELLAN: Sorry, Your Honor.

17 THE COURT: Shut it off. How that's for circumstantial evidence? I have
18 a phone that makes that noise.

19 MR. McLELLAN: I'm innocent though, Your Honor.

20 THE COURT: Let's see if you have a missed call a half a second ago.

21 MR. McLELLAN: I'm guilty. I apologize, Your Honor.

22 THE COURT: All right. I heard cooking and reading.

23 JUROR GUEVARA: I'm an avid Facebooker. I'm Treasurer of a youth
24 wrestling club. I go online all the time and Click On Detroit and MSN, and I don't have
25 any bumper stickers and that's it.

1 THE COURT: Okay. Thank you very much. Mr. Stivers, good morning.

2 JUROR STIVERS: Good morning. I'm Sean Michael Stivers. I live in
3 St. Clair County. I'm 30 years old. I'm engaged and my fiance and I have an infant
4 daughter that lives in Canada, Ontario. I work at a factory now that rebuilds calibers
5 in Harrison Twp. named Camp Products. My fiance works at Tim Horton's currently
6 and she's a student. I am a certified welder and a certified nurse's assistant. My
7 hobbies are I belong to the 8th Arkansas Company K Civil War Reenactor's Group. I
8 hunt, fish and I like to draw hardwood and welding, blacksmithing. I read Back Woods
9 Magazine. I have gone on Facebook, but not everyday and I have no bumper stickers
10 currently and that's about it.

11 THE COURT: Thank you very much. Miss Duncan, good morning.

12 JUROR DUNCAN: Good morning. My name is Kynita Duncan. I reside
13 in Oakland County. I've stayed there for approximately six years now. I'm married. I
14 have an infant daughter who resides with me. My occupation, I'm a production worker
15 at Detroit Manufacturing Systems. My husband, he's also production worker with
16 Chrysler. I have some college education, with no degree. My hobbies consist of
17 shopping and reading. I don't read any -- I'm not a member of any organized group or
18 fraternal organization. I don't read any newspapers or magazines. I do have a
19 Facebook. However, I'm not active on it. I do not have any bumper stickers on my
20 car.

21 THE COURT: Thank you very much. Mr. Singer, good morning.

22 JUROR SINGER: Good morning. Brian Singer. S-i-n-g-e-r. Brian with
23 an I. I've lived in Oakland County for the last almost two years. Before I resided in
24 the State of Washington. I'm 35 years old, remarried, three children. My oldest is 10
25 and does not live with me. I have a three-year old and four-month old who live with

1 me. I am Director of Software Engineering for United Health Group for the last 14
2 months. Previously I worked for American Mason. My wife is a homemaker. I have a
3 Bachelor of Science in Computer Science. I love music, especially vinyl. I play sports
4 with my kids and that's pretty much it. No club organizations or memberships. I read
5 The Free Press, Wall Street Journal, Chicago Tribune, USA Today and I subscribe to
6 Harvard Business Review, Wired, GQ, Men's Health. I have Facebook and LinkedIn
7 accounts. I'm pretty active on LinkedIn. No bumper stickers.

8 Last week I was reassigned a new position within United Health Group. I still
9 don't know what that entails; I was supposed to find out today and I'm here. I also
10 have Chronic Anxiety Disorder, but I take medication for that.

11 THE COURT: Okay. It won't hamper you from being here?

12 JUROR SINGER: No, I do not believe so.

13 THE COURT: Who just joined the Government here?

14 MS. SISKIND: This is Special Agent Lance Lockhart who I mentioned to
15 the Jury would be here.

16 THE COURT: Thank you.

17 JUROR RICH: Good morning, Mr. Robert Rich. My name is Robert
18 Rich. R-i-c-h. I live in Oakland County, been there since 1985. I'm 65 years old.
19 Married with two adult children. My oldest is -- lives in Portland, a web developer and
20 the youngest is still at MSU. Currently I'm retired. I worked for Delta Airlines for 31
21 years as a pilot and I've been retired for about four years. I also work part-time as a
22 web developer. My spouse is a flight attendant. She's been there 33 years at Delta.
23 I have a BS in Industrial Management. Hobbies are mainly reading and biking, and I
24 belong to number of Veterans Organizations. Mainly the news I get is either read on
25 the Internet through Google news or television, and I really don't subscribe to any

1 magazines. I belong to Facebook and no bumper stickers. That's about it.

2 THE COURT: Thank you very much. Good morning.

3 JUROR FARAJ-MUSLEH: My name is Becky Faraj-Musleh spelled
4 F-a-r-a-j hyphen M-u-s-l-e-h. I've live in Washtenaw County since 1998. I'm 46 years
5 old. I'm married with eight children. My oldest is 21 and she'll be returning from nine
6 months abroad to take a job at Spiritus Sanstus Academy in Ann Arbor doing several
7 roles there. My 19-year old daughter is a student at Eastern Michigan University. I
8 have a 17-year old I home school; she's 17. I have a 14-year old daughter that I
9 home school; she just turned 15. I have an almost 12-year old daughter that I home
10 school. I have a --

11 THE COURT: That's five.

12 JUROR FARAJ-MUSLEH: I have -- the next one would be she -- I have
13 daughter who is just turned nine that I home school, and then I have a five-year old
14 who I will be home schooling this Fall and then a two-year old son not home schooled
15 yet. So I stay at home. I'm home schooling my children and have been doing so for
16 21 years. My husband works for Visteon Corporation. He's the Vice President of a
17 global sales team. I have a Bachelor of Arts in Literature and Drama with Secondary
18 Ed certification. My hobbies are reading, travelling and running and overall fitness. I
19 don't think I'm officially in any organized group other than home schooling groups and
20 church groups. Most of my news I get through Catholic News Networks and I only
21 subscribe to Runner's World. I believe I have a LinkedIn account that I am not active
22 on and I do have a active Facebook account and I do have a Catholic radio bumper
23 sticker and pro life bumper sticker. I'm concerned about the length of the trial and
24 staying away from my youngest.

25 THE COURT: Okay. You have kids 17 and 15 and 12, and they're

1 home this summer?

2 JUROR FARAJ-MUSLEH: My 17-year old or the 19-year old has a job.
3 She's living with me, but she is not often home. My 17-year old is about to start a job.
4 But yeah, 19 on down living at home.

5 THE COURT: Thank you. Miss Devine, good morning.

6 JUROR DEVINE: My name is Carolyn Devine. D-e-v-i-n-e. I've lived in
7 Washtenaw County pretty much my whole life other than school. I'm 56. I'm happily
8 married, blessed with no children. I'm currently employed with a right angle staffing,
9 temporary staffing and I'm working as an administrator assistant currently for three
10 years at one job. My spouse, he was the Chief Registrar Westland, but he's on
11 permanent disability now. My education, I have one Certificate, two Associates, a
12 Bachelors Degree and some Masters education or classes. My hobbies are really
13 long and anything to do with photography, fabric, quilting, gardening, knitting, sewing,
14 painting, ceramics, weaving -- way too many things. My membership is Ann Arbor
15 Quilt Guild and a couple online quilt guilds. Newspapers, I read the Ann Arbor paper,
16 Detroit Free Press, Detroit News, anything else I can get my hands on. At work they
17 get like four or five newspapers. I have a Facebook account to keep track of my
18 nieces' activities and somehow I got talked into LinkedIn. No bumper stickers. Other
19 than that, I have family members who are retired police officers and friends who are
20 retired police officers. When I worked for 12 years at University of Michigan, I worked
21 really closely with some of their attorneys due to a lot of weirdness. The block captain
22 or neighborhood watch captain, so I worked with Ann Arbor attorneys on A few
23 situations. I've had an employer who was in trouble with taxes, so I've worked with
24 attorneys there. I've had other situations that I don't want to go into in the moment
25 working closely with attorneys and Judges and Prosecutors.

1 THE COURT: Okay. Miss Devine, can you just tell me a little bit about
2 the tax -- first, what employer was that that you handled tax issues for?

3 JUROR DEVINE: Can I say that privately? I don't want to ruin what
4 little business he has.

5 THE COURT: Maybe I can ask questions without the name. How long
6 did you work for this employer?

7 JUROR DEVINE: Maybe five years ago. I worked for him for 10 years.
8 I worked for 10 years as his administrative assistant.

9 THE COURT: Can you tell us what the tax issues were?

10 JUROR DEVINE: He was an architect and due to the economy he
11 stopped paying payroll taxes so that he could still pay us our salaries.

12 THE COURT: So what was your involvement with his tax issues?

13 JUROR DEVINE: Since I did all the bookkeeping and wrote all the
14 checks for him to sign, it was a lovely time.

15 THE COURT: So you were writing taxes to the IRS in settlement of what
16 he had failed to do?

17 JUROR DEVINE: He was supposed to be doing that, but because I was
18 bookkeeper and kept track of all the books, I was involved and I was afraid he was
19 blaming me, so I had to hire my own attorney.

20 THE COURT: Were you ever prosecuted?

21 JUROR DEVINE: No.

22 THE COURT: Were you ever investigated to your knowledge for any
23 tax --

24 JUROR DEVINE: Not to my knowledge. I didn't make any of the
25 decisions.

1 THE COURT: You were never contacted by the IRS or any agent?

2 JUROR DEVINE: I talked to the IRS.

3 THE COURT: About him, but not about yourself?

4 JUROR DEVINE: Correct. The only time I talked to the IRS is when my
5 dad's taxes were being audited and I'm head of his estate.

6 THE COURT: That's enough for now. Thank you very much.

7 JUROR PARSONS: My name Danielle Parsons. Last name spelled
8 P-a-r-s-o-n-s. I live in Washtenaw County. I'm 21. I'm single, have no children. I am
9 currently looking for a job. I'm a recent graduate from the University of Michigan. I
10 have a B.A. in Psychology and a minor in Criminal Justice. I like to read, exercise,
11 travel. I belong to the Washtenaw County Community Band. I don't subscribe to any
12 magazines and I read trending articles online. I do have an active Facebook account.
13 No bumper stickers. And also my stepfather is an Assistant Prosecutor for
14 Washtenaw County. I've had an internship with Washtenaw County Police
15 Department, with the Federal Bureau of Investigation in Detroit and the United States
16 Parole Commission in DC.

17 THE COURT: Did you just graduate?

18 JUROR PARSONS: Yes I did.

19 THE COURT: Congratulations.

20 JUROR PARSONS: Thank you.

21 THE COURT: Valerie Turner, good morning.

22 JUROR TURNER: My name is Valerie Turner. I live in Wayne County.
23 I'm 39 years old. I'm married with a two-year old son who lives with us. I'm a Project
24 Manager for Blue Cross Blue Shield. I've had that position for a year and a half. My
25 spouse is Assistant Dean of Students. My education, I have a Bachelors Degree and

1 two Masters Degrees. My hobbies are event planning, singing and anything that has
2 to do with my son. I belong to the National Management Association on my job and
3 Pentecostal Assemblies of the World, my church. I'm really not into magazines. I
4 have an active Facebook, LinkedIn and Twitter accounts and do not have any bumper
5 stickers on my car.

6 THE COURT: Thank you very much.

7 JUROR MARTEN: Good morning. My name is Phyllis Irene Marten.
8 M-a-r-t-e-n. I currently reside in Macomb County, but in the last five years I've lived in
9 Oakland County for awhile. I'm 61 years old. I am a widow. I do have two adult
10 daughters. One is a nurse and the other one is a customer service manager.
11 Presently I work with the U.S. Department of Commerce, the Census Bureau and that
12 is as an intermittent employee which means that when they have work and surveys to
13 do, I work and so my last one I just finished in June and I'm on a little vacation and I
14 will be going back in August. I worked for them for five years. As I said, I'm a widow.
15 My education is I have a Bachelor of Science in Computer Information Systems and
16 my hobbies are reading and travelling. I do not belong to any organizations. The
17 newspapers that I read are The Free Press, The Detroit News, USA Today,
18 occasionally the Wall Street Journal. I do not have any Facebook, MySpace, any
19 pages. No bumper stickers and the only other thing is I did ride up in the elevator and
20 was behind the attorney this morning.

21 THE COURT: Miss Siskind?

22 JUROR MARTEN: Yes.

23 THE COURT: Or Miss Hendrickson?

24 MRS. HENDRICKSON: No, me.

25 THE COURT: Miss Hendrickson, thank you. Who do we have left?

1 JUROR BOSSORY: My name is Therese Bossory. T-h-e-r-e-s-e
2 B-o-s-s-o-r-y. I live in Washtenaw County, been there since 1990. I have two children
3 that are out of the house. I'm an empty-nester, started last year. One's in the Air
4 Force Academy, plays football and the other one is with -- in California in supply chain
5 management. Just started with Nestle. I'm 49, married. We run a business in the
6 Fall. We have our taxes professionally done. I also am an RN at University of
7 Michigan. I've been there since '99. My husband is a Product Account Manager for
8 Kooka which does Robotics for the car industry. I have a Masters in Political Affairs
9 and a Bachelor in Nursing. Hobbies, farm work, reading, try to exercise when I can.
10 Membership would be church membership for the most part and then my nursing
11 activities. Watch the news most every night. USA Today, CNN, Detroit News,
12 whatever I can pick up. Facebook, I don't do a lot of posting, but I like to catch up
13 with friends. No bumper stickers. That's it.

14 THE COURT: Thank you very much. Ladies and gentlemen, I want to
15 ask you a few more or a few specific questions. The first one has to do with prior jury
16 service. Has anyone here in the box ever served on a jury? Anybody in the back
17 row? No. I see Miss Bossory, you had a hand up. Can you tell me about your prior
18 jury service?

19 JUROR BOSSORY: I've been picked for three; I sat on two. What I
20 have noticed is that --

21 THE COURT: (Interjecting) Not that. Tell me first of all, what courts?

22 JUROR BOSSORY: Washtenaw County District Court.

23 THE COURT: Both of them?

24 JUROR BOSSORY: Yes.

25 THE COURT: Did they involve any criminal matter?

1 JUROR BOSSORY: Yes.

2 THE COURT: And did you go -- did you deliberate with the jury?

3 JUROR BOSSORY: Yes.

4 THE COURT: You deliberated to verdict?

5 JUROR BOSSORY: Yes.

6 THE COURT: What kind of verdict did you reach and what were the
7 types of cases?

8 JUROR BOSSORY: We found him guilty. It was a tire company where
9 he was stealing the retreaded tires.

10 THE COURT: What was the second one?

11 JUROR BOSSORY: The second one I don't remember. It doesn't stand
12 out in my mind. It's been a few years ago.

13 THE COURT: Is there anything about your prior service that might effect
14 your ability to just evaluate the evidence in this case and be a fair and impartial juror?

15 JUROR BOSSORY: Things run through my mind, but I think I could be
16 impartial. The IRS is making the news big time lately, but --

17 THE COURT: What does that mean?

18 JUROR BOSSORY: Just with the conservative groups that have been
19 coined as being audited.

20 THE COURT: And so that doesn't have anything to do with your prior
21 jury service. You're just making a comment about the IRS being in the news?

22 JUROR BOSSORY: Right.

23 THE COURT: Does that have an effect on your ability to be fair and
24 impartial in this case?

25 JUROR BOSSORY: It definitely enters into it.

1 THE COURT: How so?

2 JUROR BOSSORY: Just with the overall IRS going on.

3 THE COURT: Well, I read the Indictment in this case and it has to do
4 with an allegation that Miss Hendrickson failed to file taxes and amended returns, very
5 removed from what's going on -- what's in the news about the IRS now. Do you think
6 that you would be able to listen to the evidence in this case and fairly evaluate the
7 evidence in respect to either the Government and Miss Hendrickson?

8 JUROR BOSSORY: I think so.

9 THE COURT: Anyone else with prior jury service? Can you pass -- I'm
10 sorry. I didn't realize you, Miss Marten.

11 JUROR MARTEN: I was called for jury service. I went but I was never
12 picked as a juror and that would be in the County Court in Macomb and then in
13 District Court for Sterling Heights.

14 THE COURT: You never sat as a juror.

15 JUROR MARTEN: No, never sat.

16 THE COURT: Mark Montone, you have a hand up. You served as a
17 juror?

18 JUROR MONTONE: I was called and was in a similar situation to where
19 I am now and then the Defendant's attorney DQ'ed me.

20 THE COURT: I just want to know if you've actually been chosen as a
21 juror and sat as a juror and listened to evidence in this case. Anybody in the box with
22 that in their background? No?

23 So now I want to ask you about just some connections to law enforcement. I
24 heard Mr. Montone, Miss Devine talk about some relationships with people in law
25 enforcement and Miss Parsons, I think you said you had done an internship with the

1 Federal Bureau of Investigation? Can someone give the microphone to Miss Parsons
2 please?

3 JUROR PARSONS: Yes, that's correct.

4 THE COURT: Miss Parson, when were you are the Federal Bureau of
5 Investigation?

6 JUROR PARSONS: Two years ago. It was a summer internship in
7 Detroit and the following year I was in Ann Arbor with the Federal Bureau of
8 Investigation again.

9 THE COURT: And were you -- so you were a volunteer. You were an
10 intern in the office?

11 JUROR PARSONS: Yes.

12 THE COURT: What kind of work did you do?

13 JUROR PARSONS: I did counter-terrorism, counter-intelligence, some
14 criminal matters in Ann Arbor, but very few.

15 THE COURT: When you say you did counter-terrorism, what did you
16 do?

17 JUROR PARSONS: I did more so research, analytical work and
18 prepared a lot of work for Special Agents and Analysts.

19 THE COURT: All right. There's going to be testimony in this case, ladies
20 and gentlemen, from an IRS Agent, from attorneys who work for the -- done work on
21 behalf of the Internal Revenue Service and Mr. Montone and Miss Devine, you sort of
22 outlined your relationships with people in law enforcement. So this question is for
23 them and for Miss Parsons and for all of you. Is there anything about your
24 relationships with people in law enforcement that might cause you not to be an
25 impartial juror in this case?

1 JUROR MONTONE: No.

2 THE COURT: Miss Devine?

3 JUROR DEVINE: I don't know. I don't know. I can't answer that
4 honestly. I can't -- I can't answer that.

5 THE COURT: Well, no one else can answer it for you but you.

6 JUROR DEVINE: I've always found the IRS very friendly and helpful
7 and I've always gone out of the way with every situation I've ever had with them.

8 THE COURT: So my question to you, you can find them fair, friendly, all
9 of those things. The question is that you have got two parties here and you haven't
10 heard any evidence in this case. Let me finish. You haven't heard any evidence in
11 this case and your decision ultimately has to be based on the evidence that you hear
12 in this case. Do you think that whatever bias you may have in favor of or against the
13 IRS could be put aside and that you could be fairly evaluate the evidence in this
14 case?

15 JUROR DEVINE: I don't think so.

16 THE COURT: You don't think you -- that you can do that?

17 JUROR DEVINE: Sadly, no.

18 THE COURT: Mr. Montone, what do you have to say?

19 JUROR MONTONE: I would struggle to be unbiased in this case.

20 THE COURT: I'm sorry?

21 JUROR MONTONE: I would struggle to be unbiased in this case.

22 THE COURT: Why would you struggle?

23 JUROR MONTONE: The people that don't pay their taxes is a real
24 problem in our society and that causes a black market. It causes people that do pay
25 taxes to have to pay a lot higher taxes and --

1 THE COURT: (Interjecting) Let me stop you right there. I want to find
2 out what other people think as well, but I also want to give you an instruction that will
3 be given to you at the conclusion of the case. A lot of instructions will be given to you
4 on the law. One of the areas that is strictly within the purview of the jury is to
5 determine the credibility of witnesses. It's nothing that I do; it's what you have to do.
6 You have to listen to all the testimony in this case and decide what witnesses you're
7 going to believe, not believe, what part of their testimony to believe or not believe.

8 One of the instructions that the Court gives in every case is that it doesn't
9 matter whether someone is a doctor or lawyer, police officer, a plumber, someone
10 who works on a production line. It doesn't matter in terms of you evaluating their
11 credibility. So one of the instructions that you're going to hear in this case is this.

12 The fact that a witness is employed by a Government agency does not mean
13 that his or her testimony necessarily deserves more or less consideration or greater or
14 lesser weight than that of any other witness. You must decide after reviewing all the
15 evidence whether you believe the testimony of the Government employee witness
16 and how much weight, if any, it deserves. So if the Court were to give that instruction
17 -- the Court will give that instruction, would that effect first of all, Mr. Montone, the
18 answer that you just gave or your answer would stand about people who don't pay
19 their taxes?

20 JUROR MONTONE: My answer would stand. Yes, ma'am.

21 THE COURT: Thank you. And Miss Devine.

22 JUROR DEVINE: My answer would stand.

23 THE COURT: And Miss Parsons, based on your work with the FBI, what
24 about you?

25 JUROR PARSONS: It would not effect my judgment at all.

1 THE COURT: And let me just ask generally, would the fact that we have
2 people from law enforcement employed by the Government here as witnesses, would
3 you believe that those witnesses are going to be more credible than other witnesses
4 in the case? Anybody hold that belief? No? All right. Thank you. Could I have a
5 side bar please?

6 **(Sidebar conference out of the hearing of the jury as follows)**

7 THE COURT: Is there any disagreement that Mr. Montone and Miss
8 Devine should be excused for cause?

9 MS. SISKIND: No, Your Honor.

10 MRS. HENDRICKSON: No, ma'am.

11 THE COURT: Okay.

12 MR. WISE: Judge, can I say something while we're here.

13 THE COURT: Yes.

14 MR. WISE: One of the jurors, Miss Devine is being excused. Miss
15 Devine identified Miss Hendrickson as the attorney in this case.

16 MRS. HENDRICKSON: No, it was the lady in the pink shirt. The lady in
17 the pink shirt was on the elevator with me. That's what he's talking about.

18 MR. WISE: Right.

19 THE COURT: You want me to clarify that she is not a lawyer?

20 MR. WISE: Right. My point is I don't think the Court has ever said
21 anything about her representing herself.

22 MRS. HENDRICKSON: That's right.

23 THE COURT: Okay. We will do that. Thank you. One of our jurors
24 just -- the pregnant one went to use the bathroom not surprisingly.

25 (END OF SIDEBAR CONFERENCE)

1 THE COURT: We will resume when Miss Turner returns. Anybody else
2 need to use the bathroom? All right. We'll just take a break. Come back at 11:15
3 everyone please.

4 **(Court recessed at 11:06 a.m.)**

5 **(At about 11:20 a.m.)**

6 **(Court, Counsel, Prospective Jurors and Parties present)**

7 THE COURT: I think we're ready to resume. The Court is going to thank
8 and excuse Mr. Montone and Ms. Devine. You have to return to the jury room.
9 Thank you very much.

10 THE CLERK OF THE COURT: For seat two we call juror number 27,
11 Cynthia Martin and juror number 36, Jennifer Lipson.

12 THE COURT: So good morning to the two of you. Any reason either
13 one of you would not be able to sit on this Jury?

14 JUROR MARTIN: No.

15 JUROR LIPSON: No.

16 THE COURT: And you have heard some of the questions that have
17 been put to the jurors already about their prior jury service, whether they believe that
18 people in law enforcement are more credible than other people. Do you -- have you
19 had prior jury service either one you? Does either one you believe that people in law
20 enforcement or who are employed by the Government would have more credibility
21 than other witnesses?

22 JUROR MARTIN: No.

23 JUROR LIPSON: No.

24 THE COURT: So Miss Martin, is the sheet still in your seat to answer
25 the questions? Would you answer our questions please?

1 JUROR MARTIN: My name is Cynthia Martin. Last name M-a-r-t-i-n,
2 and I live in Oakland County. I'm 52 years old. I'm not married. I have one adult
3 child that lives in Texas. I work at Utica Community Schools Transportation. I've
4 been there for 22 years. I was a certified nurse's aid back in the '80s, and then I had
5 changed occupations and became a bus driver to be home with my child during his
6 summer and to keep up his schedule. My hobbies, I cook and I like to travel. I'm a
7 pet owner, so I love taking nature walks with my dog. I am a member of Trinity
8 Lutheran Church. I have done volunteer work for Stars Guitars which is pediatric
9 cancer survivors for William Beaumont Hospital. Newspapers very rare do I read, but
10 I would probably be reading like The Detroit Free Press, Detroit News, the Parade is
11 like on Saturdays they have just that little flyer and things that come through that's
12 delivered. I am on Facebook, and I do not have bumper stickers.

13 THE COURT: Thank you very much. And Miss Lipson please.

14 JUROR LIPSON: My name is Jennifer Lipson. Last name spelled
15 L-i-p-s-o-n. Jennifer with two Ns. I currently live in Wayne County. I've lived there for
16 about seven-ish years and before that I was living in Oakland County. I'm 33 years
17 old. I am single. My parents live in Oakland County. My dad is an optometrist. My
18 mom is retired, mostly does volunteer work in the art community and things like that. I
19 am a middle school Spanish teacher in Plymouth Canton schools. This Fall will be my
20 11th year there. As I said, I'm single. I have a B.A. in Secondary Education with
21 Spanish and History. I have a Masters in Language Learning. My hobbies include
22 travelling, capoeira. That's a dance martial art type activity, exercise and what-not.
23 I am part of the Redford Community Orchestra, and professional organizations
24 include American Council for The Teaching of Foreign Languages, Michigan
25 Education Association, National Education Association. I have a three-day a week

1 subscription to The Free Press. I also subscribe to The Jewish News, and I have a
2 Facebook, a Twitter, Instagram. And the only bumper sticker on my car is for a local
3 radio station. That's pretty much it.

4 THE COURT: Thank you very much. And I read the Indictment. Did
5 anything in the Indictment sound familiar to either one of you or the witnesses who
6 were -- whose names were given?

7 JUROR MARTIN: No.

8 JUROR LIPSON: No.

9 THE COURT: Thank you. Has anyone here ever been audited or
10 spouse audited by the IRS? So can you pass that microphone down to Miss Bossory
11 please? So Miss Bossory, have you been audited?

12 JUROR BOSSORY: My husband has.

13 THE COURT: And has that been a personal audit or a business audit?

14 JUROR BOSSORY: I think we've had both. The business like I said,
15 we have professionally done so that wasn't an issue that way and then he just failed
16 to claim some camp money. He was a camp counselor for football and so it was the
17 matter of just omission, forgot.

18 THE COURT: And so there was the audit and then you paid?

19 JUROR BOSSORY: Right.

20 THE COURT: Was there anything about your experience with the IRS
21 that could cause you to not be a fair and impartial juror?

22 JUROR BOSSORY: I don't think so.

23 THE COURT: Anybody else in the front row? Yes, Miss Marten.

24 JUROR MARTEN: Yes. I just remembered probably about maybe 15
25 years ago my husband and I were audited.

1 THE COURT: And can you tell me about that?

2 JUROR MARTEN: I don't really remember much. It was just a question
3 on one of our deductions and we had to give some more documentation and it got
4 straightened out.

5 THE COURT: Anything about that experience with the IRS that could
6 color your views here?

7 JUROR MARTEN: No.

8 THE COURT: Thank you. Anyone else in the front row? I see a couple
9 hands in the back row. Miss Guevara?

10 JUROR GUEVARA: Hi. I just remembered. When I had my daughter
11 and my husband went to add her as a dependent and change the medical insurance,
12 he was originally claiming one for his payroll and they changed it accidentally to five,
13 and we didn't know that for the second part of the year, from July through December.
14 So when we got of income taxes done, we found out we owed like 3500 or 4000,
15 something like that and we had to pay it. We didn't have the money, so we had to set
16 up a payment plan through IRS which they charge you penalties and fees every
17 month, so then we had to take out a personal loan to pay it off.

18 THE COURT: And so it was paid off?

19 JUROR GUEVARA: Ah-hum.

20 THE COURT: How long ago was this?

21 JUROR GUEVARA: That was -- that happened 19 years ago when I
22 had my daughter.

23 THE COURT: So is there anything about that experience with the IRS
24 that could color your ability to be fair and impartial in this case?

25 JUROR GUEVARA: I had to pay it. I mean it was required. I had to

1 pay it.

2 THE COURT: So but my question is, is there anything about that
3 experience with the IRS that would bias you or effect your ability to be fair and
4 impartial in this case?

5 JUROR GUEVARA: I would think so because if I had to take a loan out
6 to pay it, because you have to pay your taxes, they didn't let me go. I had to take a
7 loan out. I had to pay it.

8 THE COURT: Okay, but do you understand the facts of this case and
9 the circumstances? You don't even know what they are. They're not your facts and
10 circumstances.

11 JUROR GUEVARA: I'm just telling you what my experiences are.

12 THE COURT: So what is the point that you're making? If you had to
13 take out a loan, what's the end of the point you're making?

14 JUROR GUEVARA: Well, if you didn't pay your taxes and you're
15 supposed to pay your taxes, I mean they're required by law to pay and I had to go and
16 deal with the IRS and end up having to take a loan out to pay what we owed. They
17 were -- it wasn't taken out through payroll.

18 THE COURT: I understand. So what is your point though? I understand
19 your premise, but what is the point that you're making?

20 JUROR GUEVARA: That may effect my decision in this case.

21 THE COURT: You believe that you would have a bias against one or
22 both parties?

23 JUROR GUEVARA: Yes.

24 THE COURT: And that would be a bias against whom?

25 JUROR GUEVARA: The Defendant.

1 THE COURT: Because you feel that if they couldn't pay their taxes they
2 should have taken out a loan to do it?

3 JUROR GUEVARA: Yes.

4 THE COURT: Okay. All right. Who else in the back row had a hand
5 up? Miss Ameye, you had an issue with the IRS?

6 JUROR AMEYE: We were audited, yes. You know what? My husband
7 takes care of that, so I don't -- when you asked the question I just wanted to be
8 honest. We have been audited. My husband took care of it. It wasn't really a big
9 issue. It was probably about 13, 14 years ago, so I'm not exactly even sure what the
10 issue was, but it was taken care of.

11 THE COURT: Okay. Anything about that audit that could effect your
12 ability to look at the evidence in this case and make a fair decision?

13 JUROR AMEYE: No.

14 THE COURT: I saw Miss Cynthia Martin's hand up.

15 JUROR MARTIN: It was quite awhile ago. My husband and I at the
16 time when I was married, we were audited. He took care of it. I don't really
17 remember anything about it, but then after while we were going through a divorce, the
18 year after our divorce we were audited and it was like \$800. It was like over-missed
19 (sic) because there was money withdrawn and it was early like withdrawment (sic), so
20 there was penalty on it and we usually had a professional do our taxes, so I think
21 maybe it was just over-missed (sic) because of the papers and I did let them know
22 that it was taken out, but I don't know if they included it. Somehow they caught it and
23 there wasn't taxes paid on it, but then I was liable for all the taxes and it was all taken
24 care of.

25 THE COURT: Is there anything about your experience with the IRS that

1 would effect your ability to listen to the evidence in this case?

2 JUROR MARTIN: No, Your Honor.

3 THE COURT: Thank you. Anyone else in the box with an IRS
4 experience or an IRS story? No? May I have a side bar please?

5 **(Sidebar conference out of the hearing of the jury as follows)**

6 THE COURT: Does anyone believe that Miss Guevara should not be
7 excused?

8 MS. SISKIND: We have no objection to her being excused for cause.

9 MRS. HENDRICKSON: No objection.

10 THE COURT: Thank you.

11 **(END OF SIDEBAR CONFERENCE)**

12 THE COURT: Miss Guevara, the Court will thank and excuse you.

13 THE CLERK OF THE COURT: Juror number 49, Barbara Annette Scott.

14 THE COURT: Before we go any further, I need to point out Miss Marten,
15 I think you said that you were in an elevator with an attorney, Miss Hendrickson?
16 Miss Hendrickson is the Defendant in this case and she's representing herself. She's
17 not a lawyer. I just wanted to clarify that. She has decided to represent herself in this
18 case and the gentleman sitting next to her is a lawyer, Mr. Andrew Wise, and he will
19 be providing her assistance as she goes along, but she's the Defendant and she is
20 not a lawyer.

21 JUROR MARTEN: Okay.

22 THE COURT: So Barbara Scott, good morning.

23 JUROR SCOTT: Good morning.

24 THE COURT: Miss Scott, you heard the questions that have been
25 asked. Anything that would prevent you from being here?

1 JUROR SCOTT: No.

2 THE COURT: Any bias that you have or views that you have that we
3 should explore preliminarily like a belief that the Government witness is more credible
4 or you don't like the IRS or something like that?

5 JUROR SCOTT: No.

6 THE COURT: No? Could you answer our questions please?

7 JUROR SCOTT: Sure. My name is Barbara Annette Scott. I live in
8 Wayne County. I'm 57 years old. I'm married. I have two adult children. My daughter
9 works for Oakwood Hospital. My son works in a warehouse. I'm a Customer Service
10 Research Manager. My husband works for a liquor and Wine distributor. I have
11 some college, no degree. Hobbies include sewing, knitting, arts and crafts. I'm not a
12 member of any organization. I very rarely read newspapers. I do have a Facebook
13 account. I don't have any bumper stickers and that's about it.

14 THE COURT: Okay, thank you. And nothing in the Indictment sounded
15 familiar to you?

16 JUROR SCOTT: No.

17 THE COURT: Any prior jury service?

18 JUROR SCOTT: Yes. It was about 30 years ago and I really don't
19 remember the case.

20 THE COURT: Thank you. Have you ever been audited by the IRS?

21 JUROR SCOTT: No.

22 THE COURT: Anyone on the jury or anyone in your family, in your
23 families been convicted of a crime? Can I see hands first? So I see the hand of Mr.
24 Sean Stivers. Anybody else? Parsons and Bossory. Anybody else? Where's the
25 microphone? Mr. Stivers, can you tell us about that?

1 JUROR STIVERS: My brother was convicted of alcohol and driving
2 offenses. Lost his license, but that has nothing to with the IRS or anything.

3 THE COURT: No, it does not. And so how long ago was your brother's
4 conviction?

5 JUROR STIVERS: Less than 10 years ago I think.

6 THE COURT: And was that in one of our counties here in Michigan?

7 JUROR STIVERS: Yeah. It was in St. Clair County.

8 THE COURT: Thank you. And could you pass the microphone down to
9 Miss Bossory please?

10 JUROR BOSSORY: So my brother-in-law was convicted of first it was
11 drug trafficking, then they couldn't prove it, so it was just possession of drugs and
12 then unpaid traffic tickets.

13 THE COURT: And do you know what court the drug conviction was?
14 Was it Federal Court or State Court?

15 JUROR BOSSORY: I think it was State Court.

16 THE COURT: That's it? Thank you. And Miss Turner, you've got your
17 hand up now?

18 JUROR TURNER: I just remembered. My brother-in-law was convicted
19 of Carrying a Concealed Weapon while on probation and he -- it was in Federal Court.

20 THE COURT: So he was on probation already for something?

21 JUROR TURNER: I believe it was along the same lines, the same
22 crime that he served time for.

23 THE COURT: Thank you. And Miss Parsons, yes.

24 JUROR PARSONS: My father was convicted of Domestic Violence and
25 Failure to Pay Child Support maybe 10-something years ago.

1 THE COURT: Thank you. So is that it? Miss Ameye?

2 JUROR AMEYE: Yes. A cousin that was convicted of Manslaughter
3 Second Degree.

4 THE COURT: You said a cousin. Anybody else? Anything about
5 those convictions that have been part of your family history that would cause you to
6 have any kind of bias or animosity towards the Government, or bias or animosity
7 period that could impact your ability to serve on -- as part of this Jury? Anyone?

8 Does anybody on the Jury believe that people who earn wages who make
9 money for a living here in the United States that it is unconstitutional for them to pay
10 income taxes? Does anybody hold that belief? No?

11 Has anybody here ever been a party to litigation or a close family member
12 been a party to litigation, either a party or appeared as a witness in litigation? And
13 where's the microphone? Miss Ameye?

14 JUROR AMEYE: Actually both my parents were almost brought to
15 litigation on a dispute over a property line; that was just recent, and my son is actually
16 in litigation now over a vehicle. He basically fell asleep at the wheel and he's in
17 litigation now.

18 THE COURT: Is that a civil case? He's being sued or is it a criminal
19 case?

20 JUROR AMEYE: It's a civil case.

21 THE COURT: So whoever he hit is suing him for money?

22 JUROR AMEYE: Yes.

23 THE COURT: And your parents are -- the dispute is ongoing over the
24 property line?

25 JUROR AMEYE: Finally thank the Lord, it's over.

1 THE COURT: And will you or were you a witness in that case or will you
2 be a witness in your son's case?

3 JUROR AMEYE: I won't be. I wasn't with my son and my parents, it
4 was just ongoing. It was long. The woman they had a dispute with worked at the
5 attorney's office, that she was sending basically -- she had an attorney call my
6 parents to harass them, to do all these things. My parents are elderly, bought
7 property, 10 acres. Long story short, basically the property line was not in tact and
8 she had her attorneys -- the law office she worked for called them almost weekly to
9 harass her -- to harass my parents. Then she started sending letters and letters and
10 letters where my parents had to get an attorney and it was an all out situation.

11 THE COURT: Is there anything about your knowledge of that litigation
12 that your parents were involved in or the litigation your son is involved in now that
13 could cause you to not be a fair and impartial juror in this case?

14 JUROR AMEYE: I don't have a lot of faith in attorneys.

15 THE COURT: You don't have a lot of faith in attorneys.

16 JUROR AMEYE: I don't. I'm sorry. I thought it was really wrong and I
17 couldn't believe that this attorney would call my parents and do this to them. They're
18 in their mid-sixties. Just --

19 THE COURT: (Interjecting) Let me ask you about you don't have any
20 faith in attorneys.

21 JUROR AMEYE: I don't. I used to work at a law office as well, so --

22 THE COURT: Does that mean that you would be biased against Miss
23 Siskind and Mr. McLellan?

24 JUROR AMEYE: I sometimes don't believe everything that they put in
25 front of you.

1 THE COURT: So if -- so Miss Hendrickson has a standby lawyer. You
2 wouldn't believe something that Mr. Wise was assisting Miss Hendrickson in also?

3 JUROR AMEYE: I would try to do the best I could, but like I said I'm a
4 little jaded when it comes to lawyers doing things that are not legal or not right I
5 guess. I never thought it would be okay for a lawyer to call and harass elderly people,
6 but apparently I guess it is.

7 THE COURT: Who else had a hand up about litigation? Miss
8 Vangieson?

9 JUROR VANGIESON: Cynthia Vangieson. My husband is a land
10 surveyor and so he's served as an expert witness in a number of cases, property
11 dispute cases.

12 THE COURT: He's been a land surveyor for awhile?

13 JUROR VANGIESON: Almost 30 years.

14 THE COURT: So lots of cases.

15 JUROR VANGIESON: Yes.

16 THE COURT: Does he talk to you about his cases?

17 JUROR VANGIESON: Sometimes.

18 THE COURT: Anything about your husband's involvement as an expert
19 in litigation that would alter your opinion -- that would cause you not to be a fair juror?

20 JUROR VANGIESON: No.

21 THE COURT: Thank you. Anybody else in the back row? And so in the
22 front row here I saw Miss Bossory 's hand up.

23 JUROR BOSSORY: So I've just been thinking a couple of things. It
24 would not influence my decision-making, but first one was a property dispute and we
25 had to hire our own attorney. It was about using the property line was grandfathered

1 in, but they didn't want us to have that property, so we had to hire an attorney. That
2 was the first, and then the other was someone falsified an RN license and gave me an
3 RN license that was not legit for a big company that I was working for for occupational
4 health so I had to go to court and testify that she gave me a false RN license.

5 THE COURT: And anything about your involvement in those disputes
6 that would effect your ability to be fair here?

7 JUROR BOSSORY: No.

8 THE COURT: Anyone else in the front row with a litigation story you'd
9 like -- that we need to know about? May I have a side bar please?

10 **(Sidebar conference out of the hearing of the jury as follows)**

11 THE COURT: What do you think?

12 MS. SISKIND: The Government would move to have that prospective
13 juror stricken for cause.

14 THE COURT: Do you have an objection?

15 MRS. HENDRICKSON: I do.

16 THE COURT: What is it?

17 MRS. HENDRICKSON: Well, if she is going to be biased against
18 attorneys, she said she would be biased against Andrew as well, so it seems to me
19 that that's equal footing.

20 THE COURT: I'm going to strike her for cause.

21 **(END OF SIDEBAR CONFERENCE)**

22 THE COURT: Miss Ameye, the Court thanks and excuses you.

23 THE CLERK OF THE COURT: Juror number 63, Jacob Scott Harris.

24 THE COURT: Good morning, Mr. Harris. Mr. Harris, you've heard all
25 the questions that have been put to potential jurors this morning?

1 JUROR HARRIS: Yes.

2 THE COURT: And is there anything in the Indictment that's familiar to
3 you?

4 JUROR HARRIS: No.

5 THE COURT: What about the witnesses?

6 JUROR HARRIS: No.

7 THE COURT: Any prior jury service?

8 JUROR HARRIS: No.

9 THE COURT: Any criminal activity on your part or on the part of
10 anybody close to you in your family?

11 JUROR HARRIS: No. I have a traffic incident of my own I have to
12 report about this week, but nothing criminal.

13 THE COURT: Have you ever been audited by the IRS?

14 JUROR HARRIS: No. I don't know if my parents have or not.

15 THE COURT: Do you have any bias against the IRS?

16 JUROR HARRIS: No.

17 THE COURT: Do you have a bias in favor of the IRS?

18 JUROR HARRIS: No.

19 THE COURT: And do you believe that people -- do you think it's
20 unconstitutional to ask people to pay taxes?

21 JUROR HARRIS: No.

22 THE COURT: Would you rise and answer our questions please?

23 JUROR HARRIS: My name is Jacob Harris. I live in Monroe County. I
24 live in Monroe County. I lived in Toledo for a couple years, but I moved back with my
25 parents. I'm 23. I'm single. I have no children. I have three jobs. I work at Kroger as

1 Bakery clerk. I work at a place called Ritter Associates and we edit mystery shops.

2 THE COURT: You do what?

3 JUROR HARRIS: We edit mystery shops.

4 THE COURT: You edit mystery shops?

5 JUROR HARRIS: Yeah. We have clients. We go in and they shop
6 various places and send it to our database. We make sure they all make sense
7 basically, and then I clean for a lady. She owns a yarn shop and I just do her floors. I
8 have no spouse. My education, I went to Monroe County Community College for my
9 general education. I'm at UT now studying Paralegal Studies now. My hobbies, I like
10 reading, TV shows, movies, going outside. I'm simple. I have no membership.
11 I read news clips sometimes, but that's about it. I have a Facebook and an Instagram
12 and I don't really use them much. I have no bumper stickers and there's nothing else.

13 THE COURT: Thank you. Thank you, Mr. Harris.

14 JUROR HARRIS: You're welcome.

15 THE COURT: All right. Ladies and gentlemen, I want to explain some
16 principles of law and just ask you your views. These are principles of law that are
17 going to apply in this case and I need to know if you believe you can abide by them or
18 if not. Some of these things you certainly have heard some of the terminology a lot in
19 movies and television and shows otherwise. These terms are principles of law are
20 very important in criminal cases and you need to understand them and to be able to
21 follow them if you're going to serve on a jury.

22 So the first right that I want to cover with you is the right to remain silent and
23 what that means is that Miss Hendrickson is not going to be under any obligation to
24 testify. She can remain silent and she can force the Government to establish her guilt
25 by presenting complete evidence. So there's no obligation on her to take the witness

1 stand. The question is if Miss Hendrickson elects not to testify in this case, would you
2 hold that against her given that it is the Government's burden of proof to prove the
3 charge against her? Anybody?

4 And the other part of that, ladies and gentlemen, is that if Mrs. Hendrickson
5 elects not to take the witness stand, as is her right, that is not something that can be
6 discussed during your deliberations. Do you understand that? And will you be able to
7 do that? Yes everyone?

8 Another principle of law is presumption of innocence. At trial a defendant is
9 presumed innocent. The Indictment or Information against a defendant and that I
10 read to you is not evidence of any guilt. It is the formal way that the Government puts
11 citizens on notice that they are facing a criminal charge, and the Defendant always
12 begins a trial with a clean slate that is with a presumption of innocence.

13 So do you understand that the Indictment itself that I read to you is not
14 evidence of guilt? Do you understand that first of all, that it is a notice thing? It's a
15 notice document, and so if the Court asked you to leave the courtroom now and to go
16 and deliberate, what would your verdict be? Miss Vangieson?

17 JUROR VANGIESON: Innocent.

18 THE COURT: Miss Marten?

19 JUROR MARTEN: Not guilty.

20 THE COURT: Mr. Harris.

21 JUROR HARRIS: Not guilty.

22 THE COURT: Barbara Scott?

23 JUROR SCOTT: Not guilty.

24 THE COURT: Mr. Stivers.

25 JUROR STIVERS: Not guilty.

1 THE COURT: Miss Duncan.

2 JUROR DUNCAN: Undecisive.

3 THE COURT: I will come back to you. Mr. Singer?

4 JUROR SINGER: Not guilty.

5 THE COURT: Mr. Rich.

6 JUROR RICH: Not guilty.

7 THE COURT: And Miss Faraj-Musleh?

8 JUROR FARAJ-MUSLEH: Not guilty.

9 THE COURT: Miss Lipson.

10 JUROR LIPSON: Not guilty.

11 THE COURT: And Miss Parsons?

12 JUROR PARSONS: Not guilty.

13 THE COURT: Miss Turner.

14 JUROR TURNER: I'm undecided right now.

15 THE COURT: Miss Martin?

16 JUROR MARTIN: Not guilty.

17 THE COURT: Miss Bossory?

18 JUROR BOSSORY: Not guilty.

19 THE COURT: So Miss Duncan, the Court has told you that it is the
20 Government's obligation to prove a defendant's guilt through evidence and that the
21 trial begins with a presumption of innocence. So I just need you to explain why you're
22 undecided if you had to leave and deliberate right now?

23 JUROR DUNCAN: I would say undecided because I haven't heard any
24 evidence of the case. I wouldn't want to say guilty or not guilty and the Defendant -- I
25 just haven't heard any evidence. I wouldn't want to make a decision.

1 THE COURT: That's the point. But I mean if you were asked to go
2 make a decision not having heard any evidence, there's no evidence of guilt, what
3 would your decision necessarily need to be?

4 JUROR DUNCAN: I guess basically because based on the
5 Government, I guess I would say not guilty because the Defendant is not guilty until
6 proven, so --

7 THE COURT: And you, Miss Turner? Why are you not decided?

8 JUROR TURNER: I thought about it. It's not guilty. I did think about it.
9 I would say not guilty.

10 THE COURT: What changed your mind?

11 JUROR TURNER: When you said that there's no evidence against her
12 to prove that she is guilty. I thought about it.

13 THE COURT: So as I said, the Government has the obligation to prove
14 guilt beyond a reasonable doubt. The Government has that obligation in every
15 criminal case regardless of who the defendant is and regardless of what the charge is,
16 and so -- and that is because the Government elected to file a criminal charge against
17 Miss Hendrickson. Do any of you believe that she has any obligation to prove that
18 she's innocent? Does anybody hold that belief? Anyone? Miss Duncan?

19 JUROR DUNCAN: Can you repeat?

20 THE COURT: Since the Government has the burden to prove guilt, the
21 Defendant doesn't have a burden to present any evidence. The question is do you
22 believe that she would have any obligation to prove that she is innocent of the charge
23 the Government has filed against her?

24 JUROR DUNCAN: I would say absolutely because I feel like she do
25 have the right to defend herself. If there's something that she totally believes the

1 Government is falsely accusing her of, I do feel like she do have the obligation to
2 defend herself.

3 THE COURT: She certainly has the right to present any evidence that
4 she wants to present, but she doesn't have an obligation to present any evidence
5 because the Government is the one with the burden of proof. It gets back to
6 something that I said earlier; that she doesn't have an obligation to take the witness
7 stand, that there's a presumption of innocence and that she doesn't have an
8 obligation to prove that she is innocent. So knowing that, knowing that those are the
9 principles of law, my question to you is having heard that, does anybody still believe
10 that she would have an obligation to prove her innocence as opposed to the
11 Government proving that she's guilty?

12 JUROR DUNCAN: No.

13 THE COURT: No what?

14 JUROR DUNCAN: I changed my behind. She don't have a obligation to
15 do that. I mean no.

16 THE COURT: I see a hand. miss Lipson, you have a hand up. Can you
17 get the microphone to her please?

18 JUROR LIPSON: Hearing your explanation to her, I understand what
19 you're saying, but I guess if I were in her position, like legally I get that she doesn't
20 necessarily need to prove that she's innocent, but if I was in her position I would feel
21 like I had to prove that I was innocent if the Government is accusing me of doing
22 something and I know for a fact that this is not me. I'm going to do everything. I'd feel
23 personally obligated to prove that look, this isn't what you think it is. I'm innocent.
24 Maybe there's a miscommunication or something, but this is not what I did.

25 THE COURT: Well, that may be how you would feel personally, but I've

1 just given you some principles of law and those principles are that the Government
2 has the burden of proof. A defendant has a presumption of innocence.

3 JUROR LIPSON: Right.

4 THE COURT: And the Government burden is to prove that somebody's
5 guilty beyond a reasonable doubt, and there is -- I haven't even gotten to this one.
6 There's a 5th Amendment right. A defendant has no obligation to testify or to
7 incriminate himself/herself. Having heard what those principles are, even though you
8 may personally feel an obligation to take the witness stand if you were criminally
9 charged, could you apply the principles of law to other defendants in a criminal case?

10 JUROR LIPSON: I guess, yes.

11 THE COURT: You think you would be able to do that?

12 JUROR LIPSON: Yes.

13 THE COURT: Let me say a little bit more about beyond a reasonable
14 doubt, that's the standard, and if the Court were using Scales of Justice to illustrate
15 what the burden of proof would be here, it's different from what the burden would be
16 in a civil case. You probably all have seen Scales of Justice and they're being held in
17 the balance. In a civil case, the balance would just have to tilt ever so slightly in favor
18 of the Plaintiff in order for the Plaintiff to win. In a criminal case, that scale, the
19 Government is the Plaintiff and the scale would have to tip tremendously in order for
20 you to conclude that the Government has met its burden of proof. That burden of
21 proof is the same kind of proof that you might need in your own lives to make the
22 most important decisions with respect to decisions in your own lives. That's how
23 heavy the burden of proof is that the Government has. If you don't believe that the
24 Government has met that burden of proof, would all of you be able to return a verdict
25 of not guilty in favor of Miss Hendrickson? Or would some of you -- I'm seeing a lot of

1 head nods yes. Would all of you be able to hold the Government to that obligation?
2 Does anyone believe that it could not or would not hold the Government to that
3 obligation? May I see any hands?

4 Let's just pick a child. If any of you had an adult child on trial charged with a
5 criminal offense, would you want someone who thinks and believes as you do on that
6 Jury or would you have some concern about having someone with your viewpoint on
7 a Jury given that everyone is entitled to a fair and impartial jury? Would you want
8 someone like yourself deciding whether your own child was guilty or innocent?
9 Anybody have reservations about yourself and your views and whether you have
10 been forthcoming with this Court on your ability to be fair.

11 Does anybody have any religious belief against being able to pass judgment on
12 someone in a criminal case? Any religious reservations?

13 Anyone with any kind of bias that we haven't talked about.

14 Then I'm going to allow a brief amount of time for the parties to voir dire this
15 jury. Miss Siskind.

16 MS. SISKIND: Thank you, Your Honor. Do any Members of the Jury
17 feel like they would have trouble following instructions about the law as the Court
18 gives them to you as opposed to any outside information you know about the law?

19 And does anyone on the -- any prospective Members of the Jury believe that
20 tax issues should not be a criminal matter, that they should be dealt with some other
21 way?

22 And does anyone have any particularly strong feelings about the Department of
23 Justice or the Internal Revenue Service paying taxes that you think might effect your
24 ability to be a fair and impartial juror in this case? Thank you, Your Honor.

25 THE COURT: Miss Hendrickson, do you have any voir dire for this Jury?

1 MRS. HENDRICKSON: Yes, I do. Thank you. A couple of things that
2 I'd like to touch on. First off, do you understand that I'm not on trial for any offense
3 that is not alleged in the Indictment? It's just the one charge.

4 And I'll skip some of these. Also, if the Prosecution proved or could prove that
5 I was -- that I committed some other offense other than the one that's charged in the
6 Indictment, do you understand that you would have to return a not guilty verdict on
7 that Indictment?

8 Would it bother you if the Prosecution proved, if they could prove, that the
9 Defendant committed an offense -- not an offense charged in the Indictment -- that
10 you still must find not guilty?

11 The Judge talked about the evidence. You have to look at only the evidence.
12 From time to time, attorneys, these attorneys or me may raise an objection to the
13 Court if something is said or trying to introduce evidence. Do you understand that the
14 objections are not to the evidence itself sometimes, but just to the manner in which it
15 is introduced? Certain protocol that must be followed. The attorneys or me are not
16 trying to trick you or hide anything from you. Do you understand that's not what's
17 happening during objections? That's the way things have to be done.

18 Do you understand the attorneys have a legal and ethical obligation to make
19 objections when they believe the Rules of Evidence are not being followed by the
20 opposing side? Will you hold it against me if I raise any objections?

21 If, if you have a reasonable doubt about my guilt at the end of the case and
22 after listening to the arguments of your fellow jurors when you go back to deliberate,
23 could you and will you stick to your guns and refuse to change your verdict even
24 though it might make you unpopular with the other jurors? What if it was 4:30 p.m. on
25 Friday and everyone was pressuring you to agree just so they can go home for the

1 weekend, would you still stick to your guns if you already made a decision and that's
2 your decision?

3 Would it be embarrassing to you in any way if you sat on a Jury and found the
4 Defendant not guilty.

5 If you were ultimately to vote for acquittal in this case and then you talked
6 about it with your neighbors afterwards because you can't during the case, but would
7 that create any problems for you in your neighborhood or your workplace if you found
8 not guilty and then went and talked about it.

9 Is there anything about this case that bothers you in any way? And I guess
10 that would do. Thank you.

11 THE COURT: Thank you, Miss Hendrickson. Thank you very much. Let
12 me ask first. Government, do you have any challenges for cause?

13 MS. SISKIND: No, Your Honor.

14 THE COURT: Thank you. Miss Hendrickson, do you have any
15 challenges for cause?

16 MRS. HENDRICKSON: No, ma'am.

17 THE COURT: Thank you. Miss Siskind, Mr. McLellan, do you have any
18 peremptory challenges?

19 MS. SISKIND: Yes, Your Honor.

20 THE COURT: Who would you like to excuse?

21 MS. SISKIND: The Government would like to excuse Mr. Stivers.

22 THE COURT: Mr. Stivers in seat number five.

23 MS. SISKIND: Yes, Your Honor.

24 THE COURT: Thank you. And Miss Hendrickson, do you have any
25 challenge for cause -- or peremptory challenges?

1 MRS. HENDRICKSON: Miss Duncan please.

2 THE COURT: Miss Duncan seated in seat number six.

3 MRS. HENDRICKSON: Yes.

4 THE COURT: Thank you. You and Mr. Stivers are excused.

5 THE CLERK OF THE COURT: Juror number 117, Timothy Lawrence
6 Caldwell. C-a-l-d-w-e-l-l. Excuse me. If you would take the seat on the top in seat
7 five.

8 THE CLERK OF THE COURT: Juror number 48, Linda Jean Kisell.

9 THE COURT: So good afternoon, Mr. Caldwell and Miss Kisell. You've
10 been listening to all the questions so far this morning?

11 JUROR CALDWELL: Yes.

12 JUROR KISELL: Yes.

13 THE COURT: Anything that you want to bring to the attention of the
14 Court, Mr. Caldwell?

15 JUROR CALDWELL: I feel like as a juror that I wouldn't be that much
16 compliant because of my religious beliefs.

17 THE COURT: You have a religious belief that says what?

18 JUROR CALDWELL: Concerning judgment, and I feel like it should be
19 left not to jurors, but the Judge and I wouldn't be so much compliant. I would be
20 pretty much biased.

21 THE COURT: So you believe that the Courts, Judges don't have the
22 ability to enforce criminal laws?

23 JUROR CALDWELL: I feel like you do. You are the official and
24 judgment is supposed to be to the officials. I feel like it shouldn't be left to jurors.

25 THE COURT: You don't believe in the jury system?

1 JUROR CALDWELL: No.

2 THE COURT: Miss Kisell, do you have any beliefs or biases that you
3 need to bring to our attention?

4 JUROR KISELL: I do not, but I do have a family emergency this week.
5 My mother had a stroke two weeks ago and was released last week and I am the
6 main caregiver. She has two appointments this Wednesday.

7 THE COURT: The Court is going to thank and excuse Mr. Caldwell and
8 Miss Kisell.

9 THE CLERK OF THE COURT: Juror 56, Joyce Gibbs and juror number
10 31, Donald Peters, the Second.

11 THE COURT: Good afternoon. Miss Gibbs, Mr. Peters, is there
12 anything that would prevent you from serving on this Jury? Mr. Peters?

13 JUROR PETERS: I think I'd be biased in this case.

14 THE COURT: What is the nature of your bias, Mr. Peters?

15 JUROR PETERS: I think everyone would -- should pay their taxes and I
16 think too many people have to make up for the taxes for those that don't pay their
17 taxes.

18 THE COURT: All right. And Miss Gibbs, what about you?

19 JUROR GIBBS: I remember reading -- I remember hearing the case
20 and reading about it in the past, so I'm a little bit familiar with it.

21 THE COURT: What did you read or hear about it?

22 JUROR GIBBS: Just that the taxes were not paid and that the
23 Government IRS was trying to enforce that they be paid. My voice doesn't go that
24 loud.

25 THE COURT: You believe you read and heard about this case?

1 JUROR GIBBS: Yes, I do.

2 THE COURT: May I have a side bar with you Miss Gibbs please?

3 MS. SISKIND: Us as well, Your Honor?

4 THE COURT: Yes please.

5 **(Sidebar conference out of the hearing of the Jury as follows)**

6 THE COURT: Miss Gibbs, what do you think you know of this case?

7 JUROR GIBBS: I know that when I read it and heard about it I already
8 kind -- I formed an opinion and I really think it would interfere with me being fair in this
9 case because I read it and I heard about it and I was upset about it and I just already
10 felt that that person was guilty, and I think I would have a hard time switching that.

11 THE COURT: Any questions that anybody asked?

12 MS. SISKIND: No, Your Honor.

13 MRS. HENDRICKSON: No.

14 THE COURT: Thank you, Miss Gibbs. You may take your seat.

15 Counsel, stay up here please and Miss Hendrickson. I have a fear that is developing.

16 MS. SISKIND: I think I share your fear.

17 **(END OF SIDEBAR CONFERENCE)**

18 THE COURT: The Court is thanking and excusing Joyce Gibbs and
19 Donald Peters.

20 THE CLERK OF THE COURT: Juror 34, Jo Ellen Kalymon and Juror
21 number 75, Robert Bruce Turner.

22 THE COURT: So good afternoon, Miss Kalymon and Mr. Turner.

23 You've been listening to the voir dire this morning. Is there anything, Mr. Turner, that
24 would prevent you from serving on this Jury?

25 JUROR TURNER: No.

1 THE COURT: Thank you. Miss Kalymon, anything that would prevent
2 you from serving on this Jury?

3 JUROR KALYMON: Well, I do have an issue I guess with the Justice
4 Department. My ex-father-in-law, I went to a trial of his and I just had a hard time. I
5 thought the lawyers were very disrespectful.

6 THE COURT: What was your father-in-law on trial for? Why don't we
7 come to the side bar please?

8 **(Sidebar conference out of the hearing of the jury as follows)**

9 JUROR KALYMON: He was the one that was convicted of -- WELL,
10 allegedly convicted of killing Jews in Germany just recently and the only thing I think
11 they found him guilty of was lying on his immigration documents.

12 THE COURT: What is his name?

13 JUROR KALYMON: Kalymon, John Kalymon.

14 THE COURT: I remember reading that.

15 JUROR KALYMON: Yes, he just passed away. And when I came to
16 trial, the Government lawyers for the Justice Department, they were just -- I have a
17 hard time. They were just so disrespectful. Like he'd ask a question of him and then
18 roll his eyes and I just -- and just some of the things that I know regarding him and
19 documents and things. I just kind of lost some faith in --

20 THE COURT: Okay. Why don't you take your seat? Thank you. Any
21 objection to excusing her?

22 MS. SISKIND: No, Your Honor.

23 MRS. HENDRICKSON: No.

24 **(END OF SIDEBAR CONFERENCE)**

25 THE COURT: The Court excuses Miss Kalymon, thank you.

1 THE CLERK OF THE COURT: Juror number 26, Jeffrey Leroy
2 Rockwell.

3 THE COURT: Good afternoon, Mr. Rockwell. Mr. Rockwell, is there
4 anything that would prevent you from serving as a juror?

5 JUROR ROCKWELL: No.

6 THE COURT: Wow, that's like music to my ears. All right. You've got
7 the microphone. You've got a sheet to answer questions please.

8 JUROR ROCKWELL: Jeffrey Leroy Rockwell. I live in Lenawee
9 County. I've lived there all my life. I'm 54 years old. I'm married. I have one adult
10 child. He works as a Corrections Officer at Gus Harrison Facility in Adrian, Michigan.
11 My occupation, I'm Parts Manager at Greg Bell Chevrolet Cadillac. I've been there 24
12 years. My spouse is a homemaker. I have a high school education. My hobbies are
13 hunting and taking care of my yard. I belong to the Fraternal Order of Moose. I read
14 the Detroit News and The Free Press. I am on Facebook, but don't do too much on it.
15 No bumper stickers and that's about it.

16 THE COURT: Thank you. Mr. Rockwell, how long has your son been a
17 Correctional Officer?

18 JUROR ROCKWELL: Four years.

19 THE COURT: How old is he?

20 JUROR ROCKWELL: He's 29.

21 THE COURT: So he's sort of in law enforcement. You heard the
22 questions I asked earlier about people in law enforcement. Is there anything about
23 your son's position at Gus Harrison that would cause you to believe that people in law
24 enforcement or who work for the Government are more credible than other people?

25 JUROR ROCKWELL: No.

1 THE COURT: And have you ever served on a jury?

2 JUROR ROCKWELL: I have not.

3 THE COURT: Any audits by the Internal Revenue Service?

4 JUROR ROCKWELL: I have not.

5 THE COURT: And you heard the Indictment and nothing is familiar to
6 you?

7 JUROR ROCKWELL: Nothing at all.

8 THE COURT: Thank you very much. Mr. Turner, would you answer our
9 questions?

10 JUROR TURNER: My name is Robert Turner. I live in Oakland County.
11 I'm 58. I'm married with four children; they're all adult children. There's two in
12 marketing and one in finance. I'm a sales representative. I work for McKesson. I've
13 been in my present position for 31 years. My spouse currently is not working, but
14 she's a nurse. I have a college education, a BBA and some MBA course work.
15 Hobbies, work around the house, fish. I like to walk with my dog. I'm not really a
16 member of any organization. I read the Wall Street Journal daily and The Detroit Free
17 Press. Not really doing much on social websites. I've been on in. Don't have bumper
18 stickers and I think I can be unbiased.

19 THE COURT: Have you ever been audited by the IRS?

20 JUROR TURNER: I have.

21 THE COURT: Tell us about that.

22 JUROR TURNER: I had one situation at one time where my wife was
23 working as an administrative resident and was paid a stipend and they questioned the
24 stipend, the taxing of the stipend. And another time as a Sales Representative I paid
25 my own expenses and there was some question on how I took care of the mileage on

1 my car.

2 THE COURT: Did either one of these result in you owing more taxes to
3 the Government?

4 JUROR TURNER: Yes. One of my them I think I owed a few hundred
5 dollars.

6 THE COURT: And you paid?

7 JUROR TURNER: I paid.

8 THE COURT: Is there anything about these audits by the IRS that could
9 cause you to be biased in considering the evidence in this case?

10 JUROR TURNER: No.

11 THE COURT: And have you ever served on a jury?

12 JUROR TURNER: I have, once.

13 THE COURT: And what was that about?

14 JUROR TURNER: And that was back when I was in college and it was
15 kind of a product liability case with B.F. Goodrich.

16 THE COURT: And did you go to verdict then?

17 JUROR TURNER: We did and the situation where somebody was suing
18 B.F. Goodrich and we were in favor of B.F. Goodrich.

19 THE COURT: Okay. Counsel and Miss Hendrickson, any questions for
20 Mr. Turner or Mr. Rockwell?

21 MRS. HENDRICKSON: No. Oh, sorry.

22 MS. SISKIND: Just to the two new members of our panel, do either of
23 you have any particularly strong feelings about the Department of Justice or IRS or
24 the payment of taxes that you think might effect your ability to serve in this case?

25 JUROR ROCKWELL: No.

1 JUROR TURNER: No.

2 MS. SISKIND: Thank you, Your Honor.

3 THE COURT: Miss Hendrickson?

4 MRS. HENDRICKSON: I didn't hear how the disposition of that case that
5 you heard about, B.F. Goodrich, Mr. Turner?

6 JUROR TURNER: It was in favor of B.F. Goodrich.

7 MRS. HENDRICKSON: And you heard all of the questions I had asked
8 earlier.

9 JUROR TURNER: Yes.

10 JUROR ROCKWELL: Yes.

11 THE COURT: All right. Any challenges for cause?

12 MS. SISKIND: Not from the Government, Your Honor.

13 THE COURT: You, Miss Hendrickson?

14 MRS. HENDRICKSON: Yes. No, not for cause.

15 THE COURT: Thank you. So now Miss Hendrickson, do you have a
16 peremptory challenge?

17 MRS. HENDRICKSON: Miss Parsons please.

18 THE COURT: You want to challenge seat 11, Danielle Parsons. Thank
19 you, Miss Parsons. Miss Siskind, do you have challenges?

20 MS. SISKIND: The Government would exercise a peremptory challenge
21 on Miss Faraj-Musleh, juror number 73 in seat nine.

22 THE COURT: Miss Faraj-Musleh, you are excused. Thank you very
23 much.

24 THE CLERK OF THE COURT: Juror number 84, Andrew Parks in seat
25 11 and juror number 37, Judy Lumsden.

1 THE COURT: Good afternoon to both of you. Mr. Parks, any reason
2 you would not be able to serve on this Jury?

3 JUROR PARKS: No.

4 THE COURT: And you heard all the questions that were put before to
5 people. Do you have any jury experience?

6 JUROR PARKS: No.

7 THE COURT: What about any audits by the IRS?

8 JUROR PARKS: No.

9 THE COURT: Any biases against the IRS or Department of Justice or
10 lawyers?

11 JUROR PARKS: No.

12 THE COURT: And you heard the Indictment that the Court read.
13 Anything in there that's familiar to you?

14 JUROR PARKS: Nope.

15 THE COURT: Thank you. And Miss Lumstead (sic), same questions.
16 Anything that would prevent you from serving on this Jury?

17 JUROR LUMSDEN: No, ma'am.

18 THE COURT: You have got the mic, can you answer our questions?

19 JUROR LUMSDEN: No, ma'am.

20 THE COURT: No, no. You will. You can. That's a little automatic now.

21 JUROR LUMSDEN: Sorry. My name is Judy Lumsdem. L-u-m-s-d-e-n.
22 I live in Oakland County. My age is 55. I'm divorced with four children. One is in
23 Ypsi going to school. One is in California working for Tesla. One is at U of M in
24 biomed and then my youngest is 15. I am so nervous.

25 THE COURT: You shouldn't be. This is a friendly crowd.

1 JUROR LUMSDEN: I know.

2 THE COURT: Would you like some water?

3 JUROR LUMSDEN: No. I am self-employed, divorced. My education
4 is a few college classes. My hobbies are what my youngest daughter's hobbies are. I
5 don't belong to any organization. I don't read any newspaper. I am on Facebook, but
6 I use it strictly to stalk my children. I think I'm on LinkedIn, but I'm not really sure
7 anymore. I don't have any bumper stickers. That's it.

8 THE COURT: Thank you. You said you're self-employed? What kind of
9 work do you do?

10 JUROR LUMSDEN: People call me a treasure broker. I buy and sell.

11 THE COURT: You do that on line?

12 JUROR LUMSDEN: Various places.

13 THE COURT: How long have you been doing that?

14 JUROR LUMSDEN: Five years.

15 THE COURT: Have you ever been audited by the IRS?

16 JUROR LUMSDEN: No.

17 THE COURT: No biases? Did I ask you that already? I did ask you that
18 already. Miss Siskind, do you have any questions?

19 MS. SISKIND: No, Your Honor.

20 THE COURT: And Miss Hendrickson, do you have any questions?

21 MRS. HENDRICKSON: No, I don't.

22 THE COURT: Thank you. Any challenge for cause here?

23 MS. SISKIND: Your Honor, I don't believe Mr. Parks gave the
24 introduction.

25 THE COURT: Oh, I'm sorry. Mr. Parks, I didn't mean to overlook you.

1 Please answer our questions.

2 JUROR PARKS: My name is Andrew Parks. I live in Holly Township.
3 I've lived there my whole life. My age is 28. I'm engaged. I have a seven and a half
4 month-year old -- seven-month old baby boy. I am a preventive maintenance
5 technician at Old Dominion Freightline. My fiance is a Manager at Tim Horton's. I
6 have two Certificates from college. I build motorcycles and hot rods on weekends and
7 times off. I'm not in any memberships or organizations. I do read Tri-county Times
8 and Flint Journal, Detroit Free Press. I have a Facebook account and I don't have
9 any bumper stickers and that's about all.

10 THE COURT: Thank you. When are you getting married?

11 JUROR PARKS: August of next year.

12 THE COURT: Congratulations.

13 JUROR PARKS: Thank you.

14 THE COURT: Any questions, Miss Siskind?

15 MS. SISKIND: No, Your Honor.

16 THE COURT: Miss Hendrickson, any questions?

17 MRS. HENDRICKSON: No.

18 THE COURT: Any challenge for cause?

19 MS. SISKIND: No challenge for cause, Your Honor.

20 MRS. HENDRICKSON: No, ma'am.

21 THE COURT: And I think it's your turn, Miss Siskind.

22 MS. SISKIND: Yes, Your Honor. The Government would move to
23 excuse Miss Bossory.

24 THE COURT: Thank you, Miss Bossory. Thank you very much. Do you
25 have any challenges?

1 MRS. HENDRICKSON: Yes. Miss Lipson please.

2 THE COURT: Thank you, Miss Lipson.

3 THE CLERK OF THE COURT: Juror number 21, Robert Nagy and Juror
4 number eight, Jacalynn Harvey.

5 THE COURT: Mr. Nagy and Miss Harvey. Where's the microphone?
6 Miss Harvey, you listened to all the questions so far today. Is there any reason you
7 would not be able to serve on this Jury?

8 JUROR HARVEY: No.

9 THE COURT: And have you ever been audited by the IRS?

10 JUROR HARVEY: No.

11 THE COURT: And any convictions in your family history?

12 JUROR HARVEY: No.

13 THE COURT: Any bias that you have against the Department of Justice
14 or the IRS or lawyers?

15 JUROR HARVEY: No.

16 THE COURT: Nothing? No biases?

17 JUROR HARVEY: No, not that were mentioned. No.

18 THE COURT: Well, anything that you think would prevent you from
19 being fair here?

20 JUROR HARVEY: No.

21 THE COURT: Thank you. So why don't you answer the questions while
22 you have the microphone?

23 JUROR HARVEY: Jacalynn Harvey. My first name is J-a-c-a-l-y-n-n. I
24 live in Oakland County. I'm 52 years old. I'm married. I work for the City of Roseville
25 as the Director of Public Library. My spouse works in landscaping. I have a Masters

1 Degree. I am involved in an animal welfare group as a hobby and the Democratic
2 Party. I belong to the Michigan American Library Associations. I read The Free Press
3 and New York Times daily. I don't participate in social media. I have no bumper
4 stickers.

5 THE COURT: Thank you very much. Would you pass the microphone
6 down to Mr. Nagy? Mr. Nagy, anything that would prevent you from serving as a
7 juror?

8 JUROR NAGY: Only healthwise. As you just seen I have an
9 age-related prostate problem and I have to go to the bathroom a lot and that may
10 sitting here having to go might impede my ability to concentrate what's going on in the
11 courtroom.

12 THE COURT: Well, we do take breaks, but you need to let us know if
13 you think you might not be able to serve.

14 JUROR NAGY: Other than that, no.

15 THE COURT: Any biases that we should know about against the IRS or
16 the Department of Justice or lawyers?

17 JUROR NAGY: No.

18 THE COURT: Answer the questions please.

19 JUROR NAGY: Robert Nagy spelled N-a-g-y. I live in Wayne County.
20 I'm 64. I'm married and have two adult children. One is a homemaker, one that
21 works as a secretary. I'm retired at the moment. I worked at General Motors, retired
22 from General Motors. My spouse works for Henry Ford Health Care System. High
23 school education. Hobbies are just I dabble with computers. I don't believe I belong
24 to any membership, organizations or anything. I read The Detroit News daily. I have a
25 Facebook account which I very seldom use. No bumper stickers and nothing else I'd

1 like to add.

2 THE COURT: Did you say what you did at GM?

3 JUROR NAGY: I was a line worker.

4 THE COURT: Thank you very much. Are there any questions for Miss
5 Harvey or Mr. Nagy?

6 MS. SISKIND: No, Your Honor.

7 MRS. HENDRICKSON: I'd just like to inquire, Miss Harvey, about you
8 said when the Judge asked you about biases or something and you said none that
9 were mentioned and I just would like to inquire a little bit about that.

10 JUROR HARVEY: I was just trying to answer the question truthfully.
11 Everyone has biases, but I don't have any that would effect this proceeding.

12 THE COURT: Thank you. Are there any challenges for cause?

13 MS. SISKIND: No, Your Honor.

14 MRS. HENDRICKSON: No, ma'am.

15 THE COURT: I think it's on you, Miss Hendrickson. Do you have any
16 peremptory challenges?

17 MRS. HENDRICKSON: Yes. Mrs. Scott please, juror number four.

18 THE COURT: In seat number four. Thank you, Miss Scott. Do you
19 have any Miss Siskind?

20 MS. SISKIND: The Government would like to excuse Andrew Parks.

21 THE COURT: Mr. Parks, thank you.

22 THE CLERK OF THE COURT: Juror number 22, Linda K. Garagiola.
23 Juror number 104, DeAnne Nowicki Bukari.

24 THE COURT: Good afternoon, Miss Bukari and Miss Garagiola. Is
25 there anything that would prevent either one you from serving on this jury?

1 JUROR BUKARI: No.

2 JUROR GARAGIOLA: No.

3 THE COURT: Any biases against or in favor of IRS, Department of
4 Justice, lawyers? No?

5 JUROR BUKARI: No.

6 JUROR GARAGIOLA: No.

7 THE COURT: Any audits for either of you?

8 JUROR BUKARI: No.

9 JUROR GARAGIOLA: No.

10 THE COURT: Any background having served as a juror before?

11 JUROR BUKARI: No.

12 JUROR GARAGIOLA: No.

13 THE COURT: And where's the microphone? Miss Garagiola, would you
14 answer questions?

15 JUROR GARAGIOLA: My name is Linda K. Garagiola.

16 G-a-r-a-g-i-o-l-a. I live in Oakland County. I'm 51 years old. I've been married for 31
17 years and I have three children. My daughter is a Vet Tech. My son works in
18 computers and my youngest one goes off to college in the Fall. I'm a teacher.

19 Although I have to let you know I did work for the law firm of Dykema Gossett for 27
20 years and I worked for Judge Nancy Edmunds before she became a Judge. My
21 husband is an architect. I have a Bachelors in Early Elementary Education. I'm
22 working on my Masters. I have four dogs, so I have a lot of hobbies of walking dogs.
23 I'm not part of any organized group or club. I read The Detroit News and Detroit Free
24 Press. I'm not on any social media and I don't have any bumper stickers on my car.

25 THE COURT: You said you worked for now Judge Nancy Edmunds.

1 When she was at the Dykema/Gossett law firm?

2 JUROR GARAGIOLA: Yes.

3 THE COURT: What position did you hold?

4 JUROR GARAGIOLA: I was an administrative assistant.

5 THE COURT: And how long were you her assistant?

6 JUROR GARAGIOLA: Two years.

7 THE COURT: She is listed as a witness in this case. You heard her
8 name?

9 JUROR GARAGIOLA: Correct, that's why I brought it to your attention.

10 THE COURT: All right. Thank you very much. And can you pass the
11 microphone please. Miss Bukari.

12 JUROR BUKARI: My name is DeAnne Bukari. B-u-k-a-r-i. I have been
13 a resident of Oakland County since 1979. I'm 57. I'm married 34 years and I have
14 three adult children. My daughters is a teacher. My son is an attorney and I have a
15 marketing manager also. My present occupation, I'm Director of Probation for the
16 52nd District Court Division in Rochester Hills, Oakland County. I have worked there
17 for 30 years. My spouse --

18 THE COURT: You said you are a probation officer?

19 JUROR BUKARI: Yes. The Director of Probation as well as an officer.
20 My spouse is a teacher. I have a Masters Degree. Hobbies, exercise, walking,
21 sewing. I belong to several organizations, community coalitions as well as National
22 Organizations for Drug Court Professionals. I'm a drug court officer also.
23 Newspapers I read would be The Free Press and The Oakland County Press. I do
24 not belong to any social media. I do not have bumper stickers on my car.

25 THE COURT: Miss Bukari, you've had a long career in law enforcement,

1 lots of contact with police officers, Judges. Is there anything about your career that
2 would bias you in favor of someone who works for law enforcement when you're
3 evaluating the credibility of witnesses?

4 JUROR BUKARI: No, ma'am.

5 THE COURT: Thank you. Are there questions for either of the new
6 jurors?

7 MS. SISKIND: No, Your Honor.

8 MRS. HENDRICKSON: No, ma'am.

9 THE COURT: May I have a side bar please?

10 **(Sidebar conference out of the hearing of the jury as follows)**

11 THE COURT: How many peremptories do you get?

12 MS. SISKIND: Six.

13 THE COURT: And so you get --

14 MR. WISE: I think it's really seven with the alternate, right?

15 MS. SISKIND: Six plus the alternate and she gets 10 plus the alternate.

16 I think we have gone a little out of order.

17 THE COURT: Yeah.

18 MS. SISKIND: I think we've each exercised the same amount so far.

19 MR. WISE: Correct; four and four.

20 THE COURT: So let me ask about -- you have Judge Edmunds on your
21 witness list. Why would she be relevant as a witness?

22 MRS. HENDRICKSON: It came up in the last trial about me changing
23 the filing status and I actually got that idea from her in chambers, and my cousin
24 would have testified to that, but she was ill and couldn't come. So -- and I wouldn't be
25 comfortable having someone who worked for Nancy Edmunds sitting on my jury in

1 any case.

2 THE COURT: So you intend to call Judge Edmunds to say what?

3 MRS. HENDRICKSON: Well, Mr. Applegate made an issue of me
4 changing the filing status on my returns when I filed the amended returns and I
5 actually got that idea -- Debbie was in Chambers with me, in Nancy Edmunds'
6 Chambers and that's where I got that idea in the first place. So I wasn't going to call
7 her last time because I thought Debbie was coming. So that would be my only way to
8 get that into evidence to dispute why I changed the filing status.

9 THE COURT: I suppose if Judge Edmunds is -- I will be making a ruling
10 with respect to that I suppose. Are you --

11 MS. SISKIND: I'm not sure if Judge Edmunds is under subpoena or not
12 to testify, but certainly her name is going to be heard throughout the record.

13 THE COURT: Have you subpoenaed her?

14 MRS. HENDRICKSON: No, I didn't subpoena. I thought she was here
15 in the building anyhow.

16 THE COURT: Okay. Thank you.

17 **(END OF SIDEBAR CONFERENCE)**

18 THE COURT: The Court excuses Miss Garagiola. Thank you very
19 much. We did go a little out of order. So, Miss Hendrickson, do you have any
20 challenges?

21 MRS. HENDRICKSON: Is this for peremptories?

22 THE COURT: Yes.

23 MRS. HENDRICKSON: Yes, we do. Miss Martin, number two, Cynthia.

24 THE COURT: You want to challenge Cynthia Martin in seat number two.
25 Thank you, Miss Martin. So we have two seats to fill, four and two.

1 THE CLERK OF THE COURT: Juror number 52, Michelle Curtis and
2 Juror number 41, Dale Weatherford.

3 THE COURT: Okay, Curtis and Weatherford. Is there any reason why
4 either one of you could not serve as a juror in this case having heard the questions?

5 JUROR WEATHERFORD: Yes.

6 THE COURT: Mr. Weatherford, yes?

7 JUROR WEATHERFORD: Yeah, I feel that I would be biased in this
8 situation because somebody that doesn't pay their taxes, I mean --

9 THE COURT: (Interjecting) Why don't I just stop you right there. We
10 will explore that a little more, but Miss Curtis, is there any reason why you cannot
11 serve as a juror in this case?

12 JUROR CURTIS: No.

13 THE COURT: Mr. Weatherford, can I have a side bar with you please?

14 JUROR WEATHERFORD: Sure.

15 **(Sidebar conference out of the hearing of the jury as follows)**

16 THE COURT: Good afternoon, Mr. Weatherford. So what is your
17 reason for not being able to serve?

18 JUROR WEATHERFORD: I feel that if someone doesn't pay their
19 taxes, they do fraudulent with the State, it's not that the State has to prove that they're
20 guilty, they're already guilty. They haven't paid their taxes. They haven't paid what
21 they owe the State or the Government.

22 THE COURT: So you believe that the Government doesn't even have a
23 burden of proof in a case like this?

24 JUROR WEATHERFORD: They have paper documents. You got
25 statements showing that they didn't pay because they said they weren't getting any

1 income and yet they were getting income. I think it's a pretty much a shut and close
2 case as far as I'm concerned.

3 THE COURT: Thank you. You can take your seat. I think that's a
4 challenge for cause.

5 **(END OF SIDEBAR CONFERENCE)**

6 THE COURT: Mr. Weatherford, you're excused.

7 JUROR WEATHERFORD: Thank you.

8 THE CLERK OF THE COURT: Juror number 83, Kimberly Kimberlin.

9 THE COURT: Miss Kimberlin, is there any reason you would not be able
10 to serve on this Jury?

11 JUROR KIMBERLIN: Yes. I was just taken to Emergency last week
12 and then sent home and back in the hospital. So I've just got a lot of female issues
13 going on right now and waiting on results from some tests I had done last Thursday.
14 And also my grandson is in the NIC (sic) Unit and supposedly coming home today or
15 tomorrow and I have other grandchildren I was supposed to be available to help
16 watch.

17 THE COURT: So did you say you were just released from the hospital
18 when?

19 JUROR KIMBERLIN: Last week I was taken by emergency. I've been
20 having a lot of female issues and they've just been trying to fix each one and finally
21 I'm going for surgery as soon as they get a date for me to go.

22 THE COURT: The Court excuses you. Thank you.

23 THE CLERK OF THE COURT: Juror number 99, Julia Radke.

24 THE COURT: Good afternoon, Miss Radke. Is there any reason you
25 would not be able to serve on this Jury?

1 JUROR RADKE: No.

2 THE COURT: Okay. Any audits by the IRS?

3 JUROR RADKE: No.

4 THE COURT: Any biases that you have, biases similar to the ones we
5 have talked about today?

6 JUROR RADKE: No.

7 THE COURT: Any criminal convictions in your family background?

8 JUROR RADKE: No.

9 THE COURT: Would you answer our questions and Miss Curtis you
10 haven't done that either so, you can start Miss Curtis.

11 JUROR CURTIS: Michelle Curtis. I live in Oakland County. I've been
12 there for 20 years. I'm 46, divorced, three kids. One is in college. One is headed
13 there, a 16-year old. I am Accounts Receivable for a reconstruction company. Three
14 years of college. Hobbies, boating, shopping, my kids' sports. No organized groups.
15 Don't read newspapers or listen to the news. I'm on Facebook. Bumper stickers are
16 my kids' sports.

17 THE COURT: Thank you. Miss Radke?

18 JUROR RADKE: Julia Radke. R-a-d-k-e. I live in Wayne County. I've
19 lived there 22 years. I'm 46, I'm married. I have two children; one is 15, one is 12.
20 And I'm a interior designer. I work part-time. Company is MBS. My husband works
21 with Ford. He's a supervisor. I have a Bachelor of Science. Horses and skiing with
22 the hobbies. Don't belong to any groups. Don't really read the newspaper.
23 Facebook, LinkedIn. I have the kids' sports on my car and that's about it.

24 THE COURT: Any challenges for cause or any questions first of all?

25 MS. SISKIND: No questions, Your Honor.

1 MRS. HENDRICKSON: No questions.

2 THE COURT: And any challenges for cause?

3 MS. SISKIND: No, Your Honor.

4 MRS. HENDRICKSON: No.

5 THE COURT: And Miss Siskind?

6 MS. SISKIND: Given the Order of the peremptories, it might be
7 appropriate for Mrs. Hendrickson to exercise another peremptory.

8 THE COURT: You're correct.

9 MRS. HENDRICKSON: I think it's your turn.

10 THE COURT: Well, but we sort of went out of order, so if you have one
11 to exercise, will you do that please?

12 MRS. HENDRICKSON: Just one second please. Phyllis Marten please
13 in seat number 13.

14 THE COURT: Thank you, Miss Marten.

15 THE CLERK OF THE COURT: Juror number 71, Lawrence Weitzman.

16 THE COURT: Is there any reason you would not be able to serve on this
17 Jury?

18 JUROR WEITZMAN: I'm hard of hearing. I missed pretty much
19 everything you've said.

20 THE COURT: We will excuse you, Mr. Weitzman.

21 THE CLERK OF THE COURT: Juror number nine, Jacqueline White.

22 THE COURT: Good afternoon, Miss White.

23 JUROR WHITE: Good afternoon.

24 THE COURT: Is there any reason you would not be able to serve on this
25 Jury?

1 JUROR WHITE: No.

2 THE COURT: Any audits by the IRS ever?

3 JUROR WHITE: No.

4 THE COURT: And have you been on a jury before?

5 JUROR WHITE: No.

6 THE COURT: Any criminal activity in your -- convictions in your family
7 background?

8 JUROR WHITE: No.

9 THE COURT: And so would you answer our questions?

10 JUROR WHITE: My name is Jacqueline Davis.

11 THE COURT: Not White?

12 JUROR WHITE-DAVIS: White-Davis. D-a-v-i-s.

13 THE COURT: Continue.

14 JUROR WHITE-DAVIS: Southfield, Michigan. I'm 51, married a year
15 and seven months. I work for Smart Transportation. My husband is an engineer for
16 Detroit Board of Education. Some college. No degree. I do puzzles. I love going to
17 baseball games, singing. That's pretty much it, and oh, I bowl. I go to church regular.
18 I read Detroit News, Detroit Free Press and an avid listener of CNN. I do have a
19 Facebook page, but I probably go on it two or three times a month. No bumper
20 stickers and mother of one son and one grandson.

21 THE COURT: Thank you very much.

22 JUROR WHITE-DAVIS: Stepmother of five.

23 THE COURT: Are there any challenges for cause to Miss White-Davis?

24 MS. SISKIND: No, Your Honor.

25 MRS. HENDRICKSON: No.

1 THE COURT: And any peremptory challenges from the Government?

2 MS. SISKIND: No, Your Honor.

3 THE COURT: Do you have any challenges, Miss Hendrickson?

4 MRS. HENDRICKSON: Yes. The last juror seated please, number 13.

5 THE COURT: You get the prize for the shortest length of time in the jury
6 box. Thank you very much.

7 THE CLERK OF THE COURT: Juror 108, Linda McGee.

8 THE COURT: Good afternoon, Miss McGee.

9 JUROR McGEE: Good afternoon.

10 THE COURT: Is there any reason you would not be able to serve on this
11 Jury?

12 JUROR McGEE: Well, originally I thought I would not have a problem
13 with it, but I'm thinking -- the more I'm thinking about it --

14 THE COURT: Why don't you come and talk to us over here please.

15 **(Sidebar conference out of the hearing of the jury as follows)**

16 JUROR McGEE: I guess I pretty much believe that everybody has a
17 duty to pay taxes and maybe I misunderstood at the beginning of the charges, but
18 initially was she not charged to pay those back taxes? And then this is --

19 THE COURT: (Interjecting) She was ordered to pay back taxes, yes.

20 JUROR McGEE: So this lawsuit has to do with not paying those back
21 taxes?

22 THE COURT: That's true.

23 JUROR McGEE: So she was found guilty and now she's fighting it
24 again?

25 THE COURT: She was ordered to pay taxes in the past and to not file

1 false returns in the future and that's what this case is about.

2 JUROR McGEE: I just -- if everybody would get away with that, then
3 where would we be?

4 THE COURT: Is there any questions for Miss McGee?

5 MS. SISKIND: No, Your Honor.

6 MRS. HENDRICKSON: No.

7 THE COURT: All right. Thank you.

8 JUROR McGEE: Otherwise I was looking forward to being on a jury.

9 THE COURT: Any reason I should not excuse her?

10 MS. SISKIND: No.

11 MRS. HENDRICKSON: Thank you for being honest.

12 **(END OF SIDEBAR CONFERENCE)**

13 THE COURT: Miss McGee, you're excused. Thank you.

14 THE CLERK OF THE COURT: Juror number 68, Gene Brian Buhlman.

15 THE COURT: Good afternoon, Mr. Buhlman.

16 JUROR BUHLMAN: Hi.

17 THE COURT: Do lights bother you, Mr. Buhlman?

18 JUROR BUHLMAN: Yes. My eyes are light sensitive ever since I was
19 welding flashes.

20 THE COURT: Do you need to wear them?

21 JUROR BUHLMAN: Yeah, it would help. My problem bothering me the
22 most is my back is bothering me.

23 THE COURT: Go head, answer the questions.

24 JUROR @: My name is Gene Buhlman. B-u-h-l-m-a-n. I live in Macomb
25 County. I'm 55. I'm not married, but I've been with the same woman for 27 years.

1 THE COURT: You said you're not married, but what?

2 JUROR BUHLMAN: I've been with the same woman for 27 years.
3 There was issues from a previous marriage. I have one daughter and I have two
4 stepchildren and I work for an auto supplier in Warren, Michigan. I've worked there
5 for about 30 years. My lady, she works for City of Sterling Heights. High school
6 diploma. And hobbies are relaxing when I'm not at work. No membership in any
7 group of any kind. I read The Free Press. I don't have nothing to do with Facebook
8 or anything on the computer. No bumper stickers. Yes. My L-4 and L-5 disks are
9 really messed up and I can't sit through this stuff. I can't do it.

10 THE COURT: Okay. What do you do for the auto supplier? What kind
11 of work?

12 JUROR BUHLMAN: I make electrodes at my bench. I work in the
13 Water Cooling Department and I put copper tubing through these electrodes and they
14 go on the arms that go on robotics that weld all the cars together. I've been really
15 working with some heavy stuff lately and it's really been bothering me.

16 THE COURT: You work full-time?

17 JUROR BUHLMAN: Yes, full-time and overtime.

18 THE COURT: Sitting, standing, what?

19 JUROR BUHLMAN: I stand all day. I have a problem sitting more than
20 about half an hour.

21 THE COURT: Mr. Buhlman, are there any biases that -- you've heard all
22 the questioning this morning and this afternoon. Any biases that you have that might
23 prevent you from being a fair juror here?

24 JUROR BUHLMAN: I think everybody is taxed too much. I think
25 everybody is double and triple-taxed way too much and I mean unless it was a really

1 good case against the Defendant where it really proved that she really you know just
2 didn't mishandle her taxes or whatever, I would favor her in front of the defendant no
3 matter what because I think everybody deserves a break on their taxes.

4 THE COURT: Okay. Thank you.

5 JUROR BUHLMAN: Especially if it was just a mishap or something.

6 THE COURT: The Court will excuse you, Mr. Buhlman, thank you.

7 JUROR BUHLMAN: No, no. Thank you.

8 THE CLERK OF THE COURT: Juror 77, Tricia Reinelt.

9 THE COURT: Good afternoon. Is there any reason you would not be
10 able to serve on this Jury?

11 JUROR REINELT: Yes. I'm leaving on Wednesday to go on vacation,
12 out to Minnesota.

13 THE COURT: Thank you.

14 THE CLERK OF THE COURT: Juror number 18, Deb o rah Mitchell.

15 THE COURT: Good afternoon, Miss Mitchell.

16 JUROR MITCHELL: Good afternoon.

17 THE COURT: Is there any reason you couldn't serve on this Jury?

18 JUROR MITCHELL: No.

19 THE COURT: Have you ever been audited by the IRS?

20 JUROR MITCHELL: No.

21 THE COURT: Have you ever been on a jury before?

22 JUROR MITCHELL: No.

23 THE COURT: And any biases that you have in favor or against the IRS,
24 lawyers, Department of Justice?

25 JUROR MITCHELL: No.

1 THE COURT: Would you answer our questions please?

2 JUROR MITCHELL: Okay. My name is Deb o rah, D-e-b space o
3 space r-a-h Mitchell, M-i-t-c-h-e-l-l and I live in Oakland County and I'm 61, and I'm
4 divorced with two grown children. One is in South Carolina, a pharmaceutical rep and
5 one is in Atlanta and he's the manager of a restaurant. I'm a substance abuse
6 prevention manager and I work for The Youth Connection. I've worked there for
7 seven months. My former occupation, I was a substance abuse prevention treatment
8 and -- Substance Prevention and Treatment Director. No spouse. My education, I
9 have a Bachelors in Business Administration. Hobbies, I love to write and read and
10 I'm a Delta Sigma Theta. I don't read newspapers. I don't subscribe to magazines. I
11 do -- I am on Facebook, if you can call it that. I have no bumper stickers and there's
12 nothing else that you need to know.

13 THE COURT: Thank you. Any questions for Miss Mitchell?

14 MS. SISKIND: No, Your Honor.

15 MRS. HENDRICKSON: No, ma'am.

16 THE COURT: Any challenges for cause?

17 MS. SISKIND: No, Your Honor.

18 MRS. HENDRICKSON: No.

19 THE COURT: And Miss Hendrickson, do you have any peremptories?

20 MRS. HENDRICKSON: I'd like to excuse the last juror seated, Miss
21 Mitchell.

22 THE COURT: Thank you very much.

23 THE CLERK OF THE COURT: Juror number 53, Thomas Dunn.

24 THE COURT: Mr. Dunn, good afternoon. Is there any reason you can't
25 serve on this Jury?

1 JUROR DUNN: No.

2 THE COURT: Have you ever been audited by IRS?

3 JUROR DUNN: Yeah. I made a clerical error on my taxes and they
4 found it and fixed it and gave me money back. It was a refund.

5 THE COURT: Mr. Dunn, have you ever been on a jury?

6 JUROR DUNN: No.

7 THE COURT: Any criminal convictions in your family history?

8 JUROR DUNN: No.

9 THE COURT: Would you answer our questions please?

10 JUROR DUNN: Thomas Dunn. D-u-n-n. I live in Oakland County and
11 I've lived there for like 30 years. I'm 59 and I'm married and I have two children. I've
12 got a daughter that's unemployed and a boy in college at MSU. I'm an engineer,
13 Continental and I've been there four years. I was retired, retired from Chrysler, 26
14 years. My wife is a -- answers the phone at a doctor's office. I have a BSEE and
15 MSEE from University of Michigan. I don't really have any hobbies. Member of SAE,
16 Society of Automotive Engineers. I don't subscribe to any newspapers or magazines.
17 Reviews off the Internet and CNN. I'm on LinkedIn, but not Facebook or MySpace.
18 No bumper stickers and that's it.

19 THE COURT: Thank you, Mr. Dunn. Are there any questions for Mr.
20 Dunn?

21 MS. SISKIND: No, Your Honor.

22 THE COURT: Miss Hendrickson?

23 MRS. HENDRICKSON: No, Your Honor.

24 THE COURT: Thank you. Any challenges for cause?

25 MS. SISKIND: No, Your Honor.

1 MRS. HENDRICKSON: None.

2 THE COURT: Government, do you have any peremptories?

3 MS. SISKIND: No, Your Honor.

4 THE COURT: Miss Hendrickson, do you have any peremptories.

5 MRS. HENDRICKSON: Yes. I'd like to let Mr. Dunn go please.

6 THE COURT: Mr. Dunn, you're excused. Thank you.

7 THE CLERK OF THE COURT: Juror number 80, Kelly Skarritt.

8 THE COURT: Good afternoon, Miss Skarritt. Is there any reason you
9 can't serve?

10 JUROR SKARRITT: The only thing is I work with a kid with special
11 needs. He's cognitively impaired and I have to go out of town with him on
12 Wednesday.

13 THE COURT: You're travelling out of town on Wednesday. Thank you.
14 You're excused.

15 THE CLERK OF THE COURT: Juror number 13, Michael Prudhomme.

16 THE COURT: Mr. Prudhomme, good afternoon.

17 JUROR PRUDHOMME: Good afternoon.

18 THE COURT: Is there any reason you can't serve on this jury?

19 JUROR PRUDHOMME: No, ma'am.

20 THE COURT: Have you ever been audited by the IRS?

21 JUROR PRUDHOMME: Could respectfully request a side bar?

22 THE COURT: You can request a side bar, yes.

23 **(Sidebar conference out of the hearing of the jury as follows)**

24 JUROR PRUDHOMME: Yes, ma'am. I'm a dentist and I have not been
25 audited, but I'm currently on an installment plan with the IRS for back taxes.

1 THE COURT: And how far back does this go?

2 JUROR PRUDHOMME: Two years.

3 THE COURT: So you were audited.

4 JUROR PRUDHOMME: No. This was more of a voluntary kind of a
5 thing and got behind on payroll taxes and I went in and they set me up with a
6 installment plan.

7 THE COURT: Anything about your installment plan program with the
8 IRS that would interfere with your ability to be fair here?

9 JUROR PRUDHOMME: No.

10 THE COURT: Any questions?

11 MS. SISKIND: How have you felt about the people you've dealt with at
12 the IRS over this issue?

13 JUROR PRUDHOMME: Actually, it was great. They've been very
14 helpful. I have no complaints whatsoever. I'm just embarrassed to say that in open
15 court about the taxes.

16 THE COURT: Do you have any questions?

17 MRS. HENDRICKSON: No, I don't.

18 THE COURT: Thank you, sir. Is there -- anybody believe there's a
19 reason to excuse him for cause?

20 MS. SISKIND: No, Your Honor.

21 MRS. HENDRICKSON: Not for cause, no.

22 **(END OF SIDEBAR CONFERENCE)**

23 THE COURT: Mr. Prudhomme, you can answer all the questions
24 please.

25 JUROR PRUDHOMME: My name is Michael Thomas Prudhomme.

1 P-r-u-d-h-o-m-m-e. I live in Oakland County and have lived there for over 60 years.
2 I'm 62 years old. I'm married and I have three adult children; 35, 33 and 24. The
3 33-year old is married and lives in New York City and works as a packaging engineer
4 for Tar Cosmetics. My second daughter is married and lives in Royal Oak and is an
5 editor for Pierson Education and my son is 24, lives in Delray Beach, Florida and
6 works as a civil engineer. I'm a dentist and I'm self-employed. I have been a Dentist
7 for 38 years. My spouse is my bookkeeper. I have a Doctorate in Dental Sciences.
8 My hobbies go from golf, reading, gardening, playing with my one-year old
9 granddaughter. Membership, ADA, MDA, Oakland County Dental Association and
10 The Forensics Dental Club, State of Michigan. The newspapers, Detroit Free Press,
11 Oakland Press, Wall Street Journal and anything online that I can get. Magazines too
12 numerous to mention because they all come to the office. I belong to Twitter,
13 Facebook, and LinkedIn and I twitter daily. No bumper stickers and that's it.

14 THE COURT: Thank you very much. Any challenge for cause?

15 MS. SISKIND: No, Your Honor.

16 MRS. HENDRICKSON: No.

17 THE COURT: And whose turn is it?

18 MS. SISKIND: I'm not sure the Government has any left and we passed
19 twice and exercised four, I believe.

20 THE COURT: Do you have challenges, Miss Hendrickson?

21 MRS. HENDRICKSON: Yes, ma'am. I'd like to let Dr. Prudhomme go.

22 THE COURT: I'm showing you with one challenge left.

23 MRS. HENDRICKSON: Yes.

24 MS. SISKIND: Your Honor, I believe that was all 10.

25 THE COURT: And with respect to alternates?

1 MS. SISKIND: Of the 10 that was for the regular jury and that was all I
2 believe.

3 THE COURT: So given how you have decided to handle alternates, how
4 does that peremptory get exercised?

5 MS. SISKIND: I think we each have one now, that we exhausted our
6 regular peremptory challenges.

7 THE COURT: But we've got all 14 in the box, don't we? Oh, I'm sorry.
8 We have to fill seat number 13.

9 THE CLERK OF THE COURT: Juror number five, Matthew Knapp.

10 THE COURT: Good afternoon Mr. Knapp. Is there any reason you
11 could not sit on this Jury?

12 JUROR KNAPP: Nope.

13 THE COURT: Have you ever been audited?

14 JUROR KNAPP: No.

15 THE COURT: Any criminal activity, convictions in your background
16 family?

17 JUROR KNAPP: No.

18 THE COURT: And do you have any biases that we should know about?

19 JUROR KNAPP: Yeah. I have a very low opinion of the IRS, and a total
20 lack of respect for them.

21 THE COURT: All right then, we will excuse you.

22 THE CLERK OF THE COURT: Juror 88, Joseph Mongelli.

23 THE COURT: Mr. Mongelli, good afternoon.

24 JUROR MONGELLI: Good afternoon.

25 THE COURT: Is there any reason you would not be able to serve on this

1 Jury?

2 JUROR MONGELLI: I do have diabetes and I need to monitor my blood
3 sugar on a regular basis, but other than that I can't think of anything.

4 THE COURT: Would you be able to do that?

5 JUROR MONGELLI: I don't have my kit with me right now, but I'll bring
6 it in the future.

7 THE COURT: So if you had your kit --

8 JUROR MONGELLI: (Interjecting) Sure. I'd have to make adjustments.
9 I was told I couldn't bring any food into the courtroom.

10 THE COURT: That's not true, especially if you need it.

11 JUROR MONGELLI: When we were upstairs they said no food.

12 THE COURT: No, you can do that if you need it to keep your blood
13 sugar up. Have ever been audited by the IRS?

14 JUROR MONGELLI: No.

15 THE COURT: Do you have any biases that we should know about?

16 JUROR MONGELLI: No.

17 THE COURT: Could you answer our questions please?

18 JUROR MONGELLI: My name is Joseph Mongelli. M-o-n-g-e-l-l-i. I'm
19 an Oakland County resident since 1985. I'm 50 years of age. I'm married. I have five
20 children from 13 down to one and a half year old twins. Right now I'm retired fireman
21 with the City of Pontiac, but my occupation I would guess would be stay-at-home dad.

22 I'm four years retired, City of Pontiac and I worked for 22 years. My spouse is
23 a school teacher. She teaches second grade. I have a high school education. My
24 hobbies I guess would be taking care of my kids and working with computers. I'm a
25 life member of the NRA. I receive their American Rifleman Magazine. I also read The

1 Drugs Report, Huffington Post, Free Press, USA Today, and various other things. I
2 have no social media or bumper stickers.

3 THE COURT: Thank you very much. Any questions?

4 MS. SISKIND: No, Your Honor.

5 MRS. HENDRICKSON: No, ma'am.

6 THE COURT: Any challenges for cause?

7 MS. SISKIND: No, Your Honor.

8 MRS. HENDRICKSON: No, ma'am.

9 THE COURT: May I have a side bar please?

10 **(Sidebar conference out of the hearing of the jury as follows)**

11 THE COURT: So I guess I don't quite understand what you're saying
12 about the exercises now.

13 MS. SISKIND: I believe we each have one now.

14 THE COURT: Okay.

15 MS. SISKIND: To use on the alternates.

16 MR. WISE: I don't want to disagree with the Government about having
17 more challenges, but I'm not sure and I think the Government still has its remaining
18 original peremptories from the six. I don't know that there's a particular rule that if you
19 pass twice, if they're not consecutive, that you give up your original peremptories. In
20 my past experience with other jury selections has been just sort of just when you do
21 random alternate, that the altered peremptory just goes into the total count and it's 11
22 and seven.

23 THE COURT: That's how I was operating as well.

24 MS. SISKIND: We each then --

25 THE COURT: And have no more jurors left.

1 MS. SISKIND: So what's the issue?

2 MR. WISE: We have one and you have --

3 THE COURT: You have one --

4 MR. WISE: You guys have two?

5 MS. SISKIND: We would have three.

6 THE COURT: So you would have three. Are there -- so it's your turn
7 and would you be exercising any challenges?

8 MS. SISKIND: Yes, we would.

9 THE COURT: Then -- so the Government has three and you have one,
10 correct?

11 MRS. HENDRICKSON: Yes.

12 THE COURT: So we're going to have to resume this tomorrow when we
13 have more jurors to come in. Thank you.

14 MS. SISKIND: Your Honor, considering that we will be using a
15 peremptory on one of the people today, should we do it today so he doesn't have to
16 come back?

17 THE COURT: Yes. You let me know who it is.

18 MS. SISKIND: Thank you.

19 **(END OF SIDEBAR CONFERENCE)**

20 THE COURT: Government, do you have any peremptory challenges?

21 MS. SISKIND: Yes, Your Honor. Mr. Mongelli.

22 THE COURT: Mr. Mongelli, that is the hot seat today. Thank you.

23 Ladies and gentlemen, we don't have a Jury yet and we have run out of jurors,
24 and so the Government has three more challenges to exercise on the panel -- two
25 more, two more after Mr. Mongelli went -- two more challenges and Miss Hendrickson

1 has one more challenge to exercise.

2 So we're going to conclude for today. It's been a long day and we will resume
3 this in the morning. The resumption of jury selection won't take that long at all, and so
4 tomorrow the schedule is what?

5 THE CLERK OF THE COURT: From nine to 1:30.

6 THE COURT: So as soon as we finish the jury selection, we will go
7 directly into opening statements and the presentation of evidence. So it has been a
8 long morning. I hope that -- it's been longer than I thought -- taken longer than I
9 thought it would take, but I hope you get a sense, ladies and gentlemen, of just what
10 is involved in the selection of jurors. There's lots at stake for everyone involved and
11 so it does become a little time consuming sometimes. So I know you've got to go to
12 bathroom and I'll let you guys go. All rise please and we will please -- you'll give
13 them instructions.

14 **(Jury exited courtroom at 1:30 p.m.)**

15 THE COURT: Counsel, Miss Hendrickson, is there anything you have
16 before we close the record today?

17 MS. SISKIND: Not from the Government, Your Honor.

18 MRS. HENDRICKSON: No, thank you.

19 THE COURT: So we will resume promptly at 9:00 tomorrow morning.
20 We're adjourned everyone. Thank you.

21 **(Proceedings adjourned at about 1:30 p.m.)**

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23 **COURT REPORTER'S CERTIFICATION**

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25 STATE OF MICHIGAN)

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COUNTY OF WAYNE)

I, Janice Coleman, Federal Official Court Reporter, in and for the United States District Court for the Eastern District of Michigan, do hereby certify that pursuant to Section 753, Title 28, United States Code, that the foregoing is a true and correct transcript of the stenographically reported proceedings held in this matter and that the transcript page format is in conformance with the regulations of the Judicial Conference of the United States.

/S/ JANICE COLEMAN
JANICE COLEMAN, CSR NO. 1095, RPR
FEDERAL OFFICIAL COURT REPORTER

DATED: AUGUST 8, 2014