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1 UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

2 -----x
UNITED STATES OF AMERICA,

3 v.

23 Cr. 118 (AT)

4 MILES GUO,

5 Defendant.

Voir Dire

6 -----x

New York, N.Y.
May 23, 2024
9:00 a.m.

8 Before:

9
10 HON. ANALISA TORRES,

District Judge

11
12 APPEARANCES

13 DAMIAN WILLIAMS

United States Attorney for the
Southern District of New York

14 BY: MICAH F. FERGENSON

15 RYAN B. FINKEL

JUSTIN HORTON

16 JULIANA N. MURRAY

Assistant United States Attorneys

17 SABRINA P. SHROFF

Attorney for Defendant

18 PRYOR CASHMAN LLP

Attorneys for Defendant

19 BY: SIDHARDHA KAMARAJU

20 MATTHEW BARKAN

21 ALSTON & BIRD LLP

Attorneys for Defendant

22 BY: E. SCOTT SCHIRICK

O5N1GUOVD1

1 ALSO PRESENT:
Isabel Loftus, Paralegal Specialist, USAO
2 Michael Gartland, Paralegal Specialist, USAO
Geoffrey Mearns, Paralegal Specialist, USAO
3 Robert Stout, Special Agent, FBI
Ruben Montilla, Defense Paralegal
4 Tuo Huang, Interpreter (Mandarin)
Shi Feng, Interpreter (Mandarin)
5 Victor Chang, Interpreter (Mandarin)

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O5N1GUOVD1

1 (Voir dire resumed; May 23, 2024)

2 THE COURT: Good morning. Would you make your
3 appearances, please.

4 MR. FINKEL: Good morning, your Honor. Ryan Finkel,
5 Juliana Murray, Micah Fergenson, and Justin Horton for the
6 government. We're joined at counsel table by a paralegal
7 specialist on staff, Michael Gartland.

8 MR. KAMARAJU: Good morning, your Honor. Sidhardha
9 Kamaraju, Sabrina Shroff, Scott Schirick, and Adam Barkan on
10 behalf of Mr. Guo, who is seated at counsel table.

11 THE COURT: Please be seated.

12 Are you ready to begin the peremptories?

13 MR. SCHIRICK: Your Honor, we had requested a quick
14 sidebar just to discuss process before we begin peremptories,
15 just generally on process questions.

16 In thinking through this last night and looking at the
17 numbers, the way that things are shaping up, it seems clear to
18 us, and I presume to the government, that we're going to have a
19 jury today—probably no later than tomorrow, but likely today.
20 But as it stands, we don't have a second 12 subpanel, we only
21 have the first 12 because we have a total of 21, if our count
22 is correct. So our suggestion, if it makes sense to everyone
23 else and to the Court, would be to go through the qualification
24 process for the folks who are sitting downstairs so that we can
25 have at least a second full subpanel of 12 to come behind the

O5N1GUOVD1

1 current panel of 12, with the idea being that that way we at
2 least can see who's coming up next. Of course, based on the
3 way that yesterday went and the factors that we all know we're
4 facing in terms of picking a jury, we've got a holiday weekend,
5 we've got a long trial, the yield that we had yesterday was
6 pretty low, it was 21 out of a hundred, so roughly 20 percent.
7 And our concern would be, the later we wait in the day to
8 qualify the folks who are now sitting downstairs, the more
9 likely it is that yield is going to drop. So we don't want to
10 find ourselves in a position where we have fewer jurors in the
11 panel that's sitting downstairs qualified to be able to slide
12 in behind the current 12. So our suggestion would be, if it
13 makes sense to everyone, to go through the qualification
14 process for the folks who are downstairs before going through
15 the peremptory process for the first 12.

16 THE COURT: So the jurors that are downstairs are not
17 going to be ready immediately.

18 MR. SCHIRICK: Understood.

19 THE COURT: I don't expect them for another hour,
20 maybe longer, given how long they took yesterday. And we could
21 get these peremptories knocked out now and just go right into
22 the qualification process. And you're saying that you would
23 not like to do that.

24 MR. SCHIRICK: Yeah. I think our thought, your Honor,
25 was, given how low the yield was from yesterday, the sooner we

O5N1GUOVD1

1 know we're going to get to that second 12—

2 THE COURT: Right. But what I'm saying is that we can
3 knock out the peremptories before the panel is even ready to
4 come up.

5 MR. SCHIRICK: I completely understand. I think the
6 thought, just to share with the Court, is really twofold. One
7 is, the later in the day that we wait to qualify the folks who
8 are sitting downstairs, whom we know we're going to need—

9 THE COURT: Right. What I'm saying is that we would
10 not essentially be waiting.

11 MR. SCHIRICK: Fair enough, your Honor.

12 THE COURT: Do you disagree with that?

13 MR. SCHIRICK: Well, I think—yeah, I think the sooner
14 we do that, the better is the first point; and the second point
15 is, just from a process perspective, for both the defense and
16 the government, being able to know, have some sense of who is
17 in the second 12 and a third 12 certainly informs the
18 peremptories that we would exercise beginning on the first 12.

19 THE COURT: I understand the second point. I disagree
20 with the first.

21 What is the prosecution's position?

22 MR. FINKEL: Thank you, your Honor.

23 On the first point, I think it's most efficient to
24 proceed as the Court instructed the parties to be ready to do
25 this morning.

O5N1GUOVD1

1 On the second point, the government feels that it's
2 appropriate to go forward now, if that's what the Court would
3 like to do. If the Court wants to wait, we can, but we might
4 as well take advantage of this time. That's the government's
5 view.

6 THE COURT: I agree. So let's start with the
7 peremptories.

8 MR. FINKEL: Your Honor, just one just sort of
9 logistical question on the peremptories, just to make sure we
10 understand the pool correctly. For the first 12, it's
11 essentially Juror No. 1 through Juror No. 69; is that correct?

12 THE COURT: So according to my records, Juror No. 1
13 was dismissed.

14 MR. FINKEL: Sorry. Yes.

15 THE COURT: Let me read out the list of jurors that I
16 understand to be in the pool. Juror No. 2, 4, 5, 7, 10, 11,
17 12, 15, 34, 49, 58, 69, 70, 73, 77, 78, 79, 81, 83, 88, 90.

18 Okay.

19 MR. FINKEL: And so, your Honor, if I may, so the
20 first sort of available 12 that we're striking from would be
21 2—69 would be the last of the 12.

22 THE COURT: That is correct.

23 MR. FINKEL: All right. Thank you.

24 MS. SHROFF: Your Honor, the way that we're striking
25 at this point, it wouldn't allow Mr. Guo to properly anticipate

O5N1GUOVD1

1 how to strike on these 12 because the Court's rules don't allow
2 us to work backward, so in exercising the 10, we don't have a
3 sense of what is to come in the next pool, the next 12 and the
4 12 after.

5 THE COURT: I understand your arguments, and I don't
6 agree with your premise, and the application is denied.

7 One moment, please.

8 All right. I just received a message from my law
9 clerks that Juror No. 2 had stated that it was going to be a
10 financial hardship for her to serve so I'd like to bring her
11 back in.

12 MR. SCHIRICK: Your Honor, we have one point of
13 clarification. Is now the right time or—while the juror is
14 walking in?

15 THE COURT: Go ahead.

16 MR. SCHIRICK: The question is with respect to the
17 next subset. Will we be asked to exercise on the following
18 eight or will we be qualifying an additional four so that we
19 have a subpanel of 12 before we exercise?

20 THE COURT: We need 12, and so it's just going to be
21 that first group of 12.

22 MR. SCHIRICK: Understood. Thank you.

23 (Juror present)

24 THE COURT: Good morning. And welcome back.

25 JUROR: Thank you.

O5N1GUOVD1

1 THE COURT: I understand there's something you'd like
2 to say.

3 JUROR: Yes. I'm sorry about this. My boss—or I
4 work for a university and I have a professor who is on—or my
5 boss has a professor who is on tenure—or, sorry, sabbatical,
6 and I'm on his project, and they need me until June 30th, so
7 she said it would be a financial hardship to let go of me for
8 seven weeks. And—

9 THE COURT: So where is it that you work?

10 JUROR: Columbia University.

11 THE COURT: And what's the nature of the work?

12 JUROR: I work with, like—like, bacteria and, like
13 yeast materials, and I do, like, genetic transformations.

14 THE COURT: You're in a lab.

15 JUROR: Yes, in a lab.

16 THE COURT: Okay. And so what would happen if you got
17 hit by a truck today?

18 JUROR: Well, his—his study would stall. I'm the
19 only one working with him on his project, and I—I do the
20 genetic transformations for him and I prepare the materials for
21 him and then he will do experiments. So it's like a teamwork
22 and—

23 THE COURT: And if you got sick and you understood
24 that you have to be out for seven weeks, he would just have to
25 wait for you; isn't that true?

O5N1GUOVD1

1 JUROR: Yes, I guess.

2 THE COURT: And you would get paid during those weeks;
3 is that correct?

4 JUROR: Yeah.

5 THE COURT: So it essentially amounts to an
6 inconvenience to the professor; is that right?

7 JUROR: Yes.

8 THE COURT: All right. You can step out.

9 JUROR: Okay. Can I also say one more thing. I am on
10 a medication and it kind of works as, like, a diuretic. Sorry.
11 But I have—I, like, need a lot of restroom breaks, so—

12 THE COURT: Well, how frequently would you say?

13 JUROR: Like once an hour. I had to ask your clerks
14 multiple times to use the bathroom. It's—yeah.

15 THE COURT: Okay.

16 JUROR: And my concern would be, if we are in trial
17 for about three hours, I don't think I could do that without a
18 break.

19 THE COURT: All right. You can step out.

20 JUROR: Okay. Thank you. I'm sorry.

21 (Juror not present)

22 THE COURT: Is there any objection to my excusing her?

23 MR. FINKEL: Your Honor, we, of course, defer to the
24 Court, but with respect to the—she works for Columbia
25 University. There are other lab techs. It's a large entity.

O5N1GUOVD1

1 I'm sure they could fill in whatever inconvenience it is, and
2 if it's truly something only she can do, she can do it after
3 3:00.

4 With respect to the issue, the medical issue, she
5 seemed to be fine yesterday, and, you know, having to go to the
6 bathroom every 60, 90 minutes, whatever it is, is kind of
7 normal. So we don't think this is a reason to excuse her for
8 cause. That's the government's view.

9 THE COURT: So your position is that I should just
10 give her those breaks.

11 MR. FINKEL: Your Honor, I think—the government
12 defers to the Court because you're, of course, running the
13 trial, and if it will be inconvenient to the trial, then we
14 defer to the Court on its judgment with respect to that issue.
15 And with respect to the first issue, we would object, because I
16 don't think it's really a hardship to her or to Columbia
17 University.

18 THE COURT: I agree with respect to No. 1, your point
19 No. 1. With respect to point No. 2, we did excuse a gentleman
20 yesterday who said he had a prostate condition and needed to go
21 to the bathroom frequently.

22 MR. FINKEL: That's true. That individual said he had
23 to go to the bathroom every 15 minutes.

24 The other thing, just—this particular juror didn't
25 mention that issue yesterday and mentioned that second issue

O5N1GUOVD1

1 today only after the Court sort of greeted the first issue with
2 appropriate skepticism, and I guess what I'm saying, your
3 Honor, is, candidly, I'm not really sure that's a major issue.
4 So I think—I think she should stay on. If she survives, we'll
5 deal with her.

6 MR. KAMARAJU: So I think we're all on the same page
7 with respect to the first issue, but I do think the second
8 issue would be pretty disruptive to the Court's calendar. I
9 agree your Honor did dismiss somebody for a similar reason.
10 The juror did say that she had asked the clerks for a break
11 yesterday—several times, I think she said. And the fact is
12 that throughout the process, we have been crediting the things
13 prospective jurors have said. So I think she should be
14 excused.

15 THE COURT: I'm going to consult my clerks.

16 MR. KAMARAJU: Thank you, your Honor.

17 THE COURT: I'm told by my clerks that she requested a
18 bathroom break three times in the morning, and so I think that
19 that that would slow things down for us, and so I'm going to
20 excuse her.

21 We also have No. 7, who has asked to speak with me
22 privately. She states that there was something that she did
23 not say because she did not want to say it in front of the
24 attorneys. And so I will have a private conference. With the
25 reporter, of course.

O5N1GUOVD1

1 MS. SHROFF: May we just approach, just counsel, for a
2 second?

3 THE COURT: Okay.

4 (At the sidebar)

5 MS. SHROFF: Your Honor, it's about the interpreter.

6 THE COURT: So you're asking to raise an issue off the
7 record?

8 MS. SHROFF: Just for a minute.

9 (Discussion off the record)

10 THE COURT: So I understand that there's a complaint
11 concerning the interpreter, male interpreter who is the older
12 individual, that he is mistranslating, and the example that
13 counsel gave me was that for the word "hour," he said the word
14 "week," and so that, of course, is not acceptable, and I will
15 not have him continue as interpreter. I am going to have my
16 staff contact the interpreters office to let them know that,
17 and we need a third individual, or we'll have to simply go with
18 two. Certainly for right now, for this morning's purposes,
19 we're going to go with two.

20 MR. FERGENSON: Thank you, your Honor.

21 MS. SHROFF: Thank you.

22 MR. FINKEL: For clarity of the record, we understand
23 defense counsel isn't raising any issues that defendant was
24 unable to understand what transpired in the courtroom or today,
25 that the interpreter was providing sufficient and adequate

O5N1GUOVD1

1 assistance so that he could understand what was going on in
2 this case and that there was no objection with what happened
3 yesterday or today.

4 MS. SHROFF: The record is what the record is, your
5 Honor. I mean, there's nothing further we can add. The record
6 is clear.

7 THE COURT: Well, the question is whether or not we
8 need to start from scratch because you may raise an objection
9 concerning what happened yesterday.

10 MS. SHROFF: Your Honor, if we had an objection
11 yesterday, I promise you we would have raised it. So what I
12 meant to say is, since there's nothing in the record yesterday,
13 we're not going to go back and raise it, because we know it
14 would be incumbent on us to raise it. So I am aware, your
15 Honor, of course.

16 MR. FINKEL: And there's no objection, as I understand
17 it, from Ms. Shroff with continuing to use that interpreter
18 today. That's what she mentioned.

19 MS. SHROFF: That's not what we said, and that's not
20 what the Court said.

21 MR. FINKEL: Oh.

22 THE COURT: We're just going to go with the two that
23 are—

24 MR. FINKEL: Oh, I understand.

25 THE COURT: —competent, and that individual will no

O5N1GUOVD1

1 longer be interpreting.

2 MR. FINKEL: That's fine with the government.

3 MR. KAMARAJU: Can we just have a moment to confer
4 about the Juror No. 7 issue?

5 THE COURT: Yes.

6 MR. KAMARAJU: Thank you, your Honor.

7 THE COURT: Please have No. 7 come in.

8 (Juror present at sidebar; no attorneys present)

9 THE COURT: Good morning. Welcome back.

10 You are No. what?

11 JUROR: 7.

12 THE COURT: And your name?

13 JUROR: XXXXXXXXXXXX.

14 THE COURT: And what's the issue?

15 JUROR: I'm so emotional. In—so in 2022—my husband
16 was diagnosed with prostate cancer in 2022, and he was fine,
17 but on Monday we found out now that he has cancer again, so I
18 just want to know, like, we were trying to make arrangements on
19 what's our next plan, so I want to be there with him, like I
20 was there two years ago and I was supporting him in that area,
21 and me being in this case, it's too much for me. It's going to
22 be a problem for me.

23 THE COURT: So you know that we end every day at 2:45,
24 which will give you the opportunity to go to the doctor with
25 him for appointments that are in the late afternoon.

O5N1GUOVD1

1 JUROR: Okay. I didn't know that. I thought you guys
2 ended at 5:00 every day. And I'm here with no cellphone, with
3 no way to, you know, be in—like, if there was a video chat or
4 something, I couldn't even, you know, be part of the—the
5 meeting, so there's no form of him communicating with me. I
6 thought that we was able to use our phones here. We cannot
7 even bring our telephones here either.

8 THE COURT: So you're saying that because you don't
9 have the phone, you feel that even being able to go to the
10 appointment is too distressing for you?

11 JUROR: It's overwhelming for me knowing that he's
12 going through this process again, and it's just overwhelming
13 for me. Like, I had the conversation with him yesterday. I
14 really didn't want to discuss that in front of everyone
15 yesterday. I felt very uncomfortable about it. But I said,
16 you know, let me speak to the judge and see what, you know,
17 what can we do here. I'm just sharing. That's all.

18 THE COURT: So what I'm trying to get at is whether,
19 knowing that you're leaving at 2:45 every day, is that a
20 comfortable way for you to go forward?

21 JUROR: Yeah. It's a comfortable way for me to go
22 forward. I thought I was going to leave out of here like
23 around—I got home at 6:30 yesterday, and, you know, so—

24 THE COURT: Okay. So then just keep in mind, I will
25 not have you stay beyond 2:45. Okay?

O5N1GUOVD1

1 JUROR: Okay.

2 THE COURT: All right. Thank you.

3 JUROR: Okay. Thank you.

4 (Discussion off the record)

5 THE COURT: So what I wanted to mention to you that I
6 didn't mention to you before is that when you have your break
7 from 11:30 to 12, we're going to provide a snack, and you can
8 use the cellphone at that time.

9 JUROR: Yeah, yeah, I did, which I did yesterday.
10 Yeah, I did—I went right away and used my cellphone. Yes.
11 Yes, if I have a problem, yes. Thank you.

12 THE COURT: Thank you.

13 (Juror not present)

14 (In open court)

15 THE COURT: No. 7 told me that her husband has
16 prostate cancer and that she didn't feel comfortable discussing
17 the subject matter with the attorneys yesterday but she wants
18 to accompany him on any medical appointments, and I pointed out
19 that we will be ending at 2:45 every day, I asked her if she
20 was comfortable going forward knowing that, she said yes, and
21 so I see no reason to excuse her.

22 All right, then. We are excusing No. 2, which means
23 that we are going to go through Juror No. 70.

24 All right. So I will hear first from the defense. Do
25 you have any peremptory challenges with respect to that first

O5N1GUOVD1

1 group through No. 70?

2 MR. KAMARAJU: Yes, your Honor. Just for the record,
3 we'd obviously renew our for-cause objections from before to
4 jurors 11, 15—

5 THE COURT: I'm having difficulty hearing you. Would
6 you put the microphone near you.

7 MR. KAMARAJU: I apologize. Thank you, your Honor. I
8 said just for the record, we would renew our for-cause
9 challenges to jurors 7, 11, 15, and 12 from yesterday, but in
10 terms of the peremptories that we're exercising today, 4, 7—

11 THE COURT: One second.

12 So No. 4 is defense peremptory No. 1.

13 MR. KAMARAJU: Yes, your Honor.

14 THE COURT: What's the next one?

15 MR. KAMARAJU: 5, your Honor.

16 THE COURT: No. 5. No. 5 is defense peremptory No. 2.
17 Go ahead.

18 MR. KAMARAJU: No. 7, your Honor.

19 THE COURT: No. 7 is defense peremptory No. 3. Go
20 ahead.

21 MR. KAMARAJU: No. 11, your Honor.

22 THE COURT: No. 11 is defense peremptory No. 4. Go
23 ahead.

24 MR. KAMARAJU: And our last one is No. 15, your Honor.

25 THE COURT: No. 15 is defense peremptory No. 5.

O5N1GUOVD1

1 Now we go to the prosecution.

2 MR. FINKEL: Your Honor, the government strikes 49.

3 THE COURT: Okay. So No. 49 is the government's
4 peremptory No. 1.

5 MR. FINKEL: Could we just have one second, your
6 Honor.

7 THE COURT: Yes.

8 MR. FINKEL: 69.

9 THE COURT: No. 69 is government peremptory No. 2.

10 MR. FINKEL: And No. 70, your Honor.

11 THE COURT: No. 70 is government peremptory No. 3.

12 And so you're saying that that is your last one?

13 MR. FINKEL: Yes.

14 THE COURT: Okay.

15 MR. FINKEL: For this one.

16 THE COURT: So that would make No. 10 Juror No. 1,
17 No. 34 Juror No. 2—is that incorrect?

18 MR. KAMARAJU: I think you may have skipped over 12.

19 THE COURT: No. 12? Did I skip No. 12? Oh, I'm
20 sorry. I did. So No. 12 is Juror No. 2; and then 34 is No. 3;
21 58, No. 4. And I think that's it. Are you in agreement?

22 MR. KAMARAJU: From the defense we are, your Honor.

23 MR. FINKEL: Yes, your Honor.

24 THE COURT: Okay. So are they preparing the panel?

25 THE LAW CLERK: Yes.

O5N1GUOVD1

1 THE COURT: We have about a hundred coming up.

2 All right, then. So I'll let you know when the panel
3 is ready.

4 MR. KAMARAJU: Thank you, your Honor.

5 (Recess)

6 THE COURT: You can be seated.

7 I was just informed that No. 58, who I believed to be
8 present, actually is not present and has stated that he or she
9 has a stomach flu and will be present tomorrow. I don't know
10 if that alters anyone's position.

11 MR. FINKEL: Not from the government.

12 MR. KAMARAJU: So just so we understand, so we would
13 not seat her on the jury and just bring up the next panel; is
14 that how that—

15 THE COURT: I don't think that that's what the
16 government is asking for. Is that what you're asking for?

17 MR. KAMARAJU: Well, I just know that if she has a
18 stomach flu, I know she hopes to be here tomorrow, but I don't
19 know we can count on her being here tomorrow.

20 THE COURT: That is a legitimate concern.

21 MR. KAMARAJU: So yes, we would ask that you not seat
22 her and let the parties proceed to the next panel with—I don't
23 know if that alters our strikes, but—

24 MR. FINKEL: Your Honor, the government's view would
25 be that of course the Court can impanel the jury tomorrow

O5N1GUOVD1

1 morning, and I would defer to the Court and the district staff
2 with respect to her viability—that's not the right word—for
3 her confidence in her belief that she could be here on Friday,
4 and if she feels she'll be up to it, I think we should take her
5 at her word; if she feels she'll still be sick and can't come
6 in, that's a different story.

7 MR. KAMARAJU: Then, your Honor, then we're stuck in a
8 position that you have one less alternate or juror than you
9 thought you had, instead of just addressing the issue now.

10 THE COURT: Yes. I don't think I can count on this
11 individual's claim.

12 MR. FINKEL: Your Honor, although—well, for one,
13 although—well, it's not ideal, obviously, if a juror doesn't
14 show up tomorrow, but that's why we have alternates. And of
15 course, look, if the Court feels that we should just sort of
16 take her off the jury and just move on to the next 12, the
17 government is not going to quibble with your Honor's
18 inclination, but if she does feel that she'll be in tomorrow, I
19 think we should accept that and move forward. That's the
20 government's view.

21 MR. KAMARAJU: So I'm assuming the government's
22 position is that we should move forward, from all of that. As
23 we've said, I don't think it would be ideal for the Court to
24 start off with one alternate down before the trial has even
25 started, so the safer course, from our position, is to simply

O5N1GUOVD1

1 remove her to and proceed to the next panel.

2 THE COURT: I'm going to do that. And so that means
3 that we only have three jurors. So I'm going to dismiss her,
4 No. 58.

5 All right.

6 MR. KAMARAJU: Thank you, your Honor.

7 (Recess)

8 THE COURT: I'm told that there's another juror who
9 wants to speak with me. It's the individual who was selected
10 as Juror No. 2, formerly Juror No. 12.

11 MR. KAMARAJU: I'm sorry, your Honor. It was the one
12 originally designated Juror No. 12?

13 THE COURT: The person who was yesterday known as
14 Juror No. 12.

15 I'm also told by the jury department that it is their
16 opinion that Juror No. 29 has cognitive difficulties, and so my
17 question is: Is there any objection to my excusing him?

18 MR. KAMARAJU: Not from the defense, your Honor.

19 MR. FINKEL: 29, your Honor?

20 THE COURT: That's the—

21 MR. FINKEL: Oh, is that one of the people who didn't
22 come back?

23 MS. SHROFF: Your Honor, he did come back. He came
24 back in the afternoon. I think he was—

25 THE COURT: He did come back.

O5N1GUOVD1

1 MS. SHROFF: He was escorted up by the jury clerk
2 because he was having difficulty, I believe, finding the floor.

3 MR. FINKEL: I was just clarifying whether he was
4 someone we considered this morning. I understand he was not.
5 No objection.

6 THE COURT: All right. So No. 29 is dismissed.

7 THE LAW CLERK: Counsel, your microphones tend to be
8 on so in the livestream they can hear you unless we mute all of
9 them, which I can do, so when we're on the record, obviously,
10 we want the microphones on, but during voir dire, we have
11 everything muted.

12 MR. FERGENSON: I think we're able to turn it off,
13 so—

14 THE LAW CLERK: This is being livestreamed into the
15 jury room as well as the overflow, so I just wanted you to be
16 aware of that.

17 MR. FERGENSON: Understood. Thank you.

18 THE COURT: We'll return when that juror arrives.

19 MR. KAMARAJU: Thank you, your Honor.

20 (Recess)

21 (Juror present in the courtroom)

22 THE COURT: Good morning.

23 JUROR: Good morning.

24 THE COURT: What number are you?

25 JUROR: 12.

O5N1GUOVD1

1 THE COURT: And what is it you wanted to tell me?

2 JUROR: So I have my—my parents are coming into town
3 in June. They haven't been here since 2015. And so I was
4 trying to plan something nice, and I made a reservation
5 June 18th through the 21st in Amagansett. And I checked
6 yesterday, it's nonrefundable, you know, a month before. Up to
7 a month before, it's refundable; after that, it's
8 nonrefundable. And I spent \$4,185 on this trip that I would
9 have to—that I would lose, in addition to not, you know, being
10 able to, I guess, enjoy the time with my parents. But it
11 really is about the money and I guess the nonrefundability
12 about it.

13 THE COURT: When did you make those plans?

14 JUROR: In April.

15 THE COURT: And do you have proof of these
16 reservations?

17 JUROR: I do.

18 THE COURT: With you?

19 JUROR: Well, on my phone, which I don't have, but I'm
20 certainly willing to show you on my phone.

21 THE COURT: Well, I'm directing that you show me.

22 JUROR: Okay. Of course.

23 THE COURT: And I'm going to have you send an email to
24 the court email address, and my law clerks will give that to
25 you, and then I'll call you back into the courtroom.

O5N1GUOVD1

1 JUROR: Okay.

2 THE COURT: Why didn't you mention this yesterday?

3 JUROR: Because, again, getting to your—well, I
4 wanted to see if it was—if there was a way to cancel it,
5 but—so I wanted to check just in case, and so I didn't mention
6 it because maybe, you know, saying that you have a vacation
7 isn't, you know, a good enough reason. But then when I checked
8 and I realized that—quite frankly, I forgot how large of an
9 amount it was, and when I checked that it is nonrefundable,
10 that's why I brought it up today.

11 THE COURT: So was it just you and your parents going
12 to Amagansett or were there others involved?

13 JUROR: My wife.

14 THE COURT: All right. So you can retrieve your
15 cellphone and send that email, and then I'll call you back in.
16 Your cellphone is where?

17 JUROR: Downstairs.

18 THE COURT: Okay.

19 JUROR: Okay.

20 (Juror not present)

21 THE COURT: So if it is the case that he made those
22 plans in April and whatever email comes through looks like it
23 is legitimate, what would be the parties' position?

24 MR. KAMARAJU: Well, I think it would be consistent
25 with what the Court has done with other prospective jurors who

O5N1GUOVD1

1 have had preplanned travel to excuse him. I think that's what
2 we've been doing with all of the other jurors who had travel
3 planned before they were called for jury duty, who had already
4 paid for the accommodations and would suffer financial harm if
5 they didn't, so I think—yeah, for a personal reason, your
6 Honor. I'm sorry. Ms. Shroff is reminding me that in the
7 past, with the prospective jurors who had personal travel that
8 was preplanned, the Court has excused them, and so I think
9 No. 12 would be in that same boat.

10 MR. FINKEL: Your Honor, the government shares what I
11 believe to be the Court's frustration that this juror didn't
12 mention this obvious conflict yesterday. I think it would have
13 saved the parties' time. Being that we're here, if he has a
14 \$4,000 vacation planned that he can't move, no objection.

15 THE COURT: All right. So when I see the
16 documentation, I'll let you know.

17 MR. KAMARAJU: Thank you, your Honor.

18 (Recess)

19 THE COURT: So I have the reservation, which indicates
20 that it was made on April 16th of this year and that it's for
21 three nights on June 18th, 19th, and 20th, so if he were
22 required to serve, he would miss the vacation.

23 Any further comments?

24 MR. FERGENSON: No, your Honor. Thank you.

25 THE COURT: Okay. So I am going to excuse him.

O5N1GUOVD1

1 If you'll have the juror brought back in, please.

2 (Juror present)

3 THE COURT: You may be seated.

4 Thank you for sending the email. I see that you would
5 have to miss your vacation if you were to serve as a juror, and
6 so I'm going to excuse you.

7 JUROR: Thank you, your Honor.

8 (Juror not present)

9 THE COURT: So that is going to mean that No. 34 is
10 now No. 2.

11 I'm told that the second panel is outside. I'm told
12 that No. 14 from yesterday is now here and so I'll put him at
13 the very end, seat him as the last person.

14 All right. If we can have the panel brought in.

15 (Jury venire present)

16 (Jury venire sworn)

17 THE LAW CLERK: Thank you.

18 I will now be calling you by the number that you were
19 given downstairs. The judge's law clerks will be confirming
20 that your identity, your name matches up with the jury number
21 that we have and that you have and usher you to your seats. At
22 no time in open court will your name be used on the record.

23 Juror 101, please come forward.

24 Juror 102, please come forward.

25 To the extent you are one of the earlier numbers in

O5N1GUOVD1

1 the 100 to 200 range, please make your way closer to the front
2 of the courtroom, if that's possible. I know it is a tight
3 squeeze at the moment.

4 Juror 103, please come forward.

5 Juror 104, please come forward.

6 Juror 105, please come forward.

7 Juror 106, please come forward.

8 Juror 107, please come forward.

9 Juror 108, please come forward.

10 Juror 109, please come forward.

11 Juror 110, please come forward.

12 Juror 111, please come forward.

13 Juror 112, please come forward.

14 Juror 113, please come forward.

15 Juror 114, please come forward.

16 Juror 115, please come forward.

17 Juror 116, please come forward.

18 (Pause)

19 THE LAW CLERK: Juror 116, please come forward.

20 Juror 117, please come forward.

21 Juror 118, please come forward.

22 Juror 119, please come forward.

23 Juror 120, please come forward.

24 Juror 121, please come forward.

25 Juror 122, please come forward.

O5N1GUOVD1

1 Juror 123, please come forward.
2 Juror 124, please come forward.
3 Juror 125, please come forward.
4 Juror 126, please come forward.
5 (Pause)
6 THE LAW CLERK: Juror 126, please come forward.
7 Juror 127, please come forward.
8 Juror 128, please come forward.
9 (Pause)
10 THE LAW CLERK: Juror 128, please come forward.
11 Juror 129, please come forward.
12 Juror 130, please come forward.
13 Juror 131, please come forward.
14 Juror 132, please come forward.
15 Juror 133, please come forward.
16 Juror 134, please come forward.
17 Juror 135, please come forward.
18 Juror 136, please come forward.
19 Juror 137, please come forward.
20 Juror 138, please come forward.
21 Juror 139, please come forward.
22 Juror 140, please come forward.
23 Juror 141, please come forward.
24 Juror 142, please come forward.
25 Juror 143, please come forward.

O5N1GUOVD1

1 Juror 144, please come forward.
2 Juror 145, please come forward.
3 Juror 146, please come forward.
4 Juror 147, please come forward.
5 Juror 148, please come forward.
6 Juror 149, please come forward.
7 Juror 150, please come forward.
8 Juror 151, please come forward.
9 Juror 152, please come forward.
10 Juror 153, please come forward.
11 Juror 153, the bench to my right.
12 Juror 154, please come forward.
13 Juror 155, please come forward.
14 Juror 156, please come forward.
15 Juror 157, please come forward.
16 Juror 158, please come forward.
17 Juror 159, please come forward.
18 Juror 160, please come forward.
19 Juror 161, please come forward.
20 Juror 162, please come forward.
21 Juror 163, please come forward.
22 Juror 164, please come forward.
23 Juror 165, please come forward.
24 Juror 166, please come forward.
25 Juror 167, please come forward.

O5N1GUOVD1

1 Juror 168, please come forward.
2 Juror 169, please come forward.
3 Juror 170, please come forward.
4 Juror 171, please come forward.
5 Juror 172, please come forward.
6 Juror 173, please come forward.
7 Juror 174, please come forward.
8 Juror 175, please come forward.
9 Juror 176, please come forward.
10 Juror 177, please come forward.
11 Juror 178, please come forward.
12 Juror 179, please come forward.
13 Juror 180, please come forward.
14 Juror 181, please come forward.
15 Juror 182, please come forward.
16 Juror 183, please come forward.
17 Juror 184, please come forward.
18 Juror 185, please come forward.
19 Juror 186, please come forward.
20 Juror 187, please come forward.
21 Juror 188, please come forward.
22 Juror 189, please come forward.
23 Juror 190, please come forward.
24 Juror 191, please come forward.
25 Juror 192, please come forward.

O5N1GUOVD1

1 Juror 193, please come forward.

2 Juror 194, please come forward.

3 Juror 195, please come forward.

4 Juror 196, please come forward.

5 Juror 197, please come forward.

6 Juror 198, please come forward.

7 Juror 199, please come forward.

8 Juror 200, please come forward.

9 Juror 201, please come forward.

10 Juror 202, please come forward.

11 Juror 14, please come forward.

12 Juror 203, please come forward.

13 Juror 204, please come forward.

14 THE COURT: Good morning.

15 THE JURORS: Good morning.

16 THE COURT: My name is Analisa Torres. I'm the judge
17 who will be handling this trial. We're here this morning to
18 select a jury in a criminal case, which is titled *United States*
19 *v. Miles Guo*.

20 Through this process, we will choose the 12 jurors and
21 six alternate jurors who will hear and decide the case.

22 Trial is expected to last about seven weeks, but it's
23 impossible to predict the exact length of the trial.

24 Today you'll be required to be here until 5 p.m. If
25 we do not finish selecting a jury today, you will be required

O5N1GUOVD1

1 to be here from 9 a.m. sharp to 5 p.m. tomorrow.

2 After jury selection, our schedule will be as follows:
3 You'll be required to be in the courtroom from 9:30 a.m. to
4 2:45 p.m., with a break from 11:30 a.m. to 12 p.m. So once a
5 jury is selected, if you're on the jury, the schedule is,
6 you'll be here starting at 9:30 sharp, you'll leave at
7 2:45 p.m., and there will be a break between 11:30 a.m. and
8 12 p.m.

9 The jury selection process is intended to make sure
10 that we have a jury of citizens who will decide the issues in
11 this case fairly and impartially, and without any bias or
12 prejudice in favor of or against either side. In order to do
13 that, I'm going to ask certain questions about your personal
14 background, your family, some of your beliefs and attitudes
15 about certain matters, how you are employed, and so forth. You
16 should understand my questioning is not intended to pry into
17 your lives but to make sure that we select fair and impartial
18 jurors—that is, jurors who will be free from preconceived
19 notions or prejudice that might prevent them from returning a
20 fair and just verdict, based solely on the evidence or lack of
21 evidence.

22 If for any reason you are unable to serve as a fair
23 and impartial juror, it is your duty to inform me. In
24 responding to my questions, it is important that you not say in
25 open court anything about the parties in this case or about any

O5N1GUOVD1

1 other matter that might tend to impair the open-mindedness and
2 fairness of the other jurors. If a question calls for a yes or
3 no answer, simply answer yes or no. If there are further
4 matters that you believe should be disclosed but that might
5 tend to influence the other jurors, you may ask to approach the
6 bench to discuss them.

7 If you are selected to serve, you will be provided
8 light refreshments in the morning and a light snack during the
9 lunch break each day.

10 As I said, this is a criminal case. The defendant,
11 Miles Guo, has been charged with committing 12 federal crimes
12 in a document called an indictment. The indictment itself is
13 not evidence. It simply contains the charges that the
14 government is required to prove to the satisfaction of the jury
15 beyond a reasonable doubt. I will instruct the jury on what
16 this burden of proof means after the evidence is presented.

17 The defendant has denied the charges and has pleaded
18 not guilty.

19 I have no knowledge of the facts of this case and
20 nothing that I say is evidence. I will, however, briefly
21 discuss the charges so that you'll understand the reason for
22 certain questions, and so that we can determine whether there
23 is anything about the charges that would make it impossible for
24 you to serve as a fair and impartial juror.

25 Of course, those of you selected to sit on the jury

O5N1GUOVD1

1 will receive a detailed explanation of the charges at the
2 conclusion of the case.

3 Before I start asking questions, I will explain why
4 each of you has been assigned a number and will be called by
5 your number only. This case will be tried before a partially
6 anonymous jury. The names of the jurors and of all of you who
7 are seated here are not going to be announced publicly. I, the
8 court administrators, the defendant, defense counsel, the
9 prosecution, and my law clerks will know your names, but again,
10 that will not be shared with the public. Jurors who are
11 ultimately selected can share their names with each other, but
12 in open court, no juror will ever be referenced by their name.

13 This case has attracted media attention, and that is
14 likely to continue. The purpose of using a partially anonymous
15 jury in this trial is to protect all of you from any unwanted
16 attention and invasion of your privacy, and to ensure that
17 nothing transpires that might interfere with your impartial and
18 objective study of the evidence and the application of the law.

19 I am now going to tell you briefly about the charges
20 in this case.

21 The indictment consists of 12 charges, or counts. The
22 government alleges that the defendant operated four fraudulent
23 investment schemes as part of a criminal enterprise. The term
24 "criminal enterprise" is also referred to as a racketeering or
25 RICO enterprise.

O5N1GUOVD1

1 Count One charges the defendant with conspiracy to
2 operate a criminal enterprise.

3 Counts Two, Three, and Four charge the defendant with
4 conspiracy to commit wire fraud, bank fraud, securities fraud,
5 and money laundering offenses.

6 Counts Five and Six charge the defendant with
7 securities fraud and wire fraud in connection with a private
8 stock offering for a media company known as GTV.

9 Counts Seven and Eight charge the defendant with wire
10 fraud and securities fraud in connection with loans made to a
11 group known as the Himalaya Farm Alliance.

12 Counts Nine and Ten charge the defendant with wire
13 fraud and securities fraud in connection with a lifestyle
14 membership company known as G Clubs.

15 Count Eleven charges the defendant with wire fraud in
16 connection with the Himalaya Exchange, which some have
17 described as a cryptocurrency ecosystem.

18 Finally, Count Twelve charges the defendant with
19 making a \$100 million wire transfer using money derived from a
20 crime.

21 The defendant has pleaded not guilty and is presumed
22 innocent of these charges unless and until he is proven guilty
23 beyond a reasonable doubt under rules that I will describe as
24 we proceed. I briefly discuss the charges not for the purpose
25 of giving you any instruction but only so that you will have

O5N1GUOVD1

1 them in mind as we go through jury selection.

2 I am now going to ask some questions of the entire
3 group. If you prefer not to give your answer in public, just
4 let me know, and the lawyers and I will hear you at the bench.
5 If you have a yes answer to any of these questions, please
6 raise your hand so that I and my staff can see who you are,
7 then I will either discuss your yes answer with you in open
8 court or ask you to come over to the sidebar and speak with me
9 and the attorneys in private. It is important that each of you
10 not discuss among yourselves any questions that I ask.

11 (Continued on next page)

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O5NVGUOVD2

1 THE COURT: After we have reviewed a number of general
2 questions together as a group, then I will ask each of you
3 concerning your own individual backgrounds.

4 During the questioning, you may be excused from
5 serving as a juror in this case. If you happen to be excused,
6 do not consider that a reflection on you personally. This is
7 all part of our system of justice, which is intended to provide
8 a fair and impartial jury for both sides. You will have done
9 your duty by your presence and your readiness to serve.

10 Do any of you have a problem with your hearing or
11 vision that would prevent you from serving as a juror?

12 JUROR: Yes, my vision has changed.

13 THE COURT: If you'll just wait one moment.

14 If you'll say your number.

15 JUROR: My number is 117. And my vision has changed.
16 And I don't have glasses that currently reflect what my vision
17 is. I can see up close with my glasses, but otherwise things
18 are blurry.

19 THE COURT: Can you see the court reporter, the
20 stenographer, who is there with the black jacket and a red
21 shirt?

22 JUROR: I can see her and she's blurry, but I can see
23 her.

24 THE COURT: Okay. Anything else?

25 JUROR: About my vision?

O5NVGUOVD2

1 THE COURT: Vision or hearing?

2 JUROR: Oh, no, no. Nothing else.

3 THE COURT: Okay. Anyone else?

4 Are any of why you taking any medications or do you
5 have any health-related problems that would prevent you from
6 serving as a juror?

7 All right. You may step up.

8 Counsel.

9 (At sidebar)

10 THE COURT: With regard to No. 117, she says her
11 vision is blurry. Is there anyone who'd object to my excusing
12 her?

13 MR. KAMARAJU: Not from the defense, your Honor.

14 MR. FINKEL: No objection.

15 THE COURT: Okay. So No. 117 is dismissed.

16 All right. So let's have the first individual come
17 forward.

18 (Juror present)

19 THE COURT: All right, then, sir. What is your
20 number?

21 JUROR: 103.

22 THE COURT: And what is the problem?

23 JUROR: I've been told by my doctors this week I have
24 a possible heart condition and a battery of tests starting next
25 week. I have a family history of it. My dad just had a triple

O5NVGUOVD2

1 bypass, so it's something where considering the length of this
2 trial, very concerned that I'd have to wait that long to do
3 these tests.

4 THE COURT: Are you saying that you had a triple
5 bypass?

6 JUROR: My father did.

7 THE COURT: Your father did?

8 JUROR: A family history, yes.

9 THE COURT: So if you're selected for the jury, we
10 stop every day at 2:45; and so you would be able to go to
11 appointments in the late afternoon. Would that be --

12 JUROR: I mean, I don't know what kind of delays -- I
13 know we've already had schedules for things first thing in the
14 morning next week. I don't know if they're able to reschedule
15 them. I know the length of this trial is TBD, so I don't know
16 how --

17 THE COURT: So I'll ask you to step back. Thank you.

18 (Juror not present)

19 THE COURT: Is there any objection to my excusing him?

20 MR. KAMARAJU: Not from the defense, your Honor.

21 MS. MURRAY: No, your Honor.

22 THE COURT: Okay.

23 (Juror present)

24 THE COURT: Hi. Would you tell me your number.

25 JUROR: 154.

O5NVGUOVD2

1 THE COURT: And what's your name?

2 JUROR: XXXXXXXXXXXXXXXX.

3 THE COURT: And what's the problem?

4 JUROR: So I had a stroke like three weeks ago. And I
5 have multiple appointments coming up in June because they don't
6 know the cause of the stroke.

7 THE COURT: All right. I'm sorry to hear that. And I
8 wish you a very swift recovery.

9 JUROR: Thank you.

10 THE COURT: All righty. You may step back.

11 (Juror not present)

12 THE COURT: Was that 154?

13 MS. MURRAY: Yes, your Honor.

14 THE COURT: Any objection to her being excused?

15 MR. KAMARAJU: Not from the defense, your Honor.

16 MS. MURRAY: No, your Honor.

17 (Juror present)

18 THE COURT: Hello. What is your number?

19 JUROR: 121.

20 THE COURT: And what is your name?

21 JUROR: XXXXXXXX.

22 THE COURT: XXXXXXXX?

23 JUROR: XXXXXX.

24 THE COURT: What is your problem?

25 JUROR: I can't sit or stand for long periods of time

O5NVGUOVD2

1 because I have two herniated disks and a side joint dysfunction
2 due to a joint disorder.

3 THE COURT: All righty. Well, hope that you recover
4 from that. You may step back.

5 (Juror not present)

6 THE COURT: Any objection to my excusing No. 121?

7 MR. KAMARAJU: No, your Honor.

8 MS. MURRAY: No, your Honor.

9 (Juror present)

10 THE COURT: All righty, sir. What is your number?

11 JUROR: 138.

12 THE COURT: 138. And what is your name?

13 JUROR: Heriberto Sanchez Soto.

14 THE COURT: What is the problem?

15 JUROR: I had an injury in my shoulder. And I'm
16 undergoing physical therapy three times a week. And I usually
17 do it at 8 in the morning until 9 o'clock, so probably getting
18 here would be an issue by 9:30.

19 THE COURT: So we are stopping every day at 2:45.
20 Could you do it in the afternoon?

21 JUROR: I will see if I could change the schedule to
22 do it at 5 or -- they're open until -- I think 6 is their last
23 appointment they take.

24 THE COURT: Okay. And again, your number again?

25 JUROR: 138.

O5NVGUOVD2

1 THE COURT: Okay. All right. You may step back.
2 (Juror not present)
3 THE COURT: Okay. So we'll see what happens with him.
4 (Juror present)
5 THE COURT: Hi. Your number please?
6 JUROR: 165.
7 THE COURT: And what is your name?
8 JUROR: XXXXXXXXXXXXXXXXXXXX.
9 THE COURT: And what is the problem?
10 JUROR: I have epilepsy. And I take medication that
11 interferes with short-term memory and word retrieval.
12 THE COURT: Understood. All righty.
13 Thank you. You may step back.
14 (Juror not present)
15 THE COURT: Is there any objection to my excusing No.
16 165?
17 MS. MURRAY: No, your Honor.
18 MR. KAMARAJU: No, your Honor.
19 (Juror present)
20 THE COURT: Hello. What is your number?
21 JUROR: 170.
22 THE COURT: And what is your name?
23 JUROR: XXXXXXXXXXXXXXXXXXXX.
24 THE COURT: And what's the problem?
25 JUROR: So I have PE, which is a pulmonary embolism;

O5NVGUOVD2

1 and DVT, which is one in the upper body, one in the leg. I
2 take medication three times a day, which is an injection, a
3 blood thinner injection. And basically, being stationary for
4 long periods of time is not really helpful, causes clots, which
5 I do have a clot in my leg right now. But I still have to come
6 because I would be in the hospital as of right now.

7 THE COURT: All right, sir. I hope you get better.
8 You may step back.

9 JUROR: It's a lifetime thing, so thank you.

10 (Juror not present)

11 THE COURT: Any objection to my excusing No. 170?

12 MR. KAMARAJU: No, your Honor.

13 (Juror present)

14 THE COURT: Hello. What is your number?

15 JUROR: 171.

16 THE COURT: What is your name?

17 JUROR: XXXXXXXXXXXXXXXXXXXX.

18 THE COURT: What's the problem?

19 JUROR: Endometriosis. I was recently diagnosed with
20 it last month. I have a biopsy for it next month.

21 THE COURT: So we stop every day at 2:45. Can you
22 schedule the biopsy for the afternoon?

23 JUROR: I can, but the -- as well as the -- sorry.
24 The pain that I have makes me debilitated for like two to three
25 days on end. So sometimes I'm not able to even get out of my

O5NVGUOVD2

1 bed at times.

2 THE COURT: All right. Well, I'm hoping that you get
3 better.

4 JUROR: Thank you.

5 THE COURT: All right. You may step back.

6 (Juror not present)

7 THE COURT: Any objection to my excusing No. 171?

8 MS. MURRAY: No, your Honor.

9 MR. KAMARAJU: No, your Honor.

10 (Juror present)

11 THE COURT: Hi. What is your number?

12 JUROR: 159.

13 THE COURT: And what is your name?

14 JUROR: XXXXXXXXXXXXXXXXXXXX.

15 THE COURT: What's the problem?

16 JUROR: I'm prescribed a controlled substance by my
17 doctor for ADHD; and it needs to be taken at certain times
18 throughout the day. I'm worried that with the Court's
19 schedule, I wouldn't be able to maintain that schedule without
20 taking my medication throughout the day.

21 THE COURT: When is it that you need to take it?

22 JUROR: 8, 11 and 1 -- 8, 11, and 2.

23 THE COURT: So if I see to it that you're able to take
24 it at those times, would you be able to serve?

25 JUROR: Yeah.

O5NVGUOVD2

1 THE COURT: All right, then. Your number again?

2 JUROR: 159.

3 THE COURT: Okay. Thank you.

4 JUROR: Thank you.

5 (Juror not present)

6 MS. SHROFF: Did you want to ask him if there are any
7 effects to the narcotics substance? I'm happy to leave it, I'm
8 just suggesting if you want.

9 THE COURT: All right. We can bring him back.

10 (Juror present)

11 THE COURT: Hi. This medication that you're taking,
12 would that have any effect on your ability to function in the
13 courtroom?

14 JUROR: I dehydrate a little bit, I need a little
15 water; but, I mean, it's just for my focus.

16 THE COURT: So with the medication you're able to
17 focus normally?

18 JUROR: Yes.

19 THE COURT: Okay. Thank you.

20 JUROR: Thank you.

21 (Juror not present)

22 THE COURT: All right.

23 So I see no reason to dismiss him.

24 MS. SHROFF: No, your Honor.

25 MR. KAMARAJU: No, your Honor.

O5NVGUOVD2

1 (Juror present)

2 THE COURT: Hi. Your number, please?

3 JUROR: 134.

4 THE COURT: And what is your name?

5 JUROR: XXXXXXXXXXXXXXX.

6 THE COURT: And what is the problem?

7 JUROR: So I am in a clinical trial for multiple
8 myeloma. It's a form of blood cancer. So I'm in a clinical
9 trial. And so I have to draw blood samples periodically, I go
10 to get tested at MSK.

11 THE COURT: All righty. You may step back.

12 (Juror not present)

13 THE COURT: Is there any objection to my excusing No.
14 134?

15 MR. KAMARAJU: No, your Honor.

16 MS. MURRAY: No, your Honor.

17 (Juror present)

18 THE COURT: Hello. What is your number?

19 JUROR: 111.

20 THE COURT: And your name?

21 JUROR: XXXXXXXXXXXXXXX.

22 THE COURT: And what is the problem?

23 JUROR: Okay. I found that over the last couple of
24 years, I find that I have to go to the bathroom much more
25 frequently than I used to. But since I went to the bathroom

O5NVGUOVD2

1 about an hour ago, and now I have to go again. And I'm
2 wondering if that's going to disrupt the proceedings.

3 THE COURT: So would you say that you need to go every
4 hour?

5 JUROR: It varies. It's not a set schedule. It's
6 just I have to go way more often than I used to.

7 THE COURT: I'm trying to determine if you were a
8 juror, when I would need to give a break for you to go, that's
9 what I'm thinking about.

10 JUROR: I can't give a definite answer.

11 THE COURT: So if I said I'm going to give you a break
12 once an hour?

13 JUROR: I suppose that would do.

14 THE COURT: You suppose?

15 JUROR: Yes.

16 THE COURT: But you're not certain?

17 JUROR: Not certain.

18 THE COURT: Okay. You may step back.

19 (Juror not present)

20 THE COURT: Is there any objection to my excusing No.
21 111?

22 MS. MURRAY: No, your Honor.

23 MR. KAMARAJU: No, your Honor.

24 (Juror present)

25 THE COURT: Hello. What's your number?

O5NVGUOVD2

1 JUROR: 116.

2 THE COURT: And would you tell me your name, please.

3 JUROR: XXXXXXXXXXXXXXXXXXXX.

4 THE COURT: And what is the problem?

5 JUROR: I'm in mental health treatment about three
6 times a week for anxiety and an eating disorder. I have a
7 letter from my therapist. I didn't know if I should bring it
8 up right now or not, but --

9 THE COURT: Yes. Can I see the letter?

10 JUROR: Other hardship things, too, but I think
11 it's -- she's concerned and I'm concerned that jury duty is
12 going to put me over the edge.

13 THE COURT: All right. I have an email from Christine
14 Speare to Melissa Halligan -- I'm sorry, Melissa Halligan to
15 Christine Speare. And Dr. Halligan identifies herself as a
16 Ph.D. clinical psychologist at 353 Central Park West.

17 It says: This letter will serve to confirm that
18 Ms. Christine Speare is currently in mental health treatment
19 with Dr. Melissa Halligan to address an anxiety disorder.
20 Ms. Speare has indicated to me that serving on a jury at this
21 time would put her under significant stress, exacerbating her
22 anxiety disorder.

23 All right. Thank you for letting us know.

24 JUROR: Okay. Okay.

25 THE COURT: Okay. You may step back.

O5NVGUOVD2

1 (Juror not present)

2 THE COURT: What number was that?

3 MS. SHROFF: 116.

4 THE COURT: All right.

5 No objection to my excusing her?

6 MR. KAMARAJU: Not from us, your Honor.

7 MS. MURRAY: No.

8 (Juror present)

9 THE COURT: Hello?

10 JUROR: Hi.

11 THE COURT: You're No. 151?

12 JUROR: 151.

13 THE COURT: And what is your name?

14 JUROR: XXXXXXXXXXXXXXXXXXXXXXXX.

15 THE COURT: And what is the problem?

16 JUROR: I take medication for high blood pressure and

17 anxiety.

18 THE COURT: Okay. So would either of those things

19 prevent you from being a fair and impartial juror?

20 JUROR: No.

21 THE COURT: So you would be able to sit through

22 courtroom testimony?

23 JUROR: Yes.

24 THE COURT: And nothing about being a juror is going

25 to make any of your health problems worse?

O5NVGUOVD2

1 JUROR: No.

2 THE COURT: Okay, then. You may step back.

3 (Juror not present)

4 THE COURT: So I see no reason to excuse No. 151.

5 (Juror present)

6 THE COURT: Hello. What number are you?

7 JUROR: 150.

8 THE COURT: And what is your name?

9 JUROR: XXXXXXXXXXXXXXXX.

10 THE COURT: And what is the problem?

11 JUROR: Okay. It's more like a question.

12 I have some medical appointments. And I was just

13 wondering if that will interfere. My son has to do a procedure

14 next month; and I have to go with him to pick him up after the

15 procedure.

16 THE COURT: Do you know what time the procedure is?

17 JUROR: June 12th.

18 THE COURT: What time of day?

19 JUROR: That I don't know. He just told me the 12th.

20 THE COURT: Do you have an idea of when you would have

21 to pick him up?

22 JUROR: Whenever the procedure is over. But I don't

23 know -- I could find out.

24 THE COURT: Okay. Is that the only issue --

25 JUROR: And, okay, do I need to read anything during

O5NVGUOVD2

1 the hearing? Because --

2 THE COURT: You'll have to read during the trial.

3 JUROR: I'm having issue with my eyes. I had cataract
4 surgery, and now I'm having aftereffects. So I went to the
5 doctor, the specialist. And on the 30th I got to go back for
6 him to see why I keep on having an infection -- not infection,
7 my eyes keep getting inflamed. So I have an appointment on the
8 30th.

9 THE COURT: So are you saying that at this time you
10 can't read?

11 JUROR: I can read some things, but I can't see
12 every -- everything. It's a little bit blurry.

13 THE COURT: Okay. All right. Thank you.
14 You may step back.

15 JUROR: Okay. Thank you.

16 (Juror not present)

17 THE COURT: Is that 150?

18 MR. KAMARAJU: Yes.

19 THE COURT: Any objection to my excusing her?

20 MR. KAMARAJU: Not from us, your Honor.

21 MS. MURRAY: No, your Honor.

22 (Juror present)

23 THE COURT: Hi there. What is your number?

24 JUROR: 155.

25 THE COURT: And your name, please?

O5NVGUOVD2

1 JUROR: XXXXXXXXXXXXXXXXXXXX.

2 THE COURT: And what is the problem?

3 JUROR: I see a kidney specialist every month. And my
4 son, he's got cerebral palsy, goes to physical therapy twice a
5 week.

6 THE COURT: And you take him?

7 JUROR: Yes. I'm a single parent.

8 THE COURT: All right. You can step back.

9 (Juror not present)

10 THE COURT: No objection to my excusing No. 155?

11 MR. KAMARAJU: No, your Honor.

12 MS. MURRAY: No, your Honor.

13 (Juror present)

14 JUROR: Good morning. Juror 167.

15 THE COURT: 167. And what is your name, sir?

16 JUROR: XXXXXXXXXXXXXXXXXXXX.

17 THE COURT: And what is the problem?

18 JUROR: I take medication for my blood pressure,
19 diabetes and cholesterol. And I can't take them in the
20 mornings coming here because it makes me use the bathroom. I
21 take them at night.

22 Yesterday I was coming, I almost had an episode on the
23 stairs, climbing the stairs. It's just too hard for me. I
24 felt like I was having a heart attack climbing the stairs if I
25 don't take my medicine. I have to take them in the morning,

O5NVGUOVD2

1 but I can't because I need to go to the bathroom. I don't know
2 what to do.

3 THE COURT: All righty. Thank you for letting me
4 know. You can step back.

5 (Juror not present)

6 THE COURT: 167.

7 MR. KAMARAJU: Yes, your Honor.

8 THE COURT: Any objection to my excusing him?

9 MR. KAMARAJU: No, your Honor.

10 MS. MURRAY: No, your Honor.

11 (Juror present)

12 THE COURT: Hello. What is your number?

13 JUROR: 179.

14 THE COURT: And what is the issue?

15 I'm sorry, before you tell me that, what is your name?

16 JUROR: XXXXXXXXXXXXXXXXXXXX.

17 THE COURT: I'm sorry. Would you tell me your number
18 once more?

19 JUROR: 179.

20 THE COURT: Go ahead.

21 JUROR: Two things:

22 I have chronic debilitating migraines, awful; on the
23 floor foaming at the mouth. They usually have about a
24 six-to-15-day spread in between the two of them. I've been
25 tracking it with Bons Secours Neurology. And I'm worried that

O5NVGUOVD2

1 one is going to happen and it's going to be a problem.

2 Two, I'm currently working third shift at my job and
3 being awake is proving very difficult.

4 THE COURT: Thank you for letting me know.

5 I hope your condition improves.

6 JUROR: Me, too.

7 (Juror not present)

8 THE COURT: Any objection to my excusing 179?

9 MS. MURRAY: No, your Honor.

10 MR. BARKAN: No, your Honor.

11 (Juror present)

12 THE COURT: Hi there. What is your number?

13 JUROR: 196.

14 THE COURT: Okay. And what's the problem?

15 JUROR: I have hypertension. So I'm taking five
16 milligrams of Amlodipine for hypertension.

17 THE COURT: Okay. That is a standard medication.

18 Would this condition that you have interfere with your
19 ability to sit as a juror in this case?

20 JUROR: I don't think so.

21 THE COURT: All righty.

22 So is that all you wanted to tell me?

23 JUROR: Yes, that's all. That's all I'm taking.

24 THE COURT: Tell me your name.

25 JUROR: XXXXXXXXXXXXXXXX.

O5NVGUOVD2

1 THE COURT: All righty. You may step back.

2 JUROR: Thank you.

3 (Juror not present)

4 THE COURT: I see no reason to excuse her.

5 MR. KAMARAJU: Agreed, your Honor.

6 MS. MURRAY: Agree.

7 THE COURT: I have to tell you that in my 13 years as
8 a state judge, I never saw this volume of ill people.

9 (Juror present)

10 THE COURT: Sir, what is your number?

11 JUROR: 200.

12 THE COURT: And your name, sir?

13 JUROR: XXXXXXXXXXXXXXXXXXXX.

14 THE COURT: And what's the problem?

15 JUROR: Well, I'm going through vascular tests,
16 testing right now for my diabetes, and mobility issue. Taking
17 the train, going up and down the stairs, is a problem for me.

18 THE COURT: So you feel it is physically difficult for
19 you to make it to court?

20 JUROR: Right now, yeah. Well, when I go to work, I
21 drive there; but to take the subway to get here and going up
22 and down the stairs is difficult for me.

23 THE COURT: Okay. And you said that you were number?

24 JUROR: 200.

25 THE COURT: Okay. All right. So you can step back.

O5NVGUOVD2

1 (Juror not present)

2 THE COURT: Any objection to my excusing No. 200?

3 MR. KAMARAJU: Not from us, your Honor.

4 MS. MURRAY: No.

5 (Juror present)

6 THE COURT: Hello there. What number are you?

7 JUROR: 203.

8 THE COURT: And your name, please?

9 JUROR: XXXXXXXXXXXXXXXX.

10 THE COURT: And what is the problem?

11 JUROR: I have M.S., and I've been symptomatic as of
12 late. So I'm here because I actually have appointments next
13 week with my neurologist to talk through it. So I don't
14 know -- I don't know if this was the right line for me to get
15 on, but the point is is that I've been symptomatic and I have
16 upcoming appointments to figure out what we're going to do
17 about it.

18 THE COURT: So when you say that you've been
19 symptomatic, are those symptoms that would interfere with you
20 serving as a juror?

21 JUROR: I think so. I have dizziness and I also have
22 a little bit of brain fog. So it's been high end as of late.

23 THE COURT: All righty. You said that you are 203?

24 JUROR: I am.

25 THE COURT: Okay. You may step back.

O5NVGUOVD2

1 (Juror not present)

2 THE COURT: Any objection to my excusing No. 203?

3 MR. KAMARAJU: No, your Honor.

4 MS. MURRAY: No, your Honor.

5 THE COURT: Is that it?

6 MR. KAMARAJU: Yup.

7 Maybe we'll get to the weddings next.

8 MS. SHROFF: She's young.

9 THE COURT: All righty. Let's keep going.

10 (In open court)

11 THE COURT: Do any of you have trouble understanding
12 or reading English?

13 All right. If you'll step up, sir.

14 (At sidebar)

15 (Juror present)

16 THE COURT: Hello, sir. What is your number?

17 JUROR: 139.

18 THE COURT: 139.

19 JUROR: Yeah.

20 THE COURT: And what is the problem?

21 JUROR: My English is not enough to understand what
22 you saying.

23 THE COURT: Okay. What is your name, sir?

24 JUROR: XXXXXXXXXXX.

25 THE COURT: And what do you do for a living?

O5NVGUOVD2

1 JUROR: Just a worker.

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

3 JUROR: Warehouse.

4 THE COURT: Okay. And what do you do at the
5 warehouse?

6 JUROR: Just stock, stock setup.

7 THE COURT: You do stock.

8 Okay. You may step back.

9 (Juror not present)

10 THE COURT: Is there any objection to my excusing No.
11 139?

12 MS. MURRAY: No, your Honor.

13 MS. SHROFF: No.

14 (Juror present)

15 THE COURT: Hello. Would you tell me your number,
16 please.

17 JUROR: 201.

18 THE COURT: And what is your name?

19 JUROR: XXXXXXXXXXXX.

20 THE COURT: And what is the problem?

21 JUROR: The problem is that, first of all, I can read,
22 but to understand, I don't understand everything, and especial
23 the words what the people use in court.

24 THE COURT: Did you understand everything that I said?

25 JUROR: Yes.

O5NVGUOVD2

1 THE COURT: And what do you do for a living?

2 JUROR: I'm a computer programmer.

3 THE COURT: And where do you work?

4 JUROR: I work for Department of Education.

5 THE COURT: The city or --

6 JUROR: City.

7 THE COURT: And what is your educational background?

8 JUROR: I'm a musician.

9 THE COURT: All right. You're a musician.

10 So do you have a college degree?

11 JUROR: I do have a college degree in Russia.

12 THE COURT: In Russia. Okay.

13 What is your instrument?

14 JUROR: Violin.

15 THE COURT: That's wonderful.

16 So you're saying that you would feel uncomfortable in

17 the courtroom, is that what you're telling me?

18 JUROR: I don't know if I feel comfortable or

19 uncomfortable. But if I don't understand something which is

20 really important, I cannot be a juror on the case like this

21 because this is important case. That's what I feel.

22 THE COURT: But you've told me that you have

23 understood everything that I said.

24 JUROR: Yes. No, now. Before, not everything.

25 THE COURT: Not everything before?

O5NVGUOVD2

1 JUROR: Not everything.

2 THE COURT: Okay. All right, then.

3 You can step back. Thank you.

4 JUROR: Thank you.

5 (Juror not present)

6 THE COURT: Is there any objection to my excusing No.

7 201?

8 MS. MURRAY: No, your Honor.

9 MS. SHROFF: No, your Honor.

10 (In open court)

11 THE COURT: If a witness testified in a language that
12 you know and an interpreter translates the testimony, would any
13 of you not be able to rely exclusively on the interpreter's
14 translation of the testimony?

15 The trial in this case is estimated to last a total of
16 about seven weeks, that is, until approximately July 12th. We
17 will not be in session on federal holidays, nor will court be
18 in session on the following dates:

19 Monday, May 27th; Wednesday, June 19th; Friday, June
20 28th; Monday, July 1st; Thursday, July 4th; and Friday, July
21 5th.

22 Keeping in mind your civic duty to serve as a juror,
23 is there anything about the length of the trial that would make
24 it an extreme hardship for you to serve as a juror?

25 (At sidebar)

O5NVGUOVD2

1 (Juror present)

2 THE COURT: Hello, sir. Your number?

3 JUROR: Juror 101.

4 THE COURT: And your name, please.

5 JUROR: XXXXXXXXXXXXXXXX.

6 THE COURT: And what is the problem?

7 JUROR: I have to be in California for work the 12th
8 through the 15th of June. And then besides that, my son is a
9 ninja athlete, and he's got a world ninja competition in
10 Greensboro, North Carolina. We've already booked hotels and
11 everything. And that's June -- starts, like, June 20th and can
12 go through the 25th, depending on how he has performed.

13 THE COURT: All righty. So you may step back.

14 (Juror not present)

15 THE COURT: Is there any objection to my excusing 101?

16 MS. SHROFF: No, your Honor.

17 MS. MURRAY: No, your Honor.

18 (Juror present)

19 THE COURT: Hello.

20 JUROR: 103.

21 THE COURT: Yes.

22 JUROR: I am a project manager for an investment bank,
23 and I have a few different deadlines in the next few weeks,
24 including some work for the SEC, AML, anti-motion *in limine* --

25 THE COURT: You may step back.

O5NVGUOVD2

1 (Juror not present)

2 THE COURT: He's already been excused.

3 (Juror present)

4 THE COURT: Sir, what is your number?

5 JUROR: 111.

6 THE COURT: You may step back.

7 (Juror not present)

8 (Juror present)

9 THE COURT: Hi. What is your number?

10 JUROR: 109.

11 THE COURT: What is your name?

12 JUROR: XXXXXXXXXXXXX.

13 THE COURT: What is the problem?

14 JUROR: I'm a primary caretaker of a two-year-old.

15 Just numerous doctors' appointments, things like that.

16 THE COURT: There's no one who can fill in for you?

17 JUROR: No.

18 THE COURT: All righty. You may step back.

19 JUROR: Thank you.

20 (Juror not present)

21 THE COURT: Any objection to my excusing her?

22 MS. SHROFF: No, your Honor.

23 MS. MURRAY: No, your Honor.

24 (Juror present)

25 THE COURT: Hello again. What is your number?

O5NVGUOVD2

1 JUROR: 116.

2 THE COURT: 116. All right. You may step back.

3 (Juror not present)

4 (Juror present)

5 THE COURT: Hello. What is your number?

6 JUROR: 112.

7 THE COURT: What is your name?

8 JUROR: XXXXXXXXXXXXXXXX.

9 THE COURT: What is the problem?

10 JUROR: I have two children; one is 15, the other one

11 is 11. The 15 depends on me a lot. He has behavior issues.

12 So I have to be, you know, catering to him and my 11-year-old

13 daughter. And, you know, it's really difficult.

14 THE COURT: When you say behavior problems, does he

15 have a diagnosis?

16 JUROR: Yes, he does. He has ADD and he has conduct

17 disorder.

18 THE COURT: All righty. You may step back.

19 JUROR: Thank you.

20 (Juror not present)

21 THE COURT: Any objection to my excusing No. 112?

22 MS. MURRAY: No, your Honor.

23 MS. SHROFF: No, your Honor.

24 (Juror present)

25 THE COURT: Sir, what is your number?

O5NVGUOVD2

1 JUROR: 114. Adelson Tavares.

2 THE COURT: What's the issue?

3 JUROR: I recently bought a house. And I also have a
4 child going to university. And I also help my sister with her
5 rent, so she's having financial issues. So I have a lot of
6 pressure on my back to complete my mortgage and help out family
7 members.

8 THE COURT: Are you saying that serving as a juror
9 would be a financial hardship?

10 JUROR: I'm the main breadwinner of the house.

11 THE COURT: Are you saying that you would not be paid
12 if you're on a jury?

13 JUROR: No. So my way of being paid is not enough to
14 be able to cover any of my expenses for the house or helping
15 out my family members.

16 THE COURT: All right. You may step back.

17 (Juror not present)

18 THE COURT: Any objection to my excusing 114?

19 MS. SHROFF: No, your Honor.

20 MS. MURRAY: No, your Honor.

21 (Juror present)

22 THE COURT: Hello. What is your number?

23 JUROR: 118.

24 THE COURT: And your name, please?

25 JUROR: XXXXXXXXXXXXXXXXXXXX.

O5NVGUOVD2

1 THE COURT: What's the problem?

2 JUROR: It would be a financial hardship for me. I am
3 an account executive at a drug company. They don't pay for any
4 jury duty. And I am expecting a baby 1/18, so six months. So
5 it's a hardship. I won't be able to recoup the money because
6 of the length of the trial. And I'm the sole financial person
7 in my household.

8 THE COURT: All right, then. You may step back.

9 (Juror not present)

10 Any objection to my excusing No. 118?

11 MS. SHROFF: No, your Honor.

12 MS. MURRAY: No, your Honor.

13 (Juror present)

14 THE COURT: Your number?

15 JUROR: 123.

16 THE COURT: Your name?

17 JUROR: XXXX.

18 THE COURT: Full name?

19 JUROR: XXXXXXXXXXXXXXXX.

20 THE COURT: What is the problem?

21 JUROR: So a couple things.

22 I have a physical therapy practice on the Upper East
23 Side. If I leave for that kind of period of time, I have
24 patients that have already started plans of care. It sets me
25 up to basically be sued for patient abandonment. Because my

O5NVGUOVD2

1 other therapist who works with me already has a full schedule.
2 I can't transfer anybody over. Like last night and tonight,
3 I'm leaving court to go treat from 5 to 8 p.m. to try and make
4 sure that the people get in in the short term. Big picture, if
5 you take that kind of revenue away from my business for the
6 next seven weeks, you could legitimately make me go bankrupt.

7 THE COURT: You may step back.

8 (Juror not present)

9 Any objection to my excusing No. 123?

10 MS. SHROFF: No, your Honor.

11 THE COURT: All right. Who's next?

12 (Juror present)

13 THE COURT: Hi there. What is your number?

14 JUROR: 122.

15 THE COURT: And your name, please?

16 JUROR: XXXXXXXXXXXXXXXXXXXX.

17 THE COURT: What's the problem?

18 JUROR: I have a three-year-old in preschool, and I
19 have a six-year-old in kindergarten, and I come from
20 Westchester. I drop my son off at school at 8:40, my daughter
21 off at 9. I'm the one that gets them ready for school in the
22 morning and drop them off.

23 In order to be here on time for six weeks, I would
24 have to find someone to be able to get them ready and drop them
25 off, which I'm not able to do so.

O5NVGUOVD2

1 THE COURT: All righty. You said you were 122?
2 JUROR: Yes, ma'am.
3 THE COURT: All right. You may step back.
4 JUROR: Thank you.
5 (Juror not present)
6 THE COURT: Any objection to my excusing No. 122?
7 MS. SHROFF: No.
8 MS. MURRAY: No, your Honor.
9 (Juror present)
10 THE COURT: Hello. What is your number?
11 JUROR: 142 -- hold on. 124.
12 THE COURT: 124. And what is your name?
13 JUROR: XXXXXXXXXXXXXXXXXXXX.
14 THE COURT: And what is the problem?
15 JUROR: I didn't have any -- I didn't really hear what
16 you said.
17 THE COURT: Do you have problems with your hearing?
18 JUROR: No, the concentrating.
19 THE COURT: So are you saying that you didn't
20 understand what I said?
21 JUROR: It was I didn't hear the whole thing you said.
22 THE COURT: Okay. All righty. You may step back.
23 (Juror not present)
24 THE COURT: Is there any objection to my excusing 124?
25 MS. SHROFF: No, your Honor.

O5NVGUOVD2

1 MS. MURRAY: No, your Honor.

2 (Juror present)

3 THE COURT: Hello. What is your number?

4 JUROR: 121.

5 THE COURT: And did you say 121?

6 JUROR: Yes.

7 THE COURT: Oh, yes. You may step back.

8 (Juror not present)

9 (Juror present)

10 JUROR: 120.

11 THE COURT: And your name, please?

12 JUROR: XXXXXXXXXXXXX.

13 THE COURT: What's the problem?

14 JUROR: Oh, your Honor, I'm a nurse at the Memorial

15 Sloan Kettering; and I do direct patient care. It would be a

16 burden for me and my coworkers if I would be out for the next

17 seven weeks.

18 THE COURT: Are there other nurses at Memorial Sloan

19 Kettering?

20 JUROR: Yes, but my team work on short staff as it is.

21 So seven weeks might be too much.

22 THE COURT: And what happens if you get hit by a truck

23 today?

24 JUROR: Oh, well, they can handle it.

25 THE COURT: They'll be able to handle it?

O5NVGUOVD2

1 JUROR: Yes. I hope not -- I won't be --

2 THE COURT: Of course. I certainly hope not.

3 And so you will be paid by MSK while you're on jury

4 duty; is that right?

5 JUROR: Yes.

6 THE COURT: Okay. You may step back.

7 (Juror not present)

8 THE COURT: Okay. No reason to excuse her.

9 (Juror present)

10 THE COURT: Hello. What is your number?

11 JUROR: 119.

12 THE COURT: And your name?

13 JUROR: XXXXXXXXXXXXXXXXXXXX.

14 THE COURT: What's the problem?

15 JUROR: Problem is that my employer only pays me for

16 five weeks of jury duty. And my bills are significantly higher

17 than what the court can pay. So I am stressed that I may not

18 be paid for six or seven weeks.

19 THE COURT: So you're saying it would be a financial

20 hardship?

21 JUROR: Yes.

22 THE COURT: All right. You may step back.

23 (Juror not present)

24 THE COURT: No objection to my excusing No. 119?

25 MS. SHROFF: No.

O5NVGUOVD2

1 MS. MURRAY: No.

2 (Juror present)

3 THE COURT: Sir, what is your number?

4 JUROR: 102.

5 THE COURT: And tell me your name, please.

6 JUROR: XXXXXXXXXXXXX.

7 THE COURT: Okay. And what is the problem?

8 JUROR: Tomorrow I have doctor appointment, and then
9 I'm Uber driver. If I am not working, I have no money. I have
10 three kids in college.

11 THE COURT: And so this would be a financial hardship?

12 JUROR: Yeah.

13 THE COURT: All righty. You may step back.

14 JUROR: Thank you.

15 (Juror not present)

16 THE COURT: Any objection to my excusing 102?

17 MS. SHROFF: No, your Honor.

18 MS. MURRAY: No, your Honor.

19 (Juror present)

20 THE COURT: Sir, your number, please?

21 125. Okay. And your name?

22 JUROR: XXXXXXXXXXXXXXXXXXXX.

23 THE COURT: Okay. And what is the problem?

24 JUROR: My wife is a CNA and often gets called in to
25 do afternoon shifts, as well as evening shifts. And it even

O5NVGUOVD2

1 happened yesterday. So there was a time at which my child, who
2 is a minor, had to be home alone. And for that -- that
3 frequently happens at her job. And she is called to go to an
4 elder care facility and cover.

5 And the thought of six or seven weeks where my son's
6 going to be alone at home is very concerning. And sometimes
7 when he has been at home some bad things have happened. So
8 lifting weights, he broke the glass in the wall unit. He tried
9 cooking and burned the section on the --

10 THE COURT: I understand your concern, sir.

11 You may step back.

12 (Juror not present)

13 THE COURT: Any objection to my excusing No. 125?

14 MS. SHROFF: No.

15 MS. MURRAY: Your Honor, I was just curious how old
16 his child is. He said his child is a minor. And also whether
17 that potential juror has a job, is employed during the day,
18 such that it would be consistent with our schedule.

19 THE COURT: Bring back the other person.

20 (Juror present)

21 THE COURT: So you mentioned that your son was lifting
22 weights. And you also said that he's a minor. How old is he?

23 JUROR: He's 17 -- 16. He just turned 16.

24 THE COURT: And at the age of 16, typically teenagers
25 are able to stay at home by themselves. So why is it that

O5NVGUOVD2

1 you're concerned?

2 JUROR: He tends to get in a lot of trouble.

3 THE COURT: Like what?

4 JUROR: Like breaking stuff around the house.

5 THE COURT: Does he have a diagnosis?

6 JUROR: No, but he -- you know, he thinks like he's 21
7 and he could do things that grown people can do.

8 THE COURT: So you're saying that he's misbehaving?

9 JUROR: Well, at times. But he's still -- he's 16,
10 he's still a minor.

11 THE COURT: And what do you do for a living?

12 JUROR: I'm director of human resources.

13 THE COURT: Where?

14 JUROR: At the Mosholu Montefiore Community Center.
15 We're located in the Bronx. We serve 35,000 people in the
16 Bronx and Upper Manhattan every year, ranging from one year old
17 to 101 years of old. I am responsible for approximately 1,000
18 staff, 225 are full-time. I have one assistant.

19 THE COURT: And in such a senior position, you'll be
20 paid if you're serving as a juror, right?

21 JUROR: Oh, yes.

22 THE COURT: Okay. If you'll step back, please.

23 (Juror not present)

24 THE COURT: Okay. I agree. I don't believe that he
25 should be excused.

O5NVGUOVD2

1 MR. KAMARAJU: That's fine, your Honor. I just think
2 you may run into a situation where this comes up later.

3 THE COURT: No. I mean, he looks like a person who is
4 disinclined to serve. And I appreciate your bringing up the
5 age issue. We'll have to see.

6 (Juror present)

7 THE COURT: What number are you?

8 JUROR: 126.

9 THE COURT: And what is your name?

10 JUROR: XXXXXXXX.

11 THE COURT: Your last name?

12 JUROR: XXXXXX.

13 THE COURT: And what is the problem?

14 JUROR: I have a close family member who is getting
15 married on June 26. And I'm the maid of honor, so I would like
16 to be part of the day.

17 I also have -- my grandmother is coming from overseas,
18 who is 96. And she asked me if I could take some time off to
19 spend with her since she's of old age.

20 THE COURT: So what day does the 26th fall on?

21 JUROR: Wednesday.

22 THE COURT: And where is the wedding taking place?

23 JUROR: Connecticut.

24 THE COURT: And what time of day?

25 JUROR: I think it's around 4 or 5. I'm not sure.

O5NVGUOVD2

1 THE COURT: So we stop at 2:45.

2 JUROR: Okay.

3 THE COURT: You can get to Connecticut in time for a 5
4 o'clock wedding.

5 JUROR: Okay.

6 THE COURT: And your grandmother, there are other
7 members of your household that she can be with?

8 JUROR: Yes.

9 THE COURT: Okay. All right. You may step back.

10 (Juror not present)

11 THE COURT: See no reason to excuse her.

12 MS. SHROFF: I think she's scared of you, to be
13 honest, your Honor.

14 THE COURT: That's a good thing.

15 MS. SHROFF: I don't know. I think grandmothers and
16 being a maid of honor, to have to schlep there at 3:45, I'd let
17 her go. But I leave it up to you.

18 THE COURT: Do you agree she should be excused?

19 MS. MURRAY: No, your Honor. We think she should
20 remain on the panel.

21 THE COURT: Okay. Let's go.

22 (Juror present)

23 THE COURT: Hi there. Your number, sir?

24 JUROR: 127.

25 THE COURT: And your name?

O5NVGUOVD2

1 JUROR: XXXXXXXXXXXX.

2 THE COURT: And what's the problem?

3 JUROR: I have travel plans either the 7th or the 8th,
4 14th or 15th, I forgot which weekend.

5 But also, I'm an attorney. I had two motions on for
6 this week that I kicked out once already to late June. Judge
7 is only giving me two adjournments.

8 THE COURT: Oh, we can take care of that.

9 JUROR: I know. I'm just telling you.

10 And then I have something on the trial calendar in
11 Nassau in July, which I'm not really worried about that. But
12 it's the two motions I'm worried about.

13 THE COURT: Oh, okay. So let's put that aside.

14 JUROR: Okay.

15 THE COURT: These travel plans, you're using a plane
16 for the travel plans?

17 JUROR: I am.

18 THE COURT: Okay. And you've made those reservations,
19 you paid for it or no?

20 JUROR: Yeah. It's complicated.

21 THE COURT: I might ask you for those for proof of
22 that.

23 JUROR: Private. Private. Private.

24 THE COURT: Private plane?

25 JUROR: Private, yes.

O5NVGUOVD2

1 THE COURT: Well, is it your private plane?

2 JUROR: No, it's not.

3 THE COURT: Okay. But you have a definite invitation
4 to be on someone else's private plane?

5 JUROR: Yes. I'm not sure it's the 7th/8th,
6 14th/15th, one of those two weekends. I forget off the top of
7 my head.

8 THE COURT: And so when would you be gone, the Friday?

9 JUROR: Thursday/Friday, one of those two weeks.

10 THE COURT: Okay. You can step back.

11 JUROR: Okay. Thank you. Sorry for the confusion,
12 but I just forgot which weekend off the top of my head.

13 Thank you.

14 (Juror not present)

15 THE COURT: So the 7th and the 8th, I can't
16 remember --

17 MR. FINKEL: Is he saying June or July?

18 MR. KAMARAJU: I understood him to say June.

19 MR. FINKEL: He said June.

20 MR. FERGENSON: That's what I understood.

21 THE COURT: Any objection to my excusing 126?

22 MS. SHROFF: 27.

23 THE COURT: 127, I'm sorry.

24 MS. SHROFF: That's okay.

25 MR. KAMARAJU: I'd just like to know more about the

O5NVGUOVD2

1 private plane.

2 MS. SHROFF: No objection, your Honor.

3 MS. MURRAY: No objection.

4 THE COURT: All right. 127 is gone.

5 Next.

6 (Juror present)

7 THE COURT: Hello. What number are you?

8 JUROR: 129.

9 THE COURT: 129. And what is your name?

10 JUROR: XXXXXXXXXXXXX.

11 THE COURT: What is the problem?

12 JUROR: I'm a sole proprietor of my business. I'm an
13 art dealer. I'm participating in an art fair beginning of
14 July. We prepare for artists to come in. I'm it for my
15 business. So to be not there for seven weeks, that puts me out
16 of business.

17 THE COURT: You're saying it would be a financial
18 hardship?

19 JUROR: Oh, yeah.

20 THE COURT: Okay. You may step -- go ahead.

21 JUROR: I already laid out money for these art fairs.

22 THE COURT: Understood. You may step back.

23 JUROR: Thank you.

24 (Juror not present)

25 THE COURT: Any objection to my excusing 121?

O5NVGUOVD2

1 MS. MURRAY: No, your Honor.

2 MS. SHROFF: No, your Honor.

3 (Juror present)

4 THE COURT: Hi there. What is your number?

5 JUROR: 130.

6 THE COURT: And your name?

7 JUROR: XXXXXXXXXXXXXXXX.

8 THE COURT: And what is the problem?

9 JUROR: I have flights booked and hotels for about
10 eight, nine days end of June. And my children are out of
11 school starting second week of June and I don't have care. I
12 don't have camp set up. I am -- I have a part-time baby-sitter
13 that will be caring for them while I'm doing my part-time job.
14 And she is -- she has some significant health issues. This
15 will be her last summer with us. And so I took on the primary
16 role as the caregiver during their vacation.

17 THE COURT: You said that your number is 130?

18 JUROR: That's right.

19 THE COURT: You may step back.

20 (Juror not present)

21 THE COURT: Any objection to my excusing No. 130?

22 MS. MURRAY: No, your Honor.

23 MS. SHROFF: No, your Honor.

24 (Juror present)

25 THE COURT: Sir, your number?

O5NVGUOVD2

1 JUROR: 131 your Honor.

2 THE COURT: And your name?

3 JUROR: XXXXXXXXXXXXXXXXXXXX.

4 THE COURT: What's the problem?

5 JUROR: I've been a Ph.D. student for seven years.

6 I'm defending my dissertation on June 6th. If I cannot defend

7 on that day, then since academics are always gone over the

8 summer, I won't be able to defend it until December, and I will

9 lose my post-doctoral fellowship.

10 THE COURT: And what is your subject matter?

11 JUROR: Political science.

12 THE COURT: Where are you studying?

13 JUROR: Columbia University.

14 THE COURT: All right. Well, good luck.

15 JUROR: Thank you.

16 THE COURT: You may step back.

17 (Juror not present)

18 THE COURT: No objection to my excusing No. 131?

19 MS. SHROFF: No, your Honor.

20 MS. MURRAY: No, your Honor.

21 (Juror present)

22 THE COURT: Your number, please?

23 JUROR: 132.

24 THE COURT: And your name, please.

25 JUROR: XXXXXXXXXXXXXXXXXXXX.

O5NVGUOVD2

1 THE COURT: And your problem?

2 JUROR: I plan to be out of the country next month.

3 THE COURT: Where are you going?

4 JUROR: Japan.

5 THE COURT: And you have your tickets?

6 JUROR: No, not yet.

7 THE COURT: So can't you move --

8 JUROR: I have family there. My grandparents are

9 moving into a nursing home, so I'm going to help. But I

10 haven't bought my tickets yet.

11 THE COURT: So is their move a fixed date?

12 JUROR: Yeah.

13 THE COURT: All right. You may step back.

14 JUROR: Thank you.

15 (Juror not present)

16 THE COURT: Any objection to my excusing No. 132?

17 MS. MURRAY: No, your Honor.

18 MS. SHROFF: No, your Honor.

19 THE COURT: I like to see these young people helping

20 their grandparents.

21 (Juror present)

22 THE COURT: Your number?

23 JUROR: 133.

24 THE COURT: And your name, please.

25 JUROR: XXXXXXXXXXXXXXXXXXXX.

O5NVGUOVD2

1 THE COURT: And what is the problem?

2 JUROR: So it's kind of twofold.

3 One is my husband travels during the workweek weekly,
4 and I become the primary caregiver for my children. So I
5 wouldn't probably be able to get here on time those days and
6 would have to leave before the day is over to retrieve them
7 from school.

8 The other thing is I am employed, so also during the
9 hours when they are in school, and I work. I could not miss
10 seven weeks of my job.

11 THE COURT: Is that because it would be a financial
12 hardship?

13 JUROR: It would be a financial hardship, it would be
14 a professional hardship. It would be multi-level.

15 THE COURT: And how old are your children?

16 JUROR: One is nine, one is six.

17 THE COURT: And you're 133?

18 JUROR: 133.

19 THE COURT: All right. You may step back.

20 JUROR: Thank you.

21 (Juror not present)

22 THE COURT: Any objection to my excusing her?

23 MS. MURRAY: No, your Honor.

24 MS. SHROFF: No.

25 (Juror present)

O5NVGUOVD2

1 THE COURT: Hi there. What is your number?

2 JUROR: 134.

3 THE COURT: 134. You may step back.

4 (Juror not present)

5 (Juror present)

6 THE COURT: Hi. What is your number?

7 JUROR: 135.

8 THE COURT: Your name?

9 JUROR: XXXXXXXXXXXX.

10 THE COURT: What is the problem?

11 JUROR: It's not about the time period of the case,
12 but if it goes over, I have a wedding in July.

13 THE COURT: What is the date of the wedding?

14 JUROR: The 23rd.

15 THE COURT: Okay. So I am very confident that the
16 trial will be over well before July 23rd.

17 JUROR: Okay. And sometimes they go longer, so I just
18 wanted to be sure.

19 THE COURT: Yeah. No, no, this one is not going to go
20 that long. Otherwise?

21 JUROR: Then I'm fine.

22 THE COURT: Okay, great. Thank you.

23 (Juror not present)

24 THE COURT: No reason to dismiss No. 135.

25 (Juror present)

O5NVGUOVD2

1 THE COURT: Hello there. What is your number?

2 JUROR: 136.

3 THE COURT: And what is your name?

4 JUROR: XXXXXXXXXXXXXXXX.

5 THE COURT: And what is the problem?

6 JUROR: I've been a fraud investigator for 30 years,
7 and I think I would strongly lean towards the prosecution. I
8 don't think I could be fair.

9 THE COURT: What sort of frauds do you investigate?

10 JUROR: Welfare fraud. But I work with the FBI and
11 other agencies on all kinds of fraud. I'm very familiar with
12 wire fraud and things of that nature. Plus I have a court
13 hearing June 12th on a case that I worked on which I'm not
14 supposed to miss.

15 THE COURT: Are you saying that you're a witness in
16 that hearing?

17 JUROR: I'm one -- I'm the supervisor of one of the
18 investigators. I have to testify.

19 THE COURT: All right. You can step back.

20 (Juror not present)

21 THE COURT: Any objection to my excusing No. 136?

22 MS. SHROFF: No, your Honor.

23 MS. MURRAY: No, your Honor.

24 (Juror present)

25 THE COURT: Hi there. Sir, what is your number?

O5NVGUOVD2

1 JUROR: 138.

2 THE COURT: Go ahead.

3 JUROR: I'm the executive director of a nonprofit, a
4 small organization. We're short-staffed. I do all the
5 financials, I do all the reporting.

6 The reason why I do my physical therapy in the
7 morning, so that I could have the day off to be able to report
8 to work. Seven weeks is just too much.

9 THE COURT: Are you saying it would be a financial
10 hardship?

11 JUROR: It would be a financial hardship for the
12 organization, not for me. Because there would be no one there
13 with the authority to make certain decisions, approve budgets,
14 and the like.

15 THE COURT: So if you got hit by a truck right now,
16 what would happen? What would they do?

17 JUROR: They would not have an executive director.
18 They would probably collapse.

19 THE COURT: You don't feel that they could find
20 somebody to fill your role?

21 JUROR: Well, the board will hire someone temporarily
22 to fill the role, but I'm the executive director now.

23 THE COURT: Right. I understand that you're a vital
24 person in this not-for-profit.

25 What is the name of the not-for-profit?

O5NVGUOVD2

1 JUROR: Hispanic Aids Forum.

2 THE COURT: Hispanic Aids Forum.

3 So someone eventually would fill in --

4 JUROR: Yes.

5 THE COURT: -- if you were gone?

6 JUROR: Yes.

7 THE COURT: And it would not cause a calamity to have
8 a period of time that you were absent; in other words, you do
9 go on vacation, don't you?

10 JUROR: I haven't in three years. Working six days a
11 week.

12 THE COURT: I'm trying to assess the exact consequence
13 of your absence.

14 JUROR: Well, I am the executive director. I
15 understand the operations. There's no one else that has the
16 authority or the skills to handle all the pieces that I handle.

17 Yes, the board could bring someone else in on a
18 temporary basis. But that person doesn't know the operations.
19 So it would still be a hardship on the organization.

20 THE COURT: So if you were to be impaired in some way
21 today or you decide to retire today or resign, the organization
22 would be in the same position correct?

23 JUROR: I suppose so, yes, your Honor.

24 THE COURT: So someone could fill in for you?

25 JUROR: Well, I suppose someone will fill in. What

O5NVGUOVD2

1 job that person would do, I don't know.

2 THE COURT: Right. Well, maybe not as good a job as
3 you, but somebody else would have to take over, right?

4 JUROR: Correct.

5 THE COURT: All right. You may step back.

6 JUROR: Thank you.

7 (Juror not present)

8 THE COURT: Okay. I'm not going to excuse No. 138.

9 (Juror present)

10 THE COURT: Hi. What number are you?

11 JUROR: 139.

12 THE COURT: All righty. You may step back.

13 (Juror not present)

14 (Juror present)

15 THE COURT: Hi there.

16 JUROR: Juror 140.

17 THE COURT: Yes. And what is your name, sir?

18 JUROR: My name?

19 THE COURT: Yes.

20 JUROR: XXXXXXXXXXXXXXXX.

21 THE COURT: What's the problem?

22 JUROR: Situation is I'm self-employed. I perform
23 real estate closing services for bank attorneys, title
24 insurance companies on a per diem basis. If I don't work for
25 seven weeks, that's a huge loss of income. Plus, during that

O5NVGUOVD2

1 period, my clients would develop relationships with other
2 closers; and at the end of that time period, I would need to
3 reestablish work connections.

4 THE COURT: So you're saying it would be a financial
5 hardship?

6 JUROR: That is correct.

7 THE COURT: All right. You may step back.

8 JUROR: Thank you.

9 (Juror not present)

10 THE COURT: So no objection to my dismissing No. 140?

11 MS. SHROFF: No, your Honor.

12 MS. MURRAY: No, your Honor.

13 (Juror present)

14 THE COURT: Hi there.

15 JUROR: My reasoning --

16 THE COURT: One second. You're No. 142?

17 JUROR: That's correct.

18 THE COURT: And your name, your full name?

19 JUROR: XXXXXXXXXXXXXXXXXXXX.

20 THE COURT: Would you step a little closer.

21 And what is the problem?

22 JUROR: So I have two jobs right now. I work 9 to 5
23 at a retail brick-and-mortar location; I also have a
24 videography business as well. When business is a little bit
25 slow, I take that time and do video client work. Right now, 9

O5NVGUOVD2

1 to 5, we're a little bit short-staffed, so one manager is out,
2 that doesn't really affect the business. Have to make people
3 work seven days when maybe they are not supposed to. Again,
4 that's just my reasoning. So two jobs, 9 to 5 at the
5 brick-and-mortar location. I also have a video business that I
6 do on the side as well.

7 THE COURT: So the trial would not affect the video
8 business; correct?

9 JUROR: Yeah, that I could do on the weekend, kind of
10 kill two birds with one stone while I'm at the job.

11 It's the 9 to 5 --

12 THE COURT: Are you saying that you do the video job
13 while you're at the 9 to 5?

14 JUROR: Yeah, yeah. The business is cool with that.
15 If it's down, no customers coming in, just in the office
16 killing two birds with one stone.

17 THE COURT: So if you're here during the day between 9
18 and 2:45, then you would not be able to do your video business;
19 is that right?

20 JUROR: I could do the video business any time. It's
21 the 9 to 5 that's really the issue, just because we're
22 short-staffed. I'm just explaining what I do during my 9 to 5.

23 THE COURT: So what happens if you get hit by a truck
24 today, what happens at the 9 to 5?

25 JUROR: I lose my life. I get replaced probably like

O5NVGUOVD2

1 that.

2 THE COURT: And what happens at that business that
3 you're working at 9 to 5?

4 JUROR: They either close down a little bit earlier or
5 stretch out the employees that we have right now.

6 THE COURT: So what are your tasks at that business?

7 JUROR: So I take in the shipment from the -- so I
8 work at a travel -- it's like a luggage store. I take in the
9 shipment. Usually me and another guy that takes it in.

10 THE COURT: So you're receiving boxes?

11 JUROR: Yeah, yeah.

12 THE COURT: You think someone else could do that in
13 your place?

14 JUROR: Yeah. Kind of have to work seven days.

15 THE COURT: All right. Or they could hire someone
16 else?

17 JUROR: Yeah, sure. That works as well.

18 THE COURT: Okay.

19 JUROR: Just takes some training, but, yeah.

20 THE COURT: All right. You may step back.

21 JUROR: Thank you.

22 (Juror not present)

23 THE COURT: I am not going to dismiss No. 141.

24 MS. SHROFF: 42.

25 THE COURT: 142, sorry.

O5NVGUOVD2

1 (Juror present)

2 THE COURT: What is your number, sir?

3 JUROR: Sorry. My number is 143.

4 THE COURT: And your name?

5 JUROR: XXXXXXXXXXXX.

6 THE COURT: And your problem?

7 JUROR: I have a two-week trip planned to Japan

8 starting June 28th.

9 THE COURT: Is that something of a pleasure trip?

10 JUROR: Yeah, it's with my whole family, yes.

11 THE COURT: And you've bought your tickets?

12 JUROR: Yes.

13 THE COURT: All right. Bon voyage.

14 JUROR: Thank you.

15 (Juror not present)

16 THE COURT: So No. 143 is dismissed.

17 (Juror present)

18 THE COURT: Hello. What is your number, please?

19 JUROR: 146.

20 THE COURT: And your name, please.

21 JUROR: XXXXXXXXXXXXXXXX.

22 THE COURT: And what's the problem?

23 JUROR: I am an executive assistant to a CEO of a

24 public company. And so I'm just worried -- I'm sure other

25 people have other circumstances, but seven weeks is quite a

O5NVGUOVD2

1 long time for me.

2 THE COURT: This is a big corporation?

3 JUROR: Yeah.

4 THE COURT: And so you'll be paid during your jury
5 service; isn't that right?

6 JUROR: That's correct. In fact, like, during my
7 lunch I was working as well yesterday.

8 THE COURT: And so what are your duties?

9 JUROR: Sorry?

10 THE COURT: What are your duties?

11 JUROR: Oh, well, my CEO travels quite a bit; in fact,
12 right now he's in Europe. So for my teams on site, I support
13 them, our HR team, our legal team. Pretty much have tentacles
14 everywhere.

15 THE COURT: What company is that?

16 JUROR: ITT.

17 THE COURT: And they have other employees at that
18 company; isn't that correct?

19 JUROR: That's correct.

20 THE COURT: Someone could fill in for you; isn't that
21 right?

22 JUROR: Yes and no. Like, for instance, yesterday I
23 had to send out this last-minute email I had to do during my
24 lunch, sit there and scramble for lunch and find WiFi, because
25 I wasn't aware about the technology issue and not having

O5NVGUOVD2

1 technology here. Anyway --

2 THE COURT: So if you get hit by a truck today, is ITT
3 going to be able to find someone to serve that CEO?

4 JUROR: Absolutely. I'm always replaceable.

5 THE COURT: All righty. You may step back.

6 (Juror not present)

7 THE COURT: I'm not going to excuse her.

8 (Juror present)

9 THE COURT: Hello. What is your number?

10 JUROR: 148.

11 THE COURT: And your name?

12 JUROR: XXXXXXXXXXXXX.

13 THE COURT: And what is the problem?

14 JUROR: I have three.

15 First is that it would be a financial hardship for me,
16 as I'm a consultant and I'm a gig worker.

17 THE COURT: Gig worker. All right, ma'am.

18 You can step back.

19 JUROR: I had a couple of other points.

20 THE COURT: That's all right. You say it's a
21 financial hardship, you may step back.

22 JUROR: Thank you.

23 (Juror not present)

24 THE COURT: No. 148?

25 MS. MURRAY: No objection.

O5NVGUOVD2

1 THE COURT: No objection? She is excused.
2 The defense does not object; correct?
3 MR. KAMARAJU: No objection.
4 (Juror present)
5 THE COURT: What is your number?
6 JUROR: 149.
7 THE COURT: Your name?
8 JUROR: XXXXXXXXXXXXXXXX.
9 THE COURT: What's the problem?
10 JUROR: I am an orthopedic surgeon in the south Bronx.
11 And I have a schedule that's booked out four months in advance,
12 including surgeries. And there's no way I could dedicate seven
13 weeks.
14 THE COURT: What hospital are you affiliated with?
15 JUROR: I'm at Bronx Care.
16 THE COURT: All righty. You may step back.
17 JUROR: Thank you.
18 (Juror not present)
19 THE COURT: Any objection to my excusing No. 149?
20 MS. SHROFF: No, your Honor.
21 MS. MURRAY: No, your Honor.
22 (Juror present)
23 THE COURT: Hi there. You are No. 150?
24 JUROR: Yes.
25 THE COURT: Okay. You may step back.

O5NVGUOVD2

1 (Juror not present)

2 (Juror present)

3 THE COURT: Hi there.

4 JUROR: Hi.

5 THE COURT: What is your number?

6 JUROR: 151.

7 THE COURT: And your name?

8 JUROR: XXXXXXXXXXXXXXXXXXXXXXXX.

9 THE COURT: And what is the problem?

10 JUROR: So I have limited childcare from now until the

11 end of the school year. I have a ten-year-old that both myself

12 and my husband, we work far from home. So if I am away for

13 longer than the school year, then I won't have any childcare

14 for her. And also I'm a special ed. teacher, and it's the end

15 of the school year, so we have end-of-the-year things to do.

16 So that would create a problem for me for work.

17 THE COURT: All righty. You may step back.

18 Any objection to excusing No. 151?

19 MS. SHROFF: No, your Honor.

20 MS. MURRAY: No, your Honor.

21 (Juror present)

22 THE COURT: Hello.

23 JUROR: Hi.

24 THE COURT: Your number?

25 JUROR: 152.

O5NVGUOVD2

1 THE COURT: And your name?

2 JUROR: XXXXXXXXXXXX.

3 THE COURT: Last name?

4 JUROR: XXXX.

5 THE COURT: And what is the problem?

6 JUROR: So we're coming to the end of the school year.
7 I'm a teacher. But childcare. And I also have an
8 eight-year-old, severely autistic daughter. So without being
9 able to take her to therapies after school, because my husband,
10 he's a firefighter, so his schedule is not as consistent as
11 mine.

12 THE COURT: All righty. You may step back.

13 JUROR: Thank you.

14 (Juror not present)

15 THE COURT: Any objection to my excusing No. 152?

16 MS. SHROFF: No, your Honor.

17 MS. MURRAY: No, your Honor.

18 (Juror present)

19 THE COURT: Hi there. What is your number?

20 JUROR: 153.

21 THE COURT: And your name?

22 JUROR: XXXXXXXXXXXXXXXXXXXX.

23 THE COURT: What's the problem?

24 JUROR: So I have an issue. So next week I'm supposed
25 to travel to California for work for a convention that I can't

O5NVGUOVD2

1 reschedule. And this has been booked since February. So I
2 don't -- you know, I received a summons too late to send it in
3 for a postponement. So I didn't realize it was going to be
4 such a long process. So I'm not sure what to do.

5 THE COURT: What do you do for a living?

6 JUROR: I'm a marketing consultant.

7 THE COURT: And do you work for a corporation?

8 JUROR: No, I'm an independent contractor. So I
9 consult. So right now I'm working with IMG, and then doing
10 installation out in California for Monsterpalooza convention.

11 THE COURT: And what if you're not able to go to the
12 convention?

13 JUROR: I'm part of the installation crew. So there's
14 a team that works under me that I'm overseeing in terms of
15 installation and execution of the experience.

16 THE COURT: All righty. You may step back.

17 JUROR: Okay.

18 (Juror not present)

19 THE COURT: Any objection to my excusing her?

20 MS. SHROFF: No, your Honor.

21 MS. MURRAY: No, your Honor.

22 THE COURT: Okay.

23 (Juror present)

24 THE COURT: Hi there. What is your number?

25 JUROR: 156.

O5NVGUOVD2

1 THE COURT: And your name, please.

2 JUROR: XXXXXXXXXXXXXXXXX.

3 THE COURT: And what is the problem?

4 JUROR: So I work three jobs. And if I were to be on
5 this for seven weeks, I would miss one exclusively because it's
6 just the summer. So I would lose over 20 percent of my income
7 for the year.

8 THE COURT: And that would be a financial hardship?

9 JUROR: Yes.

10 THE COURT: All righty. You may step back.

11 JUROR: Thank you.

12 (Juror not present)

13 THE COURT: Any objection to my excusing 156?

14 MS. SHROFF: No, your Honor.

15 MS. MURRAY: No, your Honor.

16 (Juror present)

17 THE COURT: Hello. What is your number?

18 JUROR: 157.

19 THE COURT: And would you tell me your name and step
20 closer.

21 JUROR: XXXXXXXXXXXXXXXXX.

22 THE COURT: What is the problem?

23 JUROR: I'm a full-time student currently, and I also
24 work evening shifts. So I wouldn't have mind about the
25 seven-week period. My term ends in July, I have a lot of exams

O5NVGUOVD2

1 and things going on. So this being seven weeks and then I work
2 evenings a lot.

3 THE COURT: And what are you studying.

4 JUROR: Data analytics.

5 THE COURT: Good luck to you. You may step back.

6 (Juror not present)

7 THE COURT: Any objection to my excusing 157?

8 MS. SHROFF: No, your Honor.

9 MS. MURRAY: No, your Honor.

10 (Juror present)

11 JUROR: 158.

12 THE COURT: What is your name, sir?

13 JUROR: XXXXX.

14 THE COURT: What is your last name?

15 JUROR: XXXXXXXXXXXXXXXXXXXXX.

16 THE COURT: And what is the problem?

17 JUROR: My wife and I have been planning a trip
18 starting June 27th for which we pre-booked the whole trip for
19 nonrefundable expenses of over \$11,000.

20 THE COURT: Where are you going?

21 JUROR: Greece.

22 THE COURT: Bon voyage.

23 JUROR: Thank you.

24 THE COURT: You may step back.

25 (Juror not present)

O5NVGUOVD2

1 THE COURT: No objection to my excusing No. 158?

2 MS. SHROFF: No, your Honor.

3 MS. MURRAY: No, your Honor.

4 MR. KAMARAJU: I'd like to go with him.

5 (Juror present)

6 THE COURT: Hello again.

7 JUROR: 159.

8 THE COURT: Go ahead.

9 JUROR: I have a flight booked to Chicago on June

10 18th, returning June 25th. My father-in-law has leukemia, so

11 we're getting affairs in order. And my wife and I are going to

12 be in Chicago at that time.

13 THE COURT: Are you saying he's terminal?

14 JUROR: Yeah.

15 THE COURT: I'm sorry to hear that.

16 All righty. You may step back.

17 JUROR: Okay. Thank you. Do I --

18 THE COURT: You stay here. You just step back.

19 JUROR: Okay.

20 (Juror not present)

21 THE COURT: Any objection to my excusing 159?

22 MS. SHROFF: No, your Honor.

23 MS. MURRAY: No, your Honor.

24 (Juror present)

25 THE COURT: Hello. What number are you?

O5NVGUOVD2

1 JUROR: 160.

2 THE COURT: And what is your name?

3 JUROR: XXXXXXXXXXXXXXXX.

4 THE COURT: What is your problem?

5 JUROR: I am a single mom. I'm a widow. So I'm the
6 only caregiver, sole caregiver of my child, who is 12. So
7 making -- so childcare for a couple of days is not a big deal.
8 But seven weeks will be almost impossible; commuting from
9 Rockland County will be almost impossible for seven weeks.

10 Plus, I work in this field, I know seven weeks might
11 even be a little longer, depending on -- plus I have a prepaid
12 vacation over July 4th, we leave on the 2nd and come back on
13 the 5th -- on the 5th, 6th, 7th. So I can't get that
14 rescheduled. It's prepaid.

15 THE COURT: All righty. You may step back.

16 JUROR: Thank you. I'm so sorry.

17 (Juror not present)

18 THE COURT: Any objection to my excusing No. 160?

19 MS. SHROFF: No, your Honor.

20 MS. MURRAY: No, your Honor.

21 (Juror present)

22 THE COURT: What is your number?

23 JUROR: 162.

24 THE COURT: And what is your name?

25 JUROR: My name is XXXXXXXXXXXXXXXX.

O5NVGUOVD2

1 THE COURT: And what's the problem?

2 JUROR: Not sure if this qualifies as extreme
3 hardship, but I have an 87-year-old mother. She lives alone in
4 Queens. I am her sole means of care. She has another child
5 who lives in New Hampshire, largely disregards her.

6 She has an array of health issues. In the last two
7 years I receive phone calls all the time. I have to usually
8 rush out to Queens.

9 I live in Manhattan. I'm an attorney downtown, but I
10 have a very flexible work arrangement. I'm able to field calls
11 from her at all hours to help her and assist.

12 A seven-plus-week trial where I don't have the ability
13 to have a phone at my disposal during the day will be
14 problematic in terms of my being able to help her when I need
15 to. I think on the other end, she knowing that she can't get a
16 hold of me during the day when she needs to get a hold of me is
17 going to be very, very difficult for her as well. So I'm
18 nervous about that.

19 THE COURT: All righty. You may step back.

20 JUROR: Thank you.

21 (Juror not present)

22 THE COURT: 162?

23 MS. SHROFF: Yes, your Honor.

24 THE COURT: All right. Any objection to my excusing
25 her?

O5NVGUOVD2

1 MS. SHROFF: No, your Honor.

2 MS. MURRAY: No, your Honor.

3 (Juror present)

4 THE COURT: Hello. What is your number, sir?

5 JUROR: 163.

6 THE COURT: And your name?

7 JUROR: XXXXXXXXXXXXXXXX.

8 THE COURT: What is the problem?

9 JUROR: So I'm fortunate enough where my employer
10 funds up to 30 days of jury duty. That being said, they don't
11 fund seven weeks. So for three weeks, if I'm chosen to be a
12 juror on this case, I have no source of income. And like
13 everyone around here, I'm sure we all have expenses and
14 whatnot. So for three weeks, \$60 isn't going to cut my life
15 essentially.

16 THE COURT: It would be a financial hardship?

17 JUROR: For the three weeks after the four weeks, yes,
18 it would be.

19 THE COURT: All right. You can step back.

20 (Juror not present)

21 MS. MURRAY: Your Honor, if I may just ask, is it 30
22 business days? Because if so, that will cover six weeks of
23 trial.

24 THE COURT: Didn't occur to me.

25 All right. If you'll have him come back, the other

O5NVGUOVD2

1 gentleman.

2 (Juror present)

3 THE COURT: Hi there. Is that 30 business days?

4 JUROR: Yes, 30 business days. So up to -- yeah, 30
5 business days.

6 THE COURT: So that is --

7 JUROR: That's four weeks and, like, two days,
8 essentially.

9 THE COURT: No, that's six weeks.

10 JUROR: 30 -- I'm not sure if it's 30 business days.
11 I would have to -- I'd have to follow up. I don't have a phone
12 so -- it's on the company website. I don't have a phone to
13 look that up. I can double-check with you. But there's no way
14 for me to validate that info.

15 THE COURT: So during the lunch break you can look at
16 your phone?

17 JUROR: Yes. And then I can communicate that to all
18 of you after my lunch break, yeah.

19 THE COURT: All righty. So I'll be looking forward to
20 hearing from you.

21 JUROR: Thank you.

22 (Juror not present)

23 (Juror present)

24 THE COURT: What is your number?

25 JUROR: 164.

O5NVGUOVD2

1 THE COURT: And your name please?

2 JUROR: XXXXXXXXXXXXXXXXXXXX.

3 THE COURT: And what's the problem?

4 JUROR: I have two little kids, a three and a
5 five-year-old, and they are in daycare part-time. So on the
6 days that I am not working or the days that my husband is
7 working, we share responsibility of pick-up and drop-off. And
8 there's also the daycare follows the school calendar, and
9 there's a period of about two and a half weeks at the end of
10 this month when they are not in daycare until summer camp,
11 starts July 8th.

12 THE COURT: All righty. You may step back.

13 JUROR: Thanks.

14 (Juror not present)

15 THE COURT: She's 164.

16 MS. SHROFF: Yes, yes, your Honor.

17 THE COURT: No objection to my excusing her, right?

18 MS. SHROFF: No.

19 MS. MURRAY: Correct, your Honor.

20 (Juror present)

21 THE COURT: Hi there.

22 JUROR: 165.

23 THE COURT: All righty. You may step back.

24 (Juror not present)

25 (Juror present)

O5NVGUOVD2

1 THE COURT: Your number, please?

2 JUROR: 167.

3 THE COURT: All righty. You can step back.

4 (Juror not present)

5 (Juror present)

6 THE COURT: Hello. Your number?

7 JUROR: 168.

8 THE COURT: And your name please?

9 JUROR: XXXXXXXXXXXX.

10 THE COURT: And what's the problem?

11 JUROR: I'm a cardiologist at Mt. Sinai, and I see

12 about 75 patients a week. I also direct a training program.

13 And this happens to be the transition between graduation and

14 incoming fellows in the summer. So there's a lot of clinical

15 activity, but also administrative activity that I would be

16 missing out on. It would be very disruptive to the whole

17 cardiology department.

18 THE COURT: All righty. You may step back.

19 (Juror not present)

20 THE COURT: Any objection to my excusing 168?

21 MS. SHROFF: No, your Honor.

22 MS. MURRAY: No, your Honor.

23 (Juror present)

24 THE COURT: Hi. What is your number?

25 JUROR: 169.

O5NVGUOVD2

1 THE COURT: Okay. And your name?

2 JUROR: XXXXXXXXXXXXX.

3 THE COURT: And what is the problem?

4 JUROR: I have a trip that was already planned end of
5 June/early July. We already bought tickets.

6 THE COURT: Where are you going?

7 JUROR: Europe.

8 THE COURT: Bon voyage. You may step back.

9 JUROR: Thank you.

10 (Juror not present)

11 THE COURT: No objection to my excusing 169?

12 MS. MURRAY: No objection.

13 MS. SHROFF: No. Thank you.

14 (Juror present)

15 THE COURT: Hello. What is your number?

16 JUROR: 170.

17 THE COURT: All right. You may step back.

18 JUROR: Thank you.

19 (Juror not present)

20 (Juror present)

21 THE COURT: Hi.

22 JUROR: 171.

23 THE COURT: And you may step back.

24 (Juror not present)

25 (Juror present)

O5NVGUOVD2

1 THE COURT: Hi. What is your number?

2 JUROR: 172.

3 THE COURT: And your name?

4 JUROR: XXXXXXXXXXXXXXXXXXXX.

5 THE COURT: What's the problem?

6 JUROR: Well, I have a seven-year-old that -- recently
7 my baby-sitter, she had a baby. And I'm the one putting him in
8 the bus stop. He missed school yesterday.

9 THE COURT: So you're saying you have nobody else to
10 take him to the bus stop?

11 JUROR: As of right now, yes, because she just -- my
12 baby-sitter had a baby and it was a c-section. She was the one
13 that was taking care of my son, put him on the bus for me. I
14 have a problem with my job also coming late.

15 THE COURT: What do you do?

16 JUROR: I'm a receptionist.

17 THE COURT: Okay.

18 JUROR: And that I enter to --

19 THE COURT: Okay. If you are on jury duty, will they
20 pay you for the time you are on jury duty?

21 JUROR: Yes.

22 THE COURT: They would. They would.

23 JUROR: Yes.

24 THE COURT: And if you were to get sick today and you
25 were in the hospital, who would take care of your son?

O5NVGUOVD2

1 JUROR: That, emergencies -- I'm getting separated
2 from my husband as of right now. And he's also responsible for
3 him. And when something like emergency, hopefully he will be
4 able to be there for his son.

5 THE COURT: But you're saying he's irresponsible?

6 JUROR: No.

7 THE COURT: No?

8 JUROR: No, but not like if it's an emergency, he will
9 say yes, because it's an emergency; I'm in the hospital.

10 THE COURT: Right.

11 JUROR: But as coming every day here, he says, No, you
12 find your way, which I'm trying to find a baby-sitter as of
13 right now. Just recently, just happened, the baby is like a
14 week.

15 THE COURT: Okay. You may step back.

16 (Juror not present)

17 THE COURT: Any objection to my excusing her?

18 MS. MURRAY: No, your Honor.

19 MS. SHROFF: No, your Honor.

20 THE COURT: What was her number?

21 MS. SHROFF: 172.

22 THE COURT: Okay.

23 (Juror present)

24 THE COURT: Hi.

25 JUROR: My number is 173.

O5NVGUOVD2

1 THE COURT: Yes. And your name?

2 JUROR: XXXXXXXXXXXXXXXXXXXX.

3 THE COURT: And what is the problem?

4 JUROR: So the problem is I work, and also my husband
5 has a kidney transplant, he's a transplant. So he works from
6 home. And I have a child. So seven weeks, if there is any
7 emergency, I just have to run home. I mean, he's okay, it's --
8 everything is fine. He had the kidney transplant done in 2016,
9 so he's fine. But he goes for regular checkup infusion, this,
10 that, monthly infusion, so that is there.

11 THE COURT: So does he normally take care of your
12 child?

13 JUROR: No, no, he works from home and my daughter
14 goes to school. But, you know, if there is any school
15 emergency or my husband's emergency, then it's -- I have to do
16 it because I don't have any family around, right.

17 THE COURT: And where do you live?

18 JUROR: Nanuet, New York, Rockland County.

19 THE COURT: Okay. You can step back.

20 (Juror not present)

21 THE COURT: Is there any objection to my excusing her?

22 MS. MURRAY: I don't see a basis, your Honor, for
23 excusing her for cause.

24 THE COURT: All right. Let's bring her back. We'll
25 bring her back.

O5NVGUOVD2

1 (Juror present)

2 THE COURT: I want to understand your schedule.

3 Do you work?

4 JUROR: Yes, I do. I work in a pharmaceutical
5 company; I'm a scientist. So I work in Tarrytown.

6 THE COURT: And so if you're serving as a juror, you
7 will still be paid; is that correct?

8 JUROR: Oh, yes, yeah. I think so, yeah.

9 THE COURT: Okay. Now, your daughter, how old did you
10 say?

11 JUROR: She is -- she just turned ten.

12 THE COURT: Okay. And does she take the bus to
13 school?

14 JUROR: Yeah, she takes the bus to school.

15 THE COURT: She goes to the bus stop?

16 JUROR: No, no, no. We usually take her to the bus
17 stop. And also --

18 THE COURT: Who takes her?

19 JUROR: Either -- most of the time it's me, because I
20 drop her or take the bus and then I go back to work. Because I
21 have to also reach work. I'm in research.

22 THE COURT: So your husband then could take her?

23 JUROR: My husband can take her. I mean, of course he
24 works from home, he can definitely take her. But my work
25 also -- yes, he can take her.

O5NVGUOVD2

1 THE COURT: And then at the end of the day?

2 JUROR: So after the school is over, right now he's
3 in -- she's in grade four, so she goes to school aftercare.

4 THE COURT: Yes.

5 JUROR: So she can stay there till 6 o'clock. But
6 from here to Rockland County, like yesterday it took me almost
7 6:40 I reached home.

8 THE COURT: Is there a bus after --

9 JUROR: After school care, no, there's no bus.

10 THE COURT: So someone has to pick her up by car?

11 JUROR: Yes. From school aftercare there is no bus.

12 THE COURT: And so your husband can pick her up by
13 car?

14 JUROR: Oh, yeah, he can do that. He can definitely
15 do that. But it's just the emergency. If there is seven
16 weeks, that's why I'm just like a little concerned.

17 THE COURT: So you realize that we are only meeting
18 between 9:30 and 2:45?

19 JUROR: Okay.

20 THE COURT: And so that does give you time.

21 JUROR: To go back.

22 THE COURT: To get home, yes?

23 All righty. You may step back.

24 JUROR: Thank you.

25 (Juror not present)

O5NVGUOVD2

1 THE COURT: All right. You had a good instinct there.
2 And what number was she?

3 MS. SHROFF: 173.

4 THE COURT: 173. Okay.

5 MS. SHROFF: Should she have an emergency, though, the
6 government shouldn't ask to replace her.

7 (Juror present)

8 THE COURT: Hi, sir. Your number?

9 JUROR: 174.

10 THE COURT: And your name, please.

11 JUROR: XXXXXXXXXXXXXXXXXXXX.

12 THE COURT: And what's the problem?

13 JUROR: It would just -- I mean, work-wise it would
14 just create a backlog. We have a new director starting at the
15 museum next month.

16 THE COURT: What museum?

17 JUROR: The Guggenheim.

18 THE COURT: And what is your role there?

19 JUROR: I lead the marketing department.

20 THE COURT: Okay. If you were hit by a truck today,
21 would the Guggenheim be able to find somebody to substitute for
22 you?

23 JUROR: Of course.

24 THE COURT: Okay.

25 JUROR: I would imagine.

O5NVGUOVD2

1 THE COURT: Yes. So anyone who serves as a juror who
2 has a job often has their work back up, and most of us have
3 jobs. So you would be in the same position as most ordinary
4 citizens.

5 JUROR: Yes.

6 THE COURT: Except that you'd be getting paid.

7 JUROR: Sure.

8 THE COURT: Okay. Many people don't get paid for jury
9 duty.

10 JUROR: Fair enough. Yes.

11 THE COURT: All righty. You may step back.

12 (Juror not present)

13 (Juror present)

14 THE COURT: Hello. What is your number?

15 JUROR: 175.

16 THE COURT: And your name, please.

17 JUROR: XXXXXXXXXXXXXXXXXXXX.

18 THE COURT: What is the problem?

19 JUROR: Well, seven weeks would be financially hard
20 for me because I have like some private chef work that I have
21 booked for it, like I work as a chef.

22 THE COURT: And so if you had to be in court, you
23 would not get paid?

24 JUROR: I wouldn't get paid for those jobs that I have
25 booked for the month of -- the end of this month, in June.

O5NVGUOVD2

1 It's a busy month for me.

2 THE COURT: All righty. You may step back.

3 (Juror not present)

4 THE COURT: Anybody object to my excusing 175?

5 MS. SHROFF: No, your Honor.

6 MS. MURRAY: No, your Honor.

7 (Juror present)

8 THE COURT: Hi there. What is your number?

9 JUROR: 176.

10 THE COURT: And your name?

11 JUROR: XXXXXXXXXXXXX.

12 THE COURT: And what's the problem?

13 JUROR: I am a primary caregiver for my
14 three-month-old grandson.

15 THE COURT: And what would happen, God forbid, if
16 you --

17 JUROR: I have no idea what they are going to do.
18 They don't have -- maternity leave ends next week. She goes
19 back Tuesday, and I'm on.

20 THE COURT: What about a baby-sitter?

21 JUROR: They don't have a full-time baby-sitter. They
22 don't have the money to pay for full-time care, to work
23 full-time.

24 THE COURT: I'm sorry. I did not understand what you
25 said with respect to can't they get a baby-sitter?

O5NVGUOVD2

1 JUROR: For seven weeks, I don't think they could.
2 They don't have a baby-sitter. They're new parents who don't
3 want to leave their three-month-old infant with anybody.

4 THE COURT: All right. You may step back.

5 JUROR: Thank you.

6 (Juror not present)

7 THE COURT: Okay. I'm waiting to hear your positions.

8 MS. SHROFF: I don't know. I mean, I never had a
9 three-month-old, so I can't comment; but I would let her go,
10 but I'm easy.

11 MS. MURRAY: We have no objection to excusing that
12 juror.

13 THE COURT: All righty. No. 176 is excused.

14 (Juror present)

15 THE COURT: What is your number?

16 JUROR: 177.

17 THE COURT: And your name?

18 JUROR: XXXXXXXXXXXX.

19 THE COURT: And what is the problem?

20 JUROR: I have a trip, a cruise and a flight, leaving
21 June 4th and coming back not until June 17th.

22 THE COURT: And you've already paid for that?

23 JUROR: Completely paid for. I have the documentation
24 here if you need to see it.

25 THE COURT: All righty. Well, have a good time.

O5NVGUOVD2

1 JUROR: Okay.

2 THE COURT: You may step back.

3 JUROR: Okay. Do I leave or --

4 THE COURT: No, you stay.

5 JUROR: Okay.

6 (Juror not present)

7 THE COURT: No. 177, any objection to my excusing her?

8 MS. SHROFF: No, your Honor.

9 MS. MURRAY: No, your Honor.

10 (Juror present)

11 THE COURT: Hi. What is your number?

12 JUROR: 178.

13 THE COURT: And your name?

14 JUROR: XXXXXXXXXXXXX.

15 THE COURT: What is the problem?

16 JUROR: First, my job will not cover seven weeks of

17 jury duty.

18 Secondly, I have several appointments over the next

19 seven weeks you said the trial was going to be. And also I

20 have some Broadway tickets also coming up in about two weeks.

21 THE COURT: What kind of tickets?

22 JUROR: Broadway show tickets.

23 THE COURT: So if your job is not paying you, would

24 that be a financial hardship for you?

25 JUROR: Yes.

O5NVGUOVD2

1 THE COURT: All righty. You may step back.
2 (Juror not present)
3 THE COURT: Any objection to my excusing No. 178?
4 MS. SHROFF: No, your Honor.
5 MS. MURRAY: No, your Honor.
6 (Juror present)
7 THE COURT: Hi there. What is your number?
8 JUROR: 179.
9 THE COURT: You may step back.
10 (Juror not present)
11 (Juror present)
12 THE COURT: Hi. What is your number?
13 JUROR: 180.
14 THE COURT: And your name?
15 JUROR: XXXXXXXXXXXXXXXXXXXXXXXX.
16 THE COURT: And what is the problem?
17 JUROR: I work at Condé Nast – my work ID is right
18 here if you want to see it. And I oversee the media company,
19 the global travel business vertical. I travel very regularly
20 professionally. I have teams all around the world. And I have
21 an upcoming important conference in the middle of the seven
22 weeks in Cannes for the Cannes Lion Creativity Festival, where
23 I'm required to be in Cannes on June 17th to the 20th.
24 THE COURT: What would happen if you got hit by a
25 truck?

O5NVGUOVD2

1 JUROR: I guess something very terrible. And I would
2 be -- you know, depending if I was fatally wounded or not, but
3 it would be an extreme hardship for the length of this trial.

4 THE COURT: In other words, Condé Nast would be able
5 to find somebody to fill your shoes; isn't that right?

6 JUROR: Not for -- not for this conference. I'm the
7 most senior stakeholder attending for my business vertical.

8 THE COURT: So the next most senior person could
9 attend, right?

10 JUROR: Currently that spot's open on my team. I
11 really don't have proper coverage. I'm not saying I couldn't
12 do it. The question was would it be an extreme hardship
13 anyway.

14 THE COURT: I'm not thinking about the hardship for
15 Condé Nast.

16 JUROR: For me personally it would be a professional
17 hardship. And also, additionally, I can't remember if you said
18 June 28th was a day that the court -- you said a bunch of days
19 it's not in service. Professionally, that's the day that my
20 ten-year-old is graduating middle school -- sorry, elementary
21 school, fifth grade. That might be a day you said we're off.

22 THE COURT: That is one of the days off, yes.

23 JUROR: Great.

24 THE COURT: So you would be paid by Condé Nast if you
25 were here for jury duty, right?

O5NVGUOVD2

1 JUROR: Honestly, I haven't -- I believe so.
2 That's -- I believe I would. I haven't fully inquired. It's
3 the first time ever I've been called for jury duty.

4 THE COURT: I'd like you to make an inquiry during the
5 lunch hour.

6 JUROR: Sure.

7 (Juror not present)

8 (Juror present)

9 THE COURT: What number was she?

10 MS. SHROFF: 180.

11 THE COURT: Sir, what is your number?

12 JUROR: 181.

13 THE COURT: And your name, please.

14 JUROR: XXXXXXXXXXXXX.

15 THE COURT: What's the problem?

16 JUROR: Three.

17 First of all, there's a Jewish holiday coming up in
18 two weeks, I think it is, Shavuot.

19 THE COURT: And what date is that?

20 JUROR: If I had my cell phone calendar, I could tell
21 you.

22 THE COURT: And does that mean that you need to be
23 absent that day?

24 JUROR: Yes, I have to be in synagogue both days.
25 It's a two-day holiday.

O5NVGUOVD2

1 THE COURT: Two-day holiday, you would have to be
2 gone?

3 JUROR: Right.

4 THE COURT: And then?

5 JUROR: And then if I had my phone, I could give you
6 precise dates for this also.

7 THE COURT: I'll figure out the dates.

8 JUROR: No, it's something else.

9 We have two grandchildren who are graduating from a
10 school in Baltimore. And I think -- I think it's next week or
11 the week after, I can't remember which.

12 And then the third is I'm 74 years old, so I think I
13 read somewhere in while we're waiting that if you're above 70,
14 you can be exempted. Am I -- do I have that wrong?

15 THE COURT: So I have had people in their 90s serve.

16 JUROR: I'm sure you have, but --

17 THE COURT: I don't know of that particular rule, but
18 I'll look into it.

19 JUROR: Please. Thank you.

20 THE COURT: Yes.

21 JUROR: But those other two are regardless.

22 THE COURT: What about the graduation date, do you
23 know when that is?

24 JUROR: I can tell you the names of the schools. And
25 if I had a cell phone, I could.

O5NVGUOVD2

1 THE COURT: Go ahead. What school?

2 JUROR: One school is called Beth Tefiloh.

3 THE COURT: Okay.

4 JUROR: In Baltimore.

5 THE COURT: Yup.

6 JUROR: And the other is Krieger Schechter Jewish
7 State School or Day School.

8 THE COURT: All righty. So you may step back.

9 JUROR: Thank you.

10 (Juror not present)

11 THE COURT: Do we know when Shavuot is?

12 THE LAW CLERK: Tuesday through Thursday, the 11th of
13 June.

14 THE COURT: Three days.

15 THE LAW CLERK: Starts the evening on June 11.

16 THE COURT: Wednesday and Thursday?

17 THE LAW CLERK: Yeah.

18 THE COURT: Okay. What is your position? That
19 holiday is a Wednesday and a Thursday; so it would mean that we
20 would have to miss court on those days if he were chosen.

21 MS. SHROFF: I say we keep him and we take Wednesday
22 and Thursday off.

23 MS. MURRAY: Your Honor, we would say he should be
24 excused for cause.

25 THE COURT: I don't know anything about this rule of

O5NVGUOVD2

1 over 70, does anybody?

2 MS. SHROFF: You have to apply for the exemption. So
3 he didn't apply. If he applied for the exemption, he wouldn't
4 have to come at all.

5 THE COURT: Okay. Is there any objection to my
6 excusing him?

7 MS. SHROFF: No, your Honor.

8 THE COURT: All right. So 181 is excused.

9 (Juror present)

10 THE COURT: Hi there. What is your number?

11 JUROR: So I am 182.

12 THE COURT: 182. And your name?

13 JUROR: It's XXXXXXXXXXXXXXXXXXXX.

14 So I have a trip with my wife scheduled for June 2nd,
15 for that week, to London. I also have on June 12th my son's
16 graduation from high school -- not high school, from -- yeah,
17 from high school, senior in high school.

18 And but in addition to those, I just thought I wanted
19 to bring to your attention, I know it's not the question, but I
20 have a very active white-collar criminal defense practice. I'm
21 the chair and founder of the practice at a large law firm. So
22 I have a number of cases currently against Southern District.
23 And the practice as a whole has a whole bunch of cases that I
24 sometimes consult on. So it's just -- but, you know, it just
25 presents a challenge personally as a conflict.

O5NVGUOVD2

1 THE COURT: Where do you work?

2 JUROR: At Goodwin Procter.

3 THE COURT: You can step back.

4 JUROR: Sure.

5 (Juror not present)

6 THE COURT: Any objection to my excusing No. 182?

7 MR. KAMARAJU: No.

8 MS. MURRAY: No, your Honor.

9 (Juror present)

10 THE COURT: What number are you?

11 JUROR: 183.

12 THE COURT: Your name, please.

13 JUROR: XXXXXXXXXXXXXXXXXXXXXXXXXX.

14 THE COURT: What is the problem?

15 JUROR: So I'm the only working -- I have a family,

16 right. My husband is disabled. And I'm the only caretaker and

17 the mother of my daughter. So was able to take my kids to

18 school and take care of them, whether they're at school or out

19 of school. I'm the only one who takes care of them because

20 he's physically disabled.

21 THE COURT: How old are your children?

22 JUROR: 13 and 8.

23 THE COURT: All right. You may step back.

24 (Juror not present)

25 THE COURT: Any objection to my excusing 183?

O5NVGUOVD2

1 MS. SHROFF: No, your Honor.

2 MS. MURRAY: No, your Honor.

3 (Juror present)

4 THE COURT: Hello. What is your number?

5 JUROR: 184.

6 THE COURT: And your name, please.

7 JUROR: XXXXXXXXXXXXXXXXXXXX.

8 THE COURT: What's the problem?

9 JUROR: I own and operate a horse farm in northern
10 Westchester.

11 THE COURT: Where?

12 JUROR: In Katonah, New York. And I own it with my
13 brother and operate it with him.

14 You mentioned would anyone have a hardship. In
15 January, my brother received a kidney transplant and is
16 recovering. And I am under tremendous pressure to keep the
17 business going and manage it as the face of the business while
18 he's recovering.

19 I have 100 horses at the farm, 50 employees and
20 clients and owners of the horses, that it's very important that
21 the level of care and confidence be maintained, which I am
22 basically doing double duty. So for me to be away from the
23 business in a two-month stint would be devastating to what I
24 do. I am doing double duty as it is.

25 THE COURT: Devastating financially?

O5NVGUOVD2

1 JUROR: Yes. I mean, it's important for me to be
2 there. I have 51 employees, many of them are highly managed
3 because it's all about care. And I administer medication to
4 horses, I am managing rehab of horses, travel to competitions
5 with horses.

6 It wasn't easy for me to come here today to do a
7 one-day commitment. I postponed my jury duty three times
8 because of these types of commitments.

9 My brother is recovering. So he goes two days a week
10 to Columbia to have his blood drawn, monitoring his
11 anti-rejection medications. So it's important, you know, that
12 I am there watching what we do, managing what we do.

13 And I'm already dealing with a pivotal moment in my
14 working life and career. You know, I'm working harder than I
15 ever have and watching every single thing we do to keep it
16 together. So it would be -- it would be devastating for me to
17 be away from it.

18 THE COURT: All righty. You may step back.

19 JUROR: Thank you.

20 (Juror not present)

21 THE COURT: Any objection to my excusing No. 184?

22 MS. SHROFF: No, your Honor.

23 MS. MURRAY: Your Honor, he did say that he has 51
24 employees. Even when you inquired of his financial hardship,
25 he hesitated and then said yes, but didn't go further into

O5NVGUOVD2

1 that. It sounded like it would be more of an inconvenience for
2 him just as a general person with a job. With our schedule and
3 the occasional days and weekends that we have off, it does seem
4 other employees would be able to fill in.

5 THE COURT: All right. If you would ask him to come
6 back.

7 So we'll just take the next individual. We'll just
8 ask for him to come back.

9 (Juror present)

10 THE COURT: Hi there. What is your number?

11 JUROR: 185.

12 THE COURT: And your name?

13 JUROR: XXXXXXXXXXXXXXXXXXXXXXXX.

14 THE COURT: And what is the problem?

15 JUROR: I already have trips booked for the end of
16 June and July.

17 THE COURT: Where are you going?

18 JUROR: I'm going to Maine in June and I'm going to
19 Antigua in July.

20 THE COURT: And you have plane tickets?

21 JUROR: I don't have them on me.

22 THE COURT: No, I'm saying did you buy your plane
23 tickets?

24 JUROR: Yes. Yeah.

25 THE COURT: Okay. All righty. You may step back.

O5NVGUOVD2

1 (Juror not present)

2 THE COURT: Any objection to my excusing No. 185?

3 MS. SHROFF: No, your Honor.

4 MS. MURRAY: No, your Honor.

5 (Juror present)

6 THE COURT: Hello. What is your number?

7 JUROR: 188.

8 THE COURT: And your name?

9 JUROR: XXXXXXXXXXXXXXXXXXXX.

10 THE COURT: What is the problem?

11 JUROR: My job. I'm a case manager and I have a
12 specific case order of clients that work with me directly. And
13 I'm -- in my job, I'm the only one that facilitate them to
14 legal services as well. They're homeless clients.

15 THE COURT: Do you work for an agency?

16 JUROR: Yes.

17 THE COURT: What agency?

18 JUROR: Breaking Ground.

19 THE COURT: And what is your title?

20 JUROR: Case manager.

21 THE COURT: Are you a social worker?

22 JUROR: Affiliated with it.

23 THE COURT: So if you serve jury duty, do you get paid
24 by the agency?

25 JUROR: Yes.

O5NVGUOVD2

1 THE COURT: So if, God forbid, you were hit by a truck
2 today, someone else at the agency would take over your
3 caseload, right?

4 JUROR: Yes.

5 THE COURT: What?

6 JUROR: Yes.

7 THE COURT: Okay. So it may be an inconvenience for
8 your employer, but it's not an impossibility to cover you
9 essentially, right?

10 JUROR: Yes.

11 THE COURT: Okay. You may step back.

12 (Juror not present)

13 (Juror present)

14 THE COURT: Hello. What is your number?

15 JUROR: 189.

16 THE COURT: And your name?

17 JUROR: XXXXXXXXXXXX.

18 THE COURT: What's the problem?

19 JUROR: The time length, the seven week. I have a
20 holiday, religious holiday, during that time. And I wanted to
21 also let you know, like, Fridays, because of the Sabbath, 5
22 o'clock is a little bit late for where I have to drive to
23 because I live in Rockland County, with traffic and everything.

24 THE COURT: So we're going to stop at 2:45.

25 JUROR: Oh, I just want -- you said tomorrow. So I

O5NVGUOVD2

1 wasn't sure.

2 THE COURT: Well, let's assume that we can stop early
3 tomorrow. What time would you need to leave here?

4 JUROR: Like 3:30-ish, 4.

5 THE COURT: Okay. So let's assume that we're able to
6 accommodate that. Then we have the holiday. Do you know what
7 the dates are for the holiday?

8 JUROR: I don't really know offhand. I think it's in
9 like two weeks.

10 THE COURT: Are you thinking about Shavuot?

11 JUROR: Yeah.

12 THE COURT: Okay. I believe --

13 JUROR: Or it's two and a half. I don't have the
14 phone with me to look to get --

15 THE COURT: So I believe that that would mean that you
16 would have to be absent a Tuesday and a Wednesday?

17 JUROR: Yeah, I think so. It's in the middle of the
18 week.

19 THE COURT: Okay. So if you were able to have those
20 two days off, knowing that you're going to be able to leave
21 here at 2:45, then otherwise you'd be able to serve?

22 JUROR: I think so. I just started a business, but
23 whatever I'm saying, I understand that there's a jury and stuff
24 like that, so --

25 THE COURT: So --

O5NVGUOVD2

1 JUROR: Like I'm understanding, but I did happen -- I
2 did just happen to start.

3 THE COURT: What kind of business?

4 JUROR: A handyman business.

5 THE COURT: Okay. So when did you start it?

6 JUROR: Like two weeks ago.

7 THE COURT: Okay. And so I assume that you're -- is
8 it you're looking for clients now?

9 JUROR: Yeah, I'm getting calls, stuff like that.

10 THE COURT: Okay. So if you are out for seven weeks,
11 is that going to be a financial hardship for you?

12 JUROR: A little bit, yeah, I think, because I'm
13 getting my name out there. If I don't answer the phones
14 anymore, like, a little bit, yeah.

15 THE COURT: Do you have to pay rent or are you living
16 somewhere where you don't have to pay rent?

17 JUROR: No, I'm paying rent.

18 THE COURT: You are paying rent. Okay. So would you
19 be able to pay rent without this handyman job?

20 JUROR: Yeah, I would be able to swing it. It
21 wouldn't be easy, but I would be able to.

22 THE COURT: Okay. Would you be able to pay for food
23 and your other basic necessities?

24 JUROR: Yeah, I'd be able to make do.

25 THE COURT: You would be able to make do.

O5NVGUOVD2

1 Okay. All righty. So you can --

2 JUROR: Not convenient, but I would be able to make
3 do.

4 THE COURT: I understand.

5 JUROR: Like everyone.

6 THE COURT: It's maybe an annoyance or an
7 inconvenience, but you would be able to manage somehow.

8 JUROR: Yeah.

9 THE COURT: Okay. Please step back.

10 JUROR: Thank you very much.

11 (Juror not present)

12 THE COURT: All right. So the question is whether or
13 not we take out -- we take off the two days for Shavuot.

14 MS. MURRAY: We would propose to keep him for now,
15 your Honor. We can see what happens. And I guess the question
16 would be whether that would change the opinion of Juror 181.

17 MS. SHROFF: Your Honor, it can't be that we'll see
18 how this goes, right. Either we excuse him for cause, because
19 we shouldn't have to exercise a peremptory without deciding
20 whether or not we're going to sit on those two days.

21 THE COURT: So I am obligated to afford him the
22 opportunity to sit.

23 MS. SHROFF: Right.

24 THE COURT: If he has a religious obligation, the
25 question only becomes can we accommodate that reasonably. And

O5NVGUOVD2

1 since you are -- since -- what is the date?

2 THE LAW CLERK: The 12th and 13th.

3 THE COURT: Of June. It's the 12th and 13th of June.

4 You have a plan for what would happen on those dates,
5 and I'd need to know whether we can make that reasonable
6 accommodation.

7 MS. MURRAY: Can we have a moment, your Honor.

8 (Counsel conferred)

9 MS. MURRAY: Your Honor, we propose to keep him for
10 now. We understand Ms. Shroff's objection. We might strike
11 him at a later point.

12 THE COURT: Of course you cannot strike him though for
13 religious reasons.

14 MS. MURRAY: No, no, no, your Honor.

15 MR. KAMARAJU: Can I just ask, because I think didn't
16 we let another juror go for cause for the same reason?

17 THE COURT: No, no, no, no. Remember he had other
18 issues.

19 MS. MURRAY: Grandkids graduating.

20 THE COURT: I would never dismiss a person for cause
21 because of their religious obligations.

22 MR. KAMARAJU: I understand.

23 THE COURT: He had two graduations and there was the
24 issue of his elderly status.

25 MR. KAMARAJU: I understand the point you're making.

O5NVGUOVD2

1 Thank you, your Honor.

2 MS. SHROFF: Your Honor, just so we're clear, we're
3 happy to have the juror stay within the pool, right.

4 THE COURT: Yes.

5 MS. SHROFF: But if he's in the pool, there's going to
6 be no argument about him not having those two days off. We
7 just want to make sure the government is clear that they don't
8 come back and then say ask the man to accommodate and not get
9 him his religious services.

10 MS. MURRAY: Absolutely not, Ms. Shroff. If he's on
11 the jury --

12 THE COURT: If they come back to me and say that they
13 have spent already thousands of dollars, government dollars, in
14 order to fly in certain witnesses, that is something that I
15 would consider.

16 MS. SHROFF: Then I think, your Honor, most
17 respectfully, maybe we can ask the juror. Because I'm pretty
18 sure that he would be observant of those two holidays and want
19 those days off.

20 THE COURT: Yes. What I'm saying is that I would
21 afford him the opportunity to be off for those two days.
22 However, if the prosecution comes back to me and says the
23 government will have expended \$15,000 in flights for witnesses,
24 then I have to make an assessment as to whether it is
25 reasonable to accommodate him for those two days.

O5NVGUOVD2

1 MS. SHROFF: That's what we would object to, your
2 Honor. I think he has a right to have a religious
3 accommodation, number one; and number two, your Honor, the
4 government is right here. They can figure out what they're
5 doing on the 12th and the 13th now before they do that to the
6 juror.

7 THE COURT: I'm going to allow them some time to
8 assess the situation.

9 MS. SHROFF: Right. Maybe they can tell us by 2
10 o'clock before we have to pay --

11 THE COURT: Or by the end of the day.

12 MS. SHROFF: Thank you, your Honor.

13 THE COURT: All righty.

14 (Juror present)

15 THE COURT: Sir, your number again?

16 JUROR: 184.

17 THE COURT: Okay. So I'm sorry to hear about your
18 brother's condition and I understand that he is only working
19 limited hours.

20 JUROR: Correct.

21 THE COURT: And you're having to work overtime because
22 of his condition.

23 JUROR: Correct.

24 THE COURT: So what would happen now if you were
25 completely incapacitated? Let us say that you land in the

O5NVGUOVD2

1 hospital for the next two months, what would happen to your
2 business?

3 JUROR: It would be severely impacted.

4 THE COURT: How so?

5 JUROR: It would deteriorate. I would lose clients.
6 I would lose revenue. It would be -- it would fall apart.

7 THE COURT: So are you principally boarding the
8 horses?

9 JUROR: Yes, boarding, training, and most of the
10 horses there are client-owned.

11 THE COURT: All right. So my sense is that there
12 isn't a tremendous amount of facilities like your own in the
13 immediate area. There may be others, but there's not a whole
14 lot of them; am I correct?

15 JUROR: There are, for sure, other places to go. And
16 the clients could afford to do it wherever they want to do it.

17 It's about confidence. So they -- so I would lose
18 that confidence. And I would lose that -- I made written
19 application twice trying to be excluded from jury duty, and I
20 never heard back on either of those, explaining my situation,
21 explaining the circumstances. My brother has a very rare
22 kidney disease.

23 THE COURT: I understand that, sir. But what I'm
24 trying to assess -- I understand that you have a fear that you
25 would lose customers, lose revenue. But --

O5NVGUOVD2

1 JUROR: In a significant way. In a very significant
2 way.

3 THE COURT: How significantly?

4 JUROR: It would devastate -- like, you know, if I
5 lose a number of clients, I would lose the revenue. I'd have
6 to lay people off. It would fall apart. I'm trying to get
7 through this period of his recovery time. Like you said, he's
8 come back in a limited, let's say, light duty, and he is the
9 face of the business with me. And I am trying to, like, get
10 the business up in this period of time.

11 THE COURT: So what percentage of revenue do you think
12 that you would lose if you were serving as a juror for seven
13 weeks?

14 JUROR: I could lose as much as 50 percent. People.

15 THE COURT: You're saying that people --

16 JUROR: They see --

17 THE COURT: -- who have been your --

18 JUROR: Clients.

19 THE COURT: -- loyal clients would just simply turn
20 their backs on you and find some other business to take care of
21 their horses?

22 JUROR: Yeah. I mean, my brother had the transplant.
23 We kept it quiet until, like, a week before. Because when a
24 client wants something, I was afraid they would send you
25 flowers and move the horses the next day. And it's been that

O5NVGUOVD2

1 whole pressure of that, like, keeping it together. I mean, I'm
2 literally sweating here thinking that, like, I cannot do this
3 for two months.

4 THE COURT: All righty. You may step back.

5 JUROR: Thank you.

6 (Juror not present)

7 THE COURT: So I do have familiarity with his
8 clientele. And my sense is that they expect a great deal of
9 service and attention. And although I am not an expert in the
10 field, I do think that it's quite conceivable that he could
11 lose substantial business. And so I think that he has stated a
12 legitimate reason for being excused.

13 MS. MURRAY: We agree, your Honor. We defer to the
14 Court.

15 THE COURT: All right. He was one --

16 MS. SHROFF: 84.

17 THE COURT: 184 is excused.

18 MS. SHROFF: Thank you, your Honor.

19 (Juror present)

20 THE COURT: Sir, what is your number?

21 JUROR: 191.

22 THE COURT: And your name?

23 JUROR: XXXXXXXXXXXX.

24 THE COURT: What's the problem?

25 JUROR: So my main hardship is work responsibilities.

O5NVGUOVD2

1 I'm an engineer here in the city working for a large firm.
2 Many projects, many people working under me, very tight
3 deadlines.

4 THE COURT: What type of engineering?

5 JUROR: Environmental engineering. I'm a geologist.

6 THE COURT: And what would happen if you were hit by a
7 truck today?

8 JUROR: Well, then it wouldn't be my responsibility
9 anymore. But, you know --

10 THE COURT: Yes.

11 JUROR: So I don't know, I mean --

12 THE COURT: So would they be able to find another
13 engineer?

14 JUROR: I'm sure they would hire another engineer,
15 yes. But they wouldn't be able to step right into my shoes and
16 do the job.

17 THE COURT: They'd have to have a certain amount of
18 time to rev up?

19 JUROR: Right. And the problem is, with tight
20 deadlines, that's where the main issue comes in.

21 THE COURT: So if you serve as a juror, are you going
22 to be paid by your firm?

23 JUROR: So up to two weeks I know. I don't know up to
24 seven weeks. I was never contemplated -- or I never
25 contemplated up to seven weeks.

O5NVGUOVD2

1 THE COURT: You can find out during the break, the
2 lunch break?

3 JUROR: Oh, I can try. Sure.

4 THE COURT: Okay. That's what I'd like you to do.

5 JUROR: Okay.

6 (Juror not present)

7 (Juror present)

8 THE COURT: Sir, what is your number?

9 JUROR: 192.

10 THE COURT: And your name?

11 JUROR: Is XXXXXXXXXXXXXXXX.

12 THE COURT: And what's the problem?

13 JUROR: I'm a single father to a ten-year old who will
14 be finishing school June 18th. Tomorrow is a half a day. I
15 don't have coverage in the mornings. I am responsible for the
16 mornings. My daughter is dropped off, I go to work. There is
17 a caregiver in the evenings, but I do everything as a single
18 father.

19 I am a widower. And I had served jury in this --
20 Colleen McMahon's courtroom in the past. I understand jury
21 duty. I respect the process. But, unfortunately, in this time
22 I ask that I am excused based on my availability I don't have.

23 THE COURT: Where do you live?

24 JUROR: In Manhattan.

25 THE COURT: And you cannot get a sitter?

O5NVGUOVD2

1 JUROR: I do the morning routine. I do the breakfast,
2 dress, and off to school drop-off. I don't know how to get a
3 sitter to show up at 7:30 in the morning to make that process
4 take place.

5 THE COURT: What do you do for a living?

6 JUROR: I work in finance. I'm a financial adviser.

7 THE COURT: And you're aware that there are
8 baby-sitting agencies?

9 JUROR: Which I have engaged. I have a caregiver who
10 does my evenings. She does pickups from school and then leaves
11 8 o'clock, essentially. I have a daily caregiver for the
12 after-school session. I do the morning sessions.

13 THE COURT: And so when is it that your daughter
14 leaves the house?

15 JUROR: She drops off by 8 a.m. She gets to school at
16 8 a.m.

17 THE COURT: Okay. And where do you live in Manhattan?

18 JUROR: 73rd and Third.

19 THE COURT: Okay. So that gives you plenty of time to
20 get here by 9:30.

21 JUROR: Okay.

22 THE COURT: Very well. You may step back.

23 (Juror not present)

24 MS. SHROFF: You are one tough cookie. I would have
25 let him go.

O5NVGUOVD2

1 (Juror present)

2 THE COURT: Hi there.

3 JUROR: How are you?

4 THE COURT: Fine. And you?

5 JUROR: Fine, thanks.

6 THE COURT: Your number?

7 JUROR: 193.

8 THE COURT: Okay. And your name?

9 JUROR: XXXXXXXXXXXXXXXX.

10 THE COURT: And what is the problem?

11 JUROR: I'm going to be in Denver, Colorado next week

12 for my grandmother's funeral.

13 THE COURT: I'm so sorry to hear that.

14 All righty. I understand. You may step back.

15 JUROR: Thank you.

16 (Juror not present)

17 THE COURT: What is the number?

18 MS. SHROFF: 193.

19 THE COURT: Okay. All right. She is excused.

20 (Juror present)

21 THE COURT: So, sir, your number?

22 JUROR: 194.

23 THE COURT: And your name?

24 JUROR: XXXXXXXXXXXX.

25 THE COURT: And -- excuse me?

O5NVGUOVD2

1 JUROR: I'm just a little nervous.

2 THE COURT: All righty. What is the problem?

3 JUROR: It takes me over two hours to get here and two
4 hours to get home, and just something that I cannot do. It's
5 just too much for me.

6 On top of that, being in a high-rise in Lower
7 Manhattan is really freaking me out. I can't stand being here.
8 I can't stand looking out the windows. My anxiety level is
9 beyond. If this is where the trial is going to be, I don't
10 think I can do it.

11 THE COURT: All righty. You may step back.

12 (Juror not present)

13 THE COURT: Any objection to my excusing him?

14 MS. SHROFF: No, your Honor.

15 MS. MURRAY: No, your Honor.

16 (Juror present)

17 MS. SHROFF: Your Honor, I have to be before Judge
18 Cote at 1.

19 THE COURT: Understood. Thanks.

20 What is your number?

21 JUROR: 180. I just -- I'm still going to check with
22 my employer about that question about compensation at the
23 break. But I gave the wrong date accidentally for my
24 daughter's graduation. It's the 25th, June 25th. Actually,
25 the last day of school is June 26th. But it's only from 8:30

O5NVGUOVD2

1 to 10:30 in the morning, but it's Tuesday, June 25th.

2 THE COURT: All right. All righty. You may step
3 back.

4 (Juror not present)

5 THE COURT: All right. We're going to stop for now
6 and we will continue after the lunch break at 2 o'clock.

7 MS. SHROFF: Thank you, your Honor.

8 (In open court)

9 THE COURT: All righty.

10 Everyone, please return to your seats.

11 We are done with our work for the morning, but we
12 still have more to go. The night is young.

13 So I'll need you to return very, very promptly at 2
14 o'clock. So you'll be in the hallway at 2 o'clock. Not coming
15 into the building, not the elevator, but in the hallway right
16 out there ready to walk in at 2 o'clock sharp. If you're late,
17 it really makes it quite difficult for us to do our own work.
18 So many people are involved. So be prompt.

19 I want you to not discuss this matter amongst
20 yourselves. Don't let anyone talk to you about the case.
21 You're not to talk with anybody else about the case.

22 Also, the lawyers are not permitted to have any
23 contact with you. So if you see them in the hallway, in the
24 elevator, on the street, and they don't greet you, they don't
25 look at you, it's not that they are being rude, it's that they

O5NVGUOVD2

1 may not have any contact whatsoever with you.

2 Have a good lunch.

3 (Venire not present)

4 THE COURT: All right. Time for lunch.

5 Have a good lunch.

6 (Luncheon recess)

7 (Continued on next page)

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AFTERNOON SESSION

2:02 p.m.

THE COURT: All right. I'm going to rule on some of the outstanding motions.

I received the government's letter motion dated May 21, 2024, and the defendant's response dated May 23rd. ECF Nos. 344 and 349. And the government first moves to preliminarily admit certain statements made by alleged co-conspirators, Qidong Xia and David Dai, under exceptions to the hearsay rule. The government intends to call two people whom I will identify as Victim-1 and Victim-2 to testify about statements. These statements include: (1) instructions by Xia telling Victim-1 where to wire funds to make purported investments in GTV stock, as well as Xia denying Victim-1 a refund on this investment; (2) statements by Dai instructing Victim-2 how to open certain bank accounts and where to wire the funds in those bank accounts; and (3) the statement by Xia to Victim-2 regarding the appointment of the new leader of the London Farm.

As I previously ruled in my May 2nd order, consistent with the Second Circuit's *Geaney* protocol, I may admit co-conspirator statements on a conditional basis, subject to the later submission of the necessary evidence to establish that the co-conspirator exception is applicable. The government's motion identifies the statements with sufficient

O5N1GUOVD3

1 particularity and is therefore granted.

2 As with the co-conspirator statements I conditionally
3 admitted in my May 2nd order when I partially granted
4 government motion 1, I will make the required *Geaney* findings
5 outside the presence of the jury at the close of the
6 government's case, and, if necessary, give an appropriate
7 limiting instruction.

8 Second, the government moves to preclude evidence
9 regarding the March 15, 2023, fire at Mr. Guo's apartment at
10 the Sherry-Netherland Hotel. The defense does not intend to
11 introduce such evidence. Accordingly, the government's motion
12 is denied as moot.

13 Third, the government moves to preclude Mr. Guo from
14 introducing any evidence of the potential immigration
15 consequences of his conviction. Mr. Guo again states that he
16 does not intend to introduce such evidence. Accordingly, the
17 government's motion is denied as moot.

18 We're waiting for the members of the panel to finish
19 gathering.

20 (Jury venire present)

21 (At the sidebar, juror present)

22 THE COURT: Hi there. What is your number?

23 JUROR: 195.

24 THE COURT: And your name?

25 JUROR: XXXXXXXXXXXX.

O5N1GUOVD3

1 THE COURT: And what's the problem?

2 JUROR: Well, it takes me about two and a half hours
3 to get here from like the northernmost part of Putnam County.
4 I'm also a home care physical therapist, so to be out of work
5 for seven weeks would be a bit much.

6 THE COURT: In what regard?

7 JUROR: Just as far as my patients and, you know, for
8 the agency.

9 THE COURT: Would you get paid for those seven weeks?

10 JUROR: Yes.

11 THE COURT: So aside from the commute, if you were
12 struck by a car, someone would—

13 JUROR: You asked for extreme circumstances, so I
14 guess my circumstances aren't terribly extreme, but this
15 process does intimidate me a little bit as well, so—

16 THE COURT: But you can handle it, right?

17 JUROR: Yeah, well, I don't know.

18 THE COURT: What do you mean you don't know?

19 JUROR: I've never gone through it. I've never sat on
20 a jury before, so—

21 THE COURT: Are there any things you know so far that
22 would impair your ability to sit?

23 JUROR: Not really.

24 THE COURT: All right. You may step back. Thank you.

25 (Juror not present)

O5N1GUOVD3

1 (Next juror present)

2 THE COURT: What number are you?

3 JUROR: 196.

4 THE COURT: 196. Yes. You were going to come back
5 with some information for us.

6 JUROR: Regarding my—I can't afford to lose, like,
7 another month of paycheck because we are paid by—per diem—I
8 mean, by flight time, 'cause I'm a flight attendant.

9 THE COURT: Yes.

10 JUROR: And say, for example, my schedule is like
11 three trips in a row; I only get like paid, like, you know, the
12 flight time and I lose the per diem. And on top of that, I
13 just came back from an injury. I lost two months of work. And
14 I'm trying to make up for those lost income, and actually, I
15 just borrowed some money from my 401(k) just to stay, you know,
16 afloat, yeah.

17 THE COURT: So you're saying it would be a financial
18 hardship?

19 JUROR: Correct, correct.

20 THE COURT: All right. You may step back.

21 (Juror not present)

22 THE COURT: Any objection to my excusing 196?

23 MR. KAMARAJU: No, your Honor.

24 MS. MURRAY: No, your Honor.

25 THE COURT: Okay.

O5N1GUOVD3

1 (Next juror present)

2 THE COURT: Hello. What is your number?

3 JUROR: 197.

4 THE COURT: And your name?

5 JUROR: XXXXXXXXXXXX.

6 THE COURT: And what's the problem?

7 JUROR: I work in a private school, in the technology
8 department, and June is our clutch cargo month of the whole
9 year. It's more busy than it is at the beginning of the year
10 because we have to collect all the devices, we have to take the
11 rooms apart so that the maintenance can repaint, reoutfit with
12 new technology. On top of that, my own daughter is graduating
13 this year, so I have some ceremonies to go to for that as well.

14 THE COURT: Is she graduating from that school?

15 JUROR: No, from another high school, a public school.

16 THE COURT: Do you know what the dates are?

17 JUROR: Her graduation is I believe the 29th.

18 THE COURT: Of?

19 JUROR: Of June. And the beginning is the private
20 school's graduation that I'm working, as well as other
21 ceremonies, moving up ceremonies.

22 THE COURT: So if you were hit by a truck today, would
23 the private school be able to find somebody to do your job?

24 JUROR: Sure. They'd have to figure that out, yeah.

25 THE COURT: Yeah. Okay. And if you were able to

O5N1GUOVD3

1 attend your daughter's graduation on the 29th of June,
2 otherwise, you'd be able to serve; is that correct?

3 JUROR: Yeah, I guess, technically.

4 THE COURT: Okay. All righty. You may step back.

5 JUROR: All right.

6 (Juror not present)

7 THE COURT: I'm not going to excuse him.

8 MS. MURRAY: Your Honor, I would just note the 29th is
9 a Saturday.

10 THE COURT: Oh.

11 MS. SHROFF: June 28th?

12 MS. MURRAY: He graduates on the 29th.

13 (Next juror present)

14 THE COURT: Hi there. What's your number?

15 JUROR: 198.

16 THE COURT: 198. And your name?

17 JUROR: XXXXXXXXXXXX.

18 THE COURT: What's your last name?

19 JUROR: XXXXXXXXXXXX.

20 THE COURT: And what's the problem?

21 JUROR: So my son has a few weeks left in school and
22 he has special medical needs. He has Type I diabetes like
23 myself, so when his school ends, he will be at home with us.
24 And I say this, "us," because my wife is also in jury duty
25 right now, and so we don't know—we were expecting it would be

O5N1GUOVD3

1 a three-week case, we would be able to be fine. Anything
2 longer than that, if we were both here, then we would not be
3 able to take care of him.

4 THE COURT: And do you have any sitters that you can
5 use?

6 JUROR: I mean, typically we do, but it's when we have
7 devices on us to be able to communicate with the sitter,
8 because I usually track his blood sugar on my phone, which I
9 cannot today. I have my own, tracking my own. So it would be
10 difficult to be able to coordinate care in that situation.

11 THE COURT: All right. You may step back.

12 JUROR: Thank you.

13 (Juror not present)

14 THE COURT: Is there any objection to my excusing
15 Juror No. 198?

16 MR. KAMARAJU: Not from us, your Honor.

17 MS. MURRAY: No, your Honor.

18 (Next juror present)

19 THE COURT: Hi there. What's your number?

20 JUROR: 201.

21 THE COURT: Okay. You can step back.

22 JUROR: That's it?

23 THE COURT: That's it.

24 (Juror not present)

25 (Next juror present)

O5N1GUOVD3

1 THE COURT: Hi.

2 JUROR: Hi. 180.

3 THE COURT: You were going to check about—

4 JUROR: I did. I did. I tried very hard in the 40,
5 50 minutes I was off, not to be late. I didn't get through to
6 anyone. And I called, I emailed, I Slacked. I didn't—I
7 didn't get the answer to that question. I'm under the
8 assumption that I—my employment would not be in jeopardy. It
9 just would be a really, really, really bad time based on the
10 conference that I told you about and my work should be getting
11 back online.

12 THE COURT: Understood. All righty.

13 (Juror not present)

14 MS. SHROFF: Your Honor, does somebody have the date
15 of her son's graduation? 25th?

16 MS. MURRAY: It was 25th in the morning.

17 (Next juror present)

18 THE COURT: What is your number, sir?

19 JUROR: 163.

20 THE COURT: And your name again?

21 JUROR: XXXXXXXXXXXX.

22 THE COURT: And you were looking up something for us.

23 JUROR: Yeah. So I was able to confirm that it's 30
24 business days, but that still leaves one week where I don't
25 have income other than what I'm paid to be here, which is \$60 a

O5N1GUOVD3

1 day. I would have to ask my employer if I could potentially
2 get an extension on getting more jury duty days, but as of
3 right now, it's 30 business days confirmed.

4 THE COURT: Okay. I'd like you to contact your
5 employer—

6 JUROR: Okay.

7 THE COURT: —and make that inquiry.

8 JUROR: Okay. I'll send them an email tonight and
9 then I'm assuming tomorrow I'll call up with an update or
10 whatever.

11 THE COURT: I'd like you to do that sooner, but I'm
12 going to think about it.

13 JUROR: Oh, okay. Do you still need me or—

14 THE COURT: I don't, no.

15 JUROR: Okay.

16 (Juror not present)

17 THE COURT: So we can see where we stand at the end of
18 the day.

19 (Next juror present)

20 THE COURT: What number are you?

21 JUROR: 191.

22 THE COURT: 191. Go ahead. You were going to make an
23 inquiry for us.

24 JUROR: I wasn't able to find out. So I don't have my
25 work phone with me because they wouldn't let me bring my phone,

O5N1GUOVD3

1 so the people I called didn't know. I can find out by 5:00
2 tonight, after 5, when I leave here, but I just—I wasn't able
3 to find out.

4 THE COURT: All right. We'll be in touch.

5 JUROR: All right. Cool. Thanks.

6 (Juror not present)

7 (Next juror present)

8 THE COURT: Hi there. Your number?

9 JUROR: 113.

10 THE COURT: And your name?

11 JUROR: XXXXXXXXXXXX.

12 THE COURT: And what is the problem?

13 JUROR: I just learned during the break that my
14 company will not cover my salary during the extent of the case
15 if I were to be chosen as a juror, and I cannot afford not to
16 have that income. I'm a single family—single-income family of
17 five. I'm responsible for mortgage and three children in a
18 private school. And I just wouldn't be able to meet my
19 responsibilities if I weren't going to get my salary on a
20 regular basis.

21 THE COURT: Okay. You may step back.

22 (Juror not present)

23 THE COURT: Is there any objection to my excusing
24 No. 113?

25 MR. KAMARAJU: No, your Honor.

O5N1GUOVD3

1 MS. MURRAY: Your Honor, I'm just curious what company
2 he works for that doesn't pay for jury duty.

3 THE COURT: All right. Well, we'll get him back after
4 we hear from this juror.

5 (Next juror present)

6 THE COURT: Hi again. Hi there. What was the date of
7 the graduation you have to attend?

8 JUROR: June 25th, Tuesday.

9 THE COURT: Okay. You may step back.

10 (Juror not present)

11 THE COURT: What number was she? 180. She is 180.

12 (Juror present)

13 THE COURT: Hi, sir. Who is your employer?

14 JUROR: Culinary Group.

15 THE COURT: What is that?

16 JUROR: Dining services.

17 THE COURT: Dining services. All right. You may step
18 back.

19 (Juror not present)

20 MS. MURRAY: No objection, your Honor.

21 THE COURT: That's it?

22 (In open court)

23 THE COURT: Do any of you have any personal knowledge
24 of the charges in this case?

25 Please step up.

O5N1GUOVD3

1 (At the sidebar; juror present)

2 THE COURT: Hi. What is your number? 101?

3 JUROR: Correct.

4 THE COURT: You can step back.

5 (Juror not present)

6 (Next juror present)

7 THE COURT: Hi there. What is your number?

8 JUROR: 133.

9 THE COURT: And what is the issue?

10 JUROR: Well, personal knowledge, not like about the
11 specifics, all that, but I work in PR. I read the news
12 religiously all day, every day, in particular investigative
13 reporters that I work with, so I have read a lot of press. I
14 read *The New York Times* cover to cover every day, and I know
15 that just a month ago, one of the investigative reporters that
16 we read whatever they write, wrote a very big, long article, so
17 I understand the details of the case in a way that maybe—

18 THE COURT: So you're 133.

19 JUROR: Yes.

20 THE COURT: Okay. You can step back.

21 (Juror not present)

22 MS. MURRAY: Your Honor, would it make sense for the
23 attorneys to stay here?

24 THE COURT: That's fine if you want to.

25 MS. MURRAY: That's fine with us, if it's more

O5N1GUOVD3

1 efficient.

2 THE COURT: Yes.

3 MS. MURRAY: Thank you.

4 (In open court)

5 THE COURT: Is there anything about the nature of the
6 charges that would prevent you from being a fair and impartial
7 juror?

8 (At the sidebar; juror present)

9 THE COURT: Hi. You're No. 101?

10 JUROR: 103.

11 THE COURT: 103? You may step back.

12 (Juror not present)

13 (Next juror present)

14 JUROR: 123.

15 THE COURT: You're 123?

16 JUROR: Yeah.

17 THE COURT: You may step back.

18 (Juror not present)

19 (Next juror present)

20 JUROR: 133.

21 THE COURT: You may step back.

22 (Juror not present)

23 (Next juror present)

24 THE COURT: What number are you?

25 JUROR: 144.

O5N1GUOVD3

1 THE COURT: Did you say 144?

2 JUROR: 144.

3 THE COURT: 144. And what is your name?

4 JUROR: XXXXXXXXXXXX.

5 THE COURT: And what did you want to tell me?

6 JUROR: I've personally invested in lifestyle branding
7 in—within the cryptocurrency space, and I—I never got my
8 money back.

9 THE COURT: Are you saying that you invested in an
10 entity associated with the defendant here, Mr. Guo?

11 JUROR: No, not his, one of his companies, although I
12 do know of G Coin and some of his subsidiaries.

13 THE COURT: So would that prevent you from being a
14 fair and impartial juror?

15 JUROR: Yeah.

16 THE COURT: Why?

17 JUROR: Because I've—I felt like I was robbed of my
18 money.

19 THE COURT: So you don't—you had no direct dealings
20 with any of Mr. Guo's entities; is that correct?

21 JUROR: No. Correct.

22 THE COURT: So can you put aside your negative
23 experience that you had in dealing with another entity and come
24 into the courtroom with an open mind and listen to the witness
25 testimony and review the documentary evidence and be a fair and

O5N1GUOVD3

1 impartial juror?

2 JUROR: Yes.

3 THE COURT: All righty. Then step back, sir.

4 (Juror not present)

5 MR. KAMARAJU: We're going to register an objection
6 that he should be excused for cause, your Honor.

7 THE COURT: All right. I think that he was
8 rehabilitated.

9 MR. KAMARAJU: I think his original answer was that he
10 felt that he had been defrauded by cryptocurrency and that he
11 had outside knowledge of the case and was familiar with G Coins
12 already.

13 MS. SHROFF: He said he was robbed, not even
14 defrauded. He said he was robbed, and your Honor—

15 THE COURT: Let's bring him back.

16 MS. SHROFF: Also, it's very hard to say no to a
17 judge.

18 THE COURT: It's all right. I'm only 4 foot 11½.

19 MS. SHROFF: So am I. And we're both ferocious.

20 (Juror present again)

21 THE COURT: So you mentioned that you had some
22 familiarity with entities related to Mr. Guo; is that right?

23 JUROR: Yes.

24 THE COURT: That familiarity, would that prevent you
25 from being a fair and impartial juror?

O5N1GUOVD3

1 JUROR: Yes.

2 THE COURT: All right. You may step back.

3 (Juror not present)

4 THE COURT: What is the number?

5 ALL COUNSEL: 144.

6 THE COURT: All right. So he is dismissed for cause.

7 (Next juror present)

8 THE COURT: Hi there. What is your number?

9 JUROR: 129.

10 THE COURT: You may step back.

11 JUROR: I may step back? Oh.

12 (Juror not present)

13 (Next juror present)

14 THE COURT: What is your number? 134? All righty.

15 You may step back.

16 JUROR: Oh, okay.

17 (Juror not present)

18 (Next juror present)

19 THE COURT: Hi. Your number?

20 JUROR: 134. Or 143. Sorry.

21 THE COURT: Okay. You can step back.

22 JUROR: Like this? Oh.

23 (Juror not present)

24 (Next juror present)

25 JUROR: 162.

O5N1GUOVD3

1 THE COURT: You may step back.
2 JUROR: Okay. Go back?
3 (Juror not present)
4 (Next juror present)
5 JUROR: 165.
6 THE COURT: You may go back.
7 (Juror not present)
8 (Next juror present)
9 JUROR: Hi.
10 THE COURT: Your number?
11 JUROR: 176.
12 THE COURT: You may go back.
13 JUROR: Go back? You don't want me here?
14 THE COURT: You can go back.
15 (Juror not present)
16 (Next juror present)
17 THE COURT: Your number again?
18 JUROR: 184.
19 THE COURT: You may go back.
20 (Juror not present)
21 (Next juror present)
22 THE COURT: Your number?
23 JUROR: 185.
24 THE COURT: You may go back.
25 (Juror not present)

O5N1GUOVD3

1 (In open court)

2 THE COURT: The government is represented here by the
3 United States Attorney for the Southern District of New York,
4 Damian Williams. This trial will be in the immediate charge of
5 Assistant United States Attorneys Micah Fergenson, Ryan Finkel,
6 Justin Horton, and Juliana Murray. They will be assisted by
7 paralegals Michael Gartland, Isabelle Loftus, and Geoffrey
8 Mearns.

9 Please stand and face the jurors.

10 The defendant in the case is Miles Guo.

11 Mr. Guo, please stand and face the jurors.

12 Mr. Guo is represented by his attorneys Sidhardha
13 Kamaraju and Sabrina Shroff, Matthew Barkan and E. Scott
14 Schirick. Mr. Kamaraju and Mr. Barkan are with the law firm of
15 Pryor Cashman LLP, and Mr. Schirick is with the law firm of
16 Alston & Bird. Do any of you know Mr. Guo or any of the
17 individuals that I have just identified?

18 Have any of you, your family members, or close friends
19 had any personal or business dealings, directly or indirectly,
20 with any of these individuals, including the defendant?

21 Have any of you, or your relatives or close friends,
22 had any association or business dealings with any member of the
23 staff of Pryor Cashman LLP or Alston & Bird?

24 What is your number?

25 JUROR: 127.

O5N1GUOVD3

1 THE COURT: And your dealings?

2 JUROR: They were adversaries on cases, and I know
3 people at the law firm.

4 THE COURT: Okay. Thank you.

5 JUROR: Juror 144. I've worked with an attorney at
6 Pryor Cashman as a client.

7 THE COURT: Okay.

8 JUROR: Likewise. Oh, Juror 182. Likewise. I know
9 lawyers at both Pryor Cashman and Alston & Bird.

10 THE COURT: Okay. Anybody else?

11 I'm now going to read the names of potential witnesses
12 in this case as well as other individuals whose names may be
13 mentioned during the trial:

14 Aaron Mitchell. Adalberto Cattabriga. Alex Soltani.
15 Alex Hadjicharalambous. Alexandra Gale. Amin Shams. Amy
16 Buck. Ana Izquierdo. Andrew Zitman. Anthony Alecci. Anthony
17 Dibatista. Anthony Martinez. Ava Chan. Baorong Liu. Bin
18 Guo. BJ Pendergast. Bo Collins. Bruce Frederick. Chelsea
19 Grady. Chingwa Wang. Do any of you know any of these
20 individuals or have any of your family members or close friends
21 had dealings, directly or indirectly, with those individuals?

22 I'm now going to read another list of names:

23 Christina Schatz. Christine Frosini. Christine Li.
24 Courtney Benitez. Crystal Wang. Damon Lope. Daniel
25 Podhaskie. Darren Blanton. Darren Loos. David Lasky. Defeng

O5N1GUOVD3

1 Cao, also known as Wayne. Doaa Dashoush. Ehsan Haque. Ehsan
2 Mahsud. Elaine Dellapia. Erica Buonocore. Erin McNamara.
3 Fay Fay. Gabriela Luciano. Do any of you know or have any of
4 your family members or close friends had any dealings, directly
5 or indirectly, with those people?

6 JUROR: Juror 144. I don't know if it's any relation,
7 but Christina Li.

8 THE COURT: Okay. Thank you.

9 Do any of you know or have you had direct dealings
10 with the following people:

11 Giacomo Mattioli; Gladys Chow; Haidong Hao; Haitham
12 Khaled; Haley Richins; Haoran He; Hongfei Guo; Isabelle
13 Despins; Jamie Wilson; Jammy Tam; Janie Du; Jason Miller; Jenny
14 Li; Jeremy Tempkin; Jesse Brown; Jessica Mastrogiovanni;
15 Jessica Volchko; Jian Peng; and Jianhu Yi? Anyone?

16 JUROR: Juror 169. The name's probably kind of
17 common, but Jason Miller is a counterparty at a vendor.

18 THE COURT: You said you were 169? Okay. Thank you.
19 Anyone else?

20 JUROR: 182. Jeremy Tempkin is a close friend of
21 mine.

22 THE COURT: Thank you.

23 All right. I'm going to read some more names:

24 Jieyu Bian. John Morgan. Joseph Hugdahl. Juliana
25 Lister. Justine Atwood. Karin Maistrello. Katherine Miles.

O5N1GUOVD3

1 Katrina Laperuta. Kelly Noh. Kevin Ma. Kin Min (William) Je.
2 Kit Addleman. Kyle Bass. Lan You. Le Zhou. Lee Chu.
3 Limarie Reyes Molinaris. Lin Chao. Lonny Soza. Louie
4 Bonsoukan.

5 Anyone?

6 JUROR: Juror 141. Kyle Bass is a client of my firm,
7 a large broker-dealer.

8 THE COURT: Anybody else?

9 JUROR: Juror 169. A co-worker, Kevin Ma.

10 THE COURT: Juror 141, would you step up, please.

11 (At the sidebar)

12 THE COURT: So I thought you folks were going to
13 remain here.

14 MR. FERGENSON: Then when you introduced us, we wanted
15 to be at the table.

16 THE COURT: Oh, that's a good idea. Very good.

17 (Juror present)

18 THE COURT: All righty. Sir, you're number 141?

19 JUROR: 141.

20 THE COURT: And your name?

21 JUROR: XXXXXXXXXXXX.

22 THE COURT: And what is your relationship with Kyle
23 Bass?

24 JUROR: So I work in prime brokerage, and we finance
25 his—his hedge fund, Hayman Capital, so we lend them stock, we

O5N1GUOVD3

1 lend them money to make investments, and I talk to his staff,
2 and I've talked to him probably a few times but usually just
3 his staff. He's covered all my team. So the guy who sits
4 right beside me covers Hayman, and I back him up a lot.

5 THE COURT: Do you have any strong feelings about him?

6 JUROR: No, not particularly. I know he's got
7 feelings about China, and I've seen him on CNBC all the time,
8 but my interaction is pretty limited with him. It's more with
9 his—Hayman Capital.

10 THE COURT: Do you have any feelings about Hayman
11 Capital?

12 JUROR: Not particularly. It's just one of our hedge
13 fund clients.

14 THE COURT: If I were to tell you that he would be a
15 witness in this case, would you be able to judge his testimony
16 in the same way that you would judge anyone else's testimony?

17 JUROR: I think so.

18 THE COURT: What do you mean you think so?

19 JUROR: Yes.

20 THE COURT: Would you feel that you had to see him
21 favorably, more favorably than another witness because of your
22 business relationship with him?

23 JUROR: No.

24 THE COURT: Would you have a bias against him?

25 JUROR: No.

O5N1GUOVD3

1 THE COURT: All right. You can step back, for a
2 moment. You'll just step back to where this young lady is
3 standing.

4 (Juror not present)

5 THE COURT: What do you want me to ask?

6 MR. KAMARAJU: Just if the fact that the case involves
7 allegations regarding an investment at Hayman, whether that
8 would affect his ability to be impartial at all.

9 MS. SHROFF: Also, your Honor, I think that he should
10 be told that Mr. Bass is a cooperating witness for the
11 government.

12 MR. FINKEL: Whoa.

13 MS. SHROFF: Please don't interrupt me. I'm speaking.
14 You're free to talk after me.

15 The government is going to call Kyle Bass as its
16 witness. He would literally have to return a verdict—he would
17 have to feel confident that he could return a verdict and not
18 have a problem telling Kyle Bass or anyone who works for Kyle
19 Bass that, I sided with the other side. So that would be an
20 issue, right? Kyle Bass is going to testify. He manages Kyle
21 Bass's fund. Part of his income depends on what Kyle Bass and
22 Kyle Bass's fund does. So somebody would actually have to have
23 the strength to return a verdict against that entity for whom
24 they work. I mean, you'd have to have—

25 THE COURT: So isn't there an inherent conflict?

O5N1GUOVD3

1 MS. SHROFF: Yes. That's why he should be excused for
2 cause, without a doubt.

3 MR. FINKEL: No objection.

4 MR. KAMARAJU: That's our view.

5 THE COURT: All righty. I'm going to dismiss him for
6 cause.

7 MR. FINKEL: Just for the record, Kyle Bass is not a
8 cooperating witness.

9 THE COURT: Okay. That's it.

10 (In open court)

11 THE COURT: Going through another list of names:

12 Lu Zhu. Luc Despins. Madeleine Despins. Maggie
13 Sklar. Maggie Murphy. Marios Mamzeris. Mark Williams.
14 Marvin James Sawyer. Matt Smith. Matteo Gandini. Matthew
15 Pottinger. Max Krasner. Mei Guo. Melissa Baccari. Melissa
16 Francis. Melissa Mendez. Meng Tong Zang. Minran Wu. Na
17 Zhou. Nicholas DiMarino.

18 Anyone familiar with those individuals or have any
19 relatives or close friends who have dealings with those
20 individuals?

21 Nickie Lum Davis. Nicole Torres. Nicole Tsai. Nina
22 Peng. Olivia Sebade. Paolo Sozzi. Patrick Chin. Patrick
23 York. Paul Doran. Paul Hinton. Prakazrel Michel. Priya
24 Patel. Qiang Guo, also known as Mileson. Qidong Xia, also
25 known as "Long Island David." Rachel Campbell. Rachel

O5N1GUOVD3

1 Cartwright. Ray Dragon. Robert Stout. Robin Mokhtar. Ross
2 Heinemeyer.

3 Anybody know those individuals or have relatives or
4 close friends who have dealings with those individuals?

5 I continue: Ruizheng An, also known as Ryan and
6 "Crab." Russell Stockil. Ryan Sears. Sam Roberts. Sara Wei.
7 Scott Barnett. Shamel Medrano. Simon Je. Sophia Chen.
8 Steele Schottenheimer. Steve Bannon. Steve Weber. Tedroy
9 Wilson. Tom Bishop. Tom O'Leary. Una Wilkinson. Victor
10 Cerda. William Kumpf. Xiaobo He. Xiaoke Min.

11 Do any of you know those individuals or have relatives
12 or close friends who have dealings with them?

13 More names: Ya Li. Yanping (Yvette) Wang. Yanping
14 Liu. Yi Shing Lee. YinYang Wang, also known as Aila.
15 Yongbing Zhang. Zachary Effting. Zhaoying Ye. And Zhengqiao
16 Du.

17 Anyone know these individuals or have relatives or
18 close friends who have dealings with those people?

19 The witnesses in this case may include one or more of
20 what is known as an accomplice or cooperating witness, a person
21 who has admitted to participating in crimes related to the
22 indictment, as well as other crimes. Is there anything about
23 the fact that cooperating witnesses may testify in this case
24 that would prevent you from being a fair and impartial juror?

25 I'm now going to read the names of potential

O5N1GUOVD3

1 businesses or entities that may be mentioned during the trial:

2 ACA Capital. Armanino. Bank of Princeton. Bitgo,
3 Brioni. Dallas Lamborghini. Eastern Profit. Ferrari Beverly
4 Hills. Freedom Media Ventures. G Bank. G Coins. G Clubs. G
5 Fashion. G Mall. G Media. G Music. G News. Gettr. Golden
6 Spring. Greenwich Land.

7 Do you or family members or close friends have
8 dealings with these entities?

9 Okay. What is your number?

10 JUROR: (106) It's Giter, G-I-T-E-R?

11 THE COURT: No. G-E-T-T-R. So you don't have any
12 relationship to that? Okay. I'm going to go forward with—oh.

13 JUROR: Juror 144. Bitgo.

14 THE COURT: Okay. Thank you.

15 I want to go through some other names of entities.

16 GTV. H Coin. Hamilton Investment. Hayman Capital.
17 HCHK Property Management. HCHK Technologies. Himalaya
18 Exchange. Himalaya Farm Alliance. HR Owen. Hudson Diamond.
19 Jovial Century. Jumio. Maywind. MBaer Bank. Mercantile
20 Bank. Mountains of Spices. New Federal State of China.
21 NexBank. OSC/Orbit Service Company.

22 If you have already spoken to me at the sidebar about
23 any of these entities, you need not answer now. So anybody
24 know these entities or have family members or close friends who
25 have dealt with these entities?

O5N1GUOVD3

1 I'm going to go further down the list.

2 Passione Rossa. Phaxis. Post Oak Motors.

3 Promemoria. RH Southeby's, spelled S-O-U-T-H-E-B-Y apostrophe

4 S. Rule of Law Foundation. Rule of Law Society. Strategic

5 Vision. Taurus Management. Voice of Guo. Voice of Good.

6 Anyone know these entities or have family members or

7 close friends who have dealt with them?

8 JUROR: Can you please confirm that you said

9 Sotheby's?

10 THE COURT: Well, this is not spelled the same way as

11 Sotheby's. Sotheby's does not have a U. This is called RH and

12 S-O-U-T-H-E-B-Y apostrophe S. My understanding is that

13 Sotheby's does not have a U. If anybody wants to correct me,

14 that would be fine.

15 Yes. Okay. So—

16 JUROR: Okay. It's the other Sotheby's. Never mind.

17 THE COURT: Okay. All righty. I'm going to continue

18 with another list. And this is a list of locations where

19 events in this case took place.

20 188 East 64th Street in Manhattan.

21 19 Houhai Beiyan, Xicheng District, Beijing, People's
22 Republic of China.

23 20 South Bay Road, Repulse Bay, Hong Kong.

24 3 Columbus Circle, New York, New York.

25 373 Taconic Road, Greenwich, Connecticut.

O5N1GUOVD3

1 The Crocker Mansion, 675 Ramapo Valley Road, Mahwah,
2 New Jersey.

3 Pangu 7 Star Hotel, Beijing, Chaoyang, Beijing,
4 People's Republic of China.

5 Sherry-Netherland, 781 Fifth Avenue, Apartment 1801,
6 in Manhattan.

7 Are any of you familiar with these locations?

8 Your number?

9 JUROR: 108. My father works at the Sherry-Netherland
10 Hotel.

11 THE COURT: Okay. What is his job there?

12 JUROR: He's a houseman.

13 THE COURT: And has your father brought up anything
14 having to do with this case?

15 JUROR: Not to my knowledge, no.

16 THE COURT: All right. Counsel, would you approach,
17 please.

18 (At the sidebar)

19 THE COURT: Are there any further questions you would
20 like me to ask?

21 MR. KAMARAJU: I think it would be helpful to know the
22 period of her father's employment.

23 THE COURT: Let's assume that he was employed during
24 the time in question. Anything further?

25 MR. SCHIRICK: Whether she's aware of the fire, maybe;

O5N1GUOVD3

1 whether she heard from her father about the fire.

2 MR. FINKEL: The fire is not going to be evidence.

3 THE COURT: The fire is not coming in.

4 MS. SHROFF: I understand. I was more interested in
5 hearing about whether or not her father had ever expressed any
6 views of the tenants at Sherry-Netherland, you know, that's
7 all, because it could—one could be left with a bias if
8 somebody, you know, like the other gentleman who came forward
9 and said—

10 THE COURT: He doesn't like rich people.

11 MR. KAMARAJU: Or she may not know him by the name
12 Miles Guo.

13 MR. FINKEL: Your Honor, if I may, maybe just the
14 question, have you heard anything from him about the defendant,
15 Miles Guo, and if the answer is no—

16 MS. SHROFF: That doesn't cover the bias.

17 MR. KAMARAJU: She may not know him by the name Miles
18 Guo. Her father may have said, like, there's a rich Chinese
19 tenant—

20 THE COURT: Was he a tenant or did he own that?

21 MR. KAMARAJU: Well, his family owned it.

22 MS. MURRAY: It's a hotel and it's a condominium
23 complex.

24 THE COURT: So it's not a rental.

25 MR. KAMARAJU: No.

O5N1GUOVD3

1 THE COURT: All right. Let's have her come up.

2 (Juror present)

3 THE COURT: Hello. You're No. 108.

4 JUROR: That's correct.

5 THE COURT: Has your father made comments to you about
6 the people who live at the hotel, rather, the condominium
7 section of the hotel?

8 JUROR: Yes, I'm aware of certain tenants that occupy
9 the building, or rather own floors in the building, now that
10 that is something that is allowed.

11 THE COURT: Has he mentioned Miles Guo?

12 JUROR: No.

13 THE COURT: Has he mentioned a Mr. Kwok?

14 JUROR: Correct, yes, he has.

15 THE COURT: And what has he said?

16 JUROR: That he tried to burn the floor down, if I may
17 be so frank.

18 THE COURT: Okay. All right then. You may step back.

19 JUROR: Sure.

20 (Juror not present)

21 THE COURT: Okay. Well, I think she needs to be
22 dismissed for cause.

23 MS. SHROFF: Thank you, your Honor.

24 MR. KAMARAJU: Thank you, your Honor.

25 THE COURT: Okay.

O5N1GUOVD3

1 (In open court)

2 THE COURT: Anyone else?

3 JUROR: Juror 199. 3 Columbus Circle.

4 THE COURT: I'm sorry. There you are. And what is
5 your relationship to that location?

6 JUROR: I worked at that building.

7 THE COURT: In what capacity?

8 JUROR: My company had an office there.

9 THE COURT: And during what period of time?

10 JUROR: 2020-2023.

11 THE COURT: 2020-2023?

12 (At the sidebar)

13 THE COURT: What is the defendant's relationship to
14 that location?

15 MS. MURRAY: So the defendant moved the operations of
16 various entities from the townhouse on the Upper East Side to 3
17 Columbus Circle. They operated on two different floors. It
18 would be family offices, Gettr, HCHK, a number of the other
19 entities named as members of the conspiracy. It's a very large
20 conference building right off the Time Warner. We'd be
21 interested to know what company she works for and whether she
22 had any dealings with any of those floors or any of those
23 entities.

24 THE COURT: What floors are those?

25 MS. MURRAY: I believe they're 20 and 22.

O5N1GUOVD3

1 THE COURT: Okay.

2 (Juror present)

3 THE COURT: Hi there. What is your number?

4 JUROR: 199.

5 THE COURT: And your name?

6 JUROR: XXXXXXXXXXXX.

7 THE COURT: And what floor was your company on?

8 JUROR: 5.

9 THE COURT: On 5. And did you have any dealings with
10 the companies on floors 20 and 22?

11 JUROR: No.

12 THE COURT: Were you familiar with any of the names of
13 the entities, companies that I mentioned in the long list?

14 JUROR: No.

15 THE COURT: All righty. You may step back.

16 (Juror not present)

17 MS. SHROFF: That's fine.

18 THE COURT: Yeah, I don't see any reason to dismiss
19 her.

20 (In open court)

21 THE COURT: Do any of you know or have any of you or a
22 member of your family or close friends had any association or
23 business dealings with any member of the staff of the United
24 States Attorney's Office for the Southern District of New York,
25 the Federal Bureau of Investigation, the Securities and

O5N1GUOVD3

1 Exchange Commission, or the SEC, or the Department of Homeland
2 Security?

3 For those of you who have already informed me of
4 relationships with any of those governmental entities, you need
5 not tell me again.

6 JUROR: Juror 203. This pertains to the previous
7 question. I just—I work at 1 Columbus Circle, and I know of
8 that area.

9 THE COURT: Okay. Thank you.

10 JUROR: 151. My cousin's husband works for the FBI.

11 THE COURT: I'm sorry. You're 151 and your—

12 JUROR: And my cousin's husband works for the FBI.

13 THE COURT: Your cousin's husband works for the FBI.
14 Are you close to your cousin?

15 JUROR: Pretty much, yeah.

16 THE COURT: Are you close to her husband?

17 JUROR: Somewhat. Not as close as I am to her.

18 THE COURT: All right. Thank you for letting me know.

19 JUROR: No problem.

20 THE COURT: Remember, if you've already answered the
21 question, please don't answer again.

22 Go ahead.

23 JUROR: 162. I work for the Securities and Exchange
24 Commission. I put that on the form, but I'm not sure whether
25 that got to you or not.

O5N1GUOVD3

1 THE COURT: Okay. Thank you.

2 JUROR: Juror 141. A good friend of mine used to run
3 the—he was the head prosecutor for the U.S. Southern District
4 of New York.

5 THE COURT: All right. Who's next?

6 JUROR: Hi. I am currently the coordinator for—160.
7 I'm currently the coordinator for County of Rockland, and I
8 have tried several District—US District Court cases, civil
9 cases, with the U.S. Attorney's Office.

10 THE COURT: Thank you.

11 Anyone else?

12 JUROR: 127. My brother was an enforcement attorney
13 at the SEC.

14 THE COURT: Thank you.

15 Anyone else?

16 JUROR: 194. My daughter worked for Homeland
17 Security.

18 THE COURT: Did you say 134?

19 JUROR: 194.

20 THE COURT: 194. Okay. Thank you.

21 Anyone else?

22 JUROR: 154. My boyfriend works for Homeland
23 Security.

24 MS. SHROFF: I'm sorry. I didn't hear that.

25 THE COURT: 154 says that her boyfriend works for

O5N1GUOVD3

1 Homeland Security.

2 Thanks for telling me.

3 JUROR: 108. I work for the Department of Homeland
4 Security.

5 THE COURT: All right. Thank you.

6 Have you or a family member—I'm sorry? Oh, one more?

7 JUROR: 149. Former relationship with a special
8 agent.

9 THE COURT: All righty. Thank you.

10 Have you or a family member or close friend ever been
11 employed by any federal, state, or local law enforcement agency
12 or the justice system? Only answer to the extent that you have
13 not answered that question already.

14 What number are you?

15 JUROR: 125.

16 THE COURT: Okay. Go ahead.

17 JUROR: May I approach instead of—

18 THE COURT: Yes, you may.

19 (At the sidebar; juror present)

20 THE COURT: Your number again?

21 JUROR: 125.

22 THE COURT: Go ahead.

23 JUROR: Yeah. I apologize if I missed the opportunity
24 on a form, 'cause this goes to this area. My dad's a retired
25 judge.

O5N1GUOVD3

1 THE COURT: And where did he work?

2 JUROR: Bronx. He was a New York State Supreme Court
3 justice.

4 THE COURT: What's his name?

5 JUROR: XXXXXXXXXXXX.

6 THE COURT: Yes. Absolutely.

7 Is there anything about your father's career or his
8 work that would prevent you from being a fair and impartial
9 juror?

10 JUROR: I believe I'm kind of biased toward justice,
11 that if something gets to the point of trial, it's—takes a lot
12 of work and effort to get there, so I'm—and I've been told by
13 friends that I tend to be biased, you know, towards the side
14 of—

15 THE COURT: In what regard?

16 JUROR: —justice.

17 THE COURT: Yes. I think we all like justice. But
18 you're saying you're biased in favor of one party here or the
19 other?

20 JUROR: No particular party, but just in general, my
21 tendency is to err on the side—like, if somebody got to the
22 point of trial, they most likely are guilty.

23 THE COURT: You're saying that if someone's been
24 accused of a crime, you think they are guilty, most likely.

25 JUROR: That's—that's how I feel. That's what

O5N1GUOVD3

1 friends have told me.

2 THE COURT: And so you have a bias against the
3 defendant in that case then.

4 JUROR: I may— that may—may be, you know, conscious,
5 subconscious, but that's what I—what I've been told.

6 THE COURT: Okay. All righty. You may step back.

7 JUROR: Oh, if I may, I also have several family
8 members that work in the court system. If that has any impact.

9 THE COURT: Okay. Thank you.

10 (Juror not present)

11 THE COURT: Okay.

12 MS. SHROFF: I guess it's if the barbells didn't do
13 it, I guess—

14 THE COURT: This is 125?

15 JUROR: Yes.

16 THE COURT: Okay. Who else?

17 (Next juror present)

18 JUROR: My son is NYPD. He's a cop.

19 THE COURT: Thank you very much. You may step back.

20 (Juror not present)

21 (Next juror present)

22 JUROR: 138.

23 THE COURT: Go ahead.

24 JUROR: My niece is an FBI agent.

25 THE COURT: And is there anything about her work that

O5N1GUOVD3

1 would prevent you from being a fair and impartial juror in this
2 case?

3 JUROR: We don't discuss her work.

4 THE COURT: So if we have people who work for the FBI
5 as witnesses, can you judge their testimony in the same way
6 that you would judge any other person's testimony?

7 JUROR: Yes.

8 THE COURT: And do you think that you would believe
9 that it's more likely that they would tell the truth?

10 JUROR: I would hear what they have to say and make a
11 judgment based on what they say.

12 THE COURT: All right. So you don't feel that you
13 have a bias in favor—

14 JUROR: No.

15 THE COURT: —of law enforcement.

16 JUROR: No.

17 THE COURT: Do you have a bias against law
18 enforcement?

19 JUROR: Not at all.

20 THE COURT: Okay, then. You may step back.

21 (Juror not present)

22 THE COURT: That's it?

23 (In open court)

24 THE COURT: Have you or a family member, either
25 individually or in the course of business, ever been party to

O5N1GUOVD3

1 any legal action or dispute with the United States or with any
2 of the offices, departments, agencies, or employees of the
3 United States, or had any interest in any such legal action or
4 dispute or its outcome?

5 JUROR: Juror 179. I have a bit of a situation with
6 the Department of Social Services in Rockland County.

7 THE COURT: All righty. Thank you.

8 Anyone else?

9 JUROR: Juror 189. I had a, in Rockland
10 County—what's it called—I got a fine for doing some handiwork
11 without a license. Construction.

12 THE COURT: So how was that resolved?

13 JUROR: I just paid a fine.

14 THE COURT: Do you know what agency that was that you
15 were dealing with?

16 JUROR: Rockland County.

17 THE COURT: In other words, was it the Department of
18 Buildings?

19 JUROR: Buildings.

20 THE COURT: And did you feel that they treated you
21 fairly?

22 JUROR: Yeah, I guess so. I don't know—I don't know
23 the procedures really, so I think so. I'm not sure. Yeah, I
24 guess so. I'm here today.

25 THE COURT: Well, sometimes when we have a dealing

O5N1GUOVD3

1 with the government, we might feel that we're not being treated
2 fairly, and so that's what I'm trying to get at. Do you feel
3 that you were treated fairly?

4 JUROR: I think so, yeah.

5 THE COURT: Would that experience that you had with
6 them cause you to have a bias in favor of the government in
7 this case?

8 JUROR: I don't—I'm not sure. I don't know.
9 Probably.

10 THE COURT: Okay. Anybody else?

11 Your number again, sir?

12 JUROR: 189.

13 THE COURT: 189.

14 Does anyone have any bias, prejudice, or other strong
15 feelings for or against the United States Department of
16 Justice, United States Attorney's Office, or any law
17 enforcement agency?

18 Your number, sir?

19 JUROR: 179.

20 THE COURT: Go ahead.

21 JUROR: I just believe justice is a fallacy.

22 THE COURT: All right. Anybody else?

23 JUROR: Juror 159. My sister-in-law is a public
24 defender so that's impacted my view of the justice system.

25 THE COURT: Okay. Go ahead. Anybody else?

O5N1GUOVD3

1 Have any of you read, heard, or seen anything in the
2 newspapers or on the internet or on TV about this case?

3 And I'm only asking about those who have not already
4 answered this question.

5 I'd like you to step up, please.

6 (At the sidebar; juror present)

7 THE COURT: Hi there. What is your number?

8 JUROR: 127.

9 THE COURT: Okay. You may step back.

10 JUROR: I'm sorry?

11 THE COURT: You may step back.

12 JUROR: Okay, thanks.

13 (Next juror present)

14 THE COURT: Hi. What's your number?

15 JUROR: 121.

16 THE COURT: You may step back.

17 (Next juror present)

18 THE COURT: Hi. What's your number?

19 JUROR: 129.

20 THE COURT: You may step back.

21 (Next juror present)

22 THE COURT: Hello. What's your number?

23 JUROR: 143.

24 THE COURT: You may step back.

25 (Next juror present)

O5N1GUOVD3

1 THE COURT: Your number?

2 JUROR: 151.

3 THE COURT: 151? You may step back.

4 JUROR: Okay.

5 (Next juror present)

6 THE COURT: Your number, sir?

7 JUROR: 159.

8 THE COURT: You may step back.

9 JUROR: Thank you.

10 (Next juror present)

11 THE COURT: Your number?

12 JUROR: 166.

13 THE COURT: Okay. And so what is it that you'd like
14 to tell me?

15 JUROR: Oh, I first became aware of the defendant—I
16 first became aware of the defendant when actually Steve Bannon
17 was arrested. I think he was on his boat. And then I've just
18 kind of been following that and seeing that this was coming to
19 trial.

20 THE COURT: So it's normal that you would read the
21 newspaper or—

22 JUROR: Sure.

23 THE COURT: —listen to the TV, and this has gotten
24 media attention, and so the question becomes then, can you put
25 aside what you've already heard and come into the courtroom

O5N1GUOVD3

1 with an open mind, hear the witness testimony, look at the
2 evidence, the documentary evidence, and follow my instructions
3 on the law and be a fair and impartial juror?

4 JUROR: I would say yes normally, but the tie of Steve
5 Bannon just for me, and then that further tie onto the former
6 president, I feel like any strong connections like that
7 make—I'm very distrustful of those individuals, so I don't
8 know that I could be impartial.

9 THE COURT: So everyone comes to this courtroom with
10 biases. I have biases. But I have to put them aside in order
11 to—

12 JUROR: I will do my best.

13 THE COURT: Well, I need to know more than that. I
14 want to know whether, being aware of the biases that you
15 already expressed, can you come in, put the biases aside, and
16 listen to what the witnesses have to say, read the documents
17 that are put into evidence, follow my instructions on the law,
18 and be a fair and impartial juror?

19 JUROR: Yes.

20 THE COURT: Okay. You may step back.

21 (Juror not present)

22 THE COURT: What number was that?

23 MS. SHROFF: 166.

24 THE COURT: She was rehabilitated.

25 MS. SHROFF: Your Honor, may we just make a record on

O5N1GUOVD3

1 why she should be excused for cause.

2 THE COURT: Go right ahead.

3 MS. SHROFF: And I think partially we just want to
4 make sure that the Court is aware, because I think there is
5 some degree of concern on our part that because the Court
6 doesn't have before it exactly the evidence the government is
7 going to introduce about Mr. Bannon, we'd like the Court to
8 just note, this is one of the government's exhibits. It's
9 going to be testified to in the summary chart. And it is not
10 just Steve Bannon and Mr. Guo and their relationship. They're
11 in a relationship where they jointly announce a million
12 dollars' worth of a transaction, and we have a person who has
13 now said that she did not know "if I can be impartial," she
14 could normally but she would not because, two reasons—the tie
15 to Steve Bannon and the former president. I know the Court
16 said that everybody has a bias and then she had a long shrug
17 and then she said she would try. So I think that—

18 THE COURT: So what question would you like me to put
19 to her?

20 MS. SHROFF: I think the question at the very least
21 that should be put to her is, if she heard testimony that Steve
22 Bannon and Miles Guo were in a joint venture and Mr. Bannon and
23 Mr. Guo shared a personal friendship, would she still be able
24 to evaluate Steve Bannon-related testimony fairly, would that
25 in any way improperly impact her decision-making? Because

O5N1GUOVD3

1 here's the concern we've had—and I think we were planning to
2 raise this down the road with Nos. 11 and 15—that it's not a
3 business relationship. It's not simply a business
4 relationship. Joe Biden and Kamala Harris have a business
5 relationship. There's also a trust, a sort of like—it's much
6 more; it's almost like a partnership, right? The two of them
7 are walking in tandem. Kamala Harris is never going to say
8 anything negative about Joe Biden or the other way. They have
9 each other's back. That's the level of the relationship. He
10 was arrested on that person's boat, that the testimony is he's
11 been on that boat for weeks. The government is going to ask
12 them to draw the conclusion that these two men are tight.
13 They're co-conspirators. Not just co-conspirators, but they
14 have a relationship so deep that one would speak for the other.
15 It goes beyond what the government is just sort of saying, it's
16 a business relationship. That's not how the evidence is going
17 to come in.

18 MR. FINKEL: Your Honor, if I may.

19 THE COURT: Yes.

20 MR. FINKEL: Miles Guo is on trial, not Steve Bannon.
21 I think the question that your Honor asked to the juror was an
22 appropriate one, which is, understanding everyone enters this
23 courtroom with some preconceived notions and some biases, can
24 you put those to the side and evaluate the evidence in this
25 trial, and she said yes. I would have no objection—the

O5N1GUOVD3

1 government would have no objection to your Honor inquiring
2 about whether her knowledge of Steve Bannon would bias her
3 against the defendant. If she answered yes to that question,
4 the government would probably agree that she should be struck
5 for cause. But seeing a negative answer to that question,
6 there should not be a strike for cause. Of course she'd be
7 subject to peremptory challenges.

8 MS. SHROFF: She should be stricken for cause. She
9 literally just said the thing that would topple her the most
10 is—she literally said, in a normal circumstance, I would be
11 able to put it aside. The tie to Steve Bannon, that—those
12 were her words, the tie to Steve Bannon. And here, the
13 government—Mr. Bannon is on trial because they've argued that
14 he's a co-conspirator and those two acted in tandem. That is
15 why they're trying to get in his statement and all of the other
16 co-conspirator statements, right?

17 THE COURT: So what if I were to ask her that if Steve
18 Bannon is an unindicted co-conspirator, would that cause her to
19 have a bias against Mr. Guo?

20 MS. SHROFF: That would be a fair question, as long as
21 she understands what an unindicted co-conspirator is. If you
22 can tell her the allegations here are that Mr. Guo and
23 Mr. Bannon worked hand in hand, according to the government,
24 could you still be fair to Mr. Guo, that would be an okay
25 question.

O5N1GUOVD3

1 THE COURT: All right.

2 MR. FINKEL: Whether she could put whatever biases she
3 has to the side.

4 MS. SHROFF: The question—

5 MR. FINKEL: Excuse me, Ms. Shroff.

6 THE COURT: One moment. One moment.

7 Go ahead.

8 MR. FINKEL: All I was saying is that the question is
9 whether, ultimately, anyone can put away what they know about
10 and learned about outside the courtroom and evaluate what's in
11 the courtroom, following your Honor's instructions, and if a
12 juror can do that, she shouldn't be struck for cause.

13 MS. SHROFF: It's not a question of bias and common
14 sense from the outside, right? What you're saying is, Bannon
15 is untrustworthy, so Miles Guo is untrustworthy. Bannon is
16 making a promise that you cannot rely on because you have
17 negative opinions of Bannon, and where Bannon goes, Guo goes.
18 So in essence, you are asking for her to distinguish between
19 the two. If you accept that the two are close, would you then
20 be able to evaluate and give a fair verdict to Guo because of
21 the feelings towards Bannon?

22 (Juror present)

23 THE COURT: You have said that you have negative
24 feelings about Steve Bannon.

25 JUROR: Yes.

O5N1GUOVD3

1 THE COURT: The prosecution alleges that Mr. Bannon
2 conspired with Mr. Guo to commit crimes. Would you be able to
3 put aside your feelings about Mr. Bannon and be fair and
4 impartial as a juror to Mr. Guo?

5 JUROR: I guess the best I can answer to that is I
6 don't know.

7 THE COURT: Okay. You may step back.

8 (Juror not present)

9 MS. SHROFF: We challenge for cause.

10 THE COURT: All right.

11 MR. KAMARAJU: In case it wasn't obvious.

12 MR. FINKEL: For the record, no objection from the
13 government.

14 THE COURT: What number was that?

15 MS. SHROFF: 166.

16 THE COURT: I hope we can get a jury.

17 MR. FINKEL: It's kind of close.

18 (Next juror present)

19 THE COURT: What number are you?

20 JUROR: 176.

21 THE COURT: All righty. You can step back.

22 Was that it? Okay.

23 (In open court)

24 THE COURT: This trial will likely generate media
25 attention. Will each of you follow my instruction that you

O5N1GUOVD3

1 should absolutely avoid reading, watching, or listening to
2 media reports concerning the case, including coverage of the
3 case on social media like Facebook, Twitter, blogs, etc., until
4 after the case is over? Can you all promise that to me?

5 THE JURORS: Yes.

6 THE COURT: Is there anybody who cannot follow that
7 instruction?

8 Will each of you follow my instruction that you may
9 not research or talk about the case with other people until the
10 case is over?

11 THE JURORS: Yes.

12 THE COURT: Is there anyone who cannot follow that
13 instruction, or will not follow that instruction?

14 As I mentioned, during the trial, you will hear
15 evidence concerning an alleged racketeering conspiracy
16 involving wire fraud, securities fraud, bank fraud, and money
17 laundering. Will the nature of the charges affect your ability
18 to render a fair verdict?

19 Have you or anyone else close to you been involved in
20 any proceeding involving United States Securities and Exchange
21 Commission, or the SEC?

22 If you have already answered this question, please do
23 not answer again.

24 Have you or anyone close to you ever filed for
25 bankruptcy or been involved in a bankruptcy proceeding?

O5N1GUOVD3

1 JUROR: I had to declare personal bankruptcy—oh,
2 sorry. 111.

3 THE COURT: Go ahead.

4 JUROR: Yes. I had to declare bankruptcy, personal
5 bankruptcy, over 20 years ago.

6 THE COURT: Okay. Thank you.

7 JUROR: 204. I filed for bankruptcy.

8 THE COURT: All righty. You may step up.

9 (At the sidebar; juror present)

10 THE COURT: Hi there. Are you No. 204?

11 JUROR: Yes.

12 THE COURT: What's your name?

13 JUROR: XXXXXXXXXXXX.

14 THE COURT: And when is it that you applied for
15 bankruptcy?

16 JUROR: Applied or when it happened?

17 THE COURT: Both.

18 JUROR: Okay. 2024—about five years ago.

19 THE COURT: And is the bankruptcy case concluded?

20 JUROR: Yes.

21 THE COURT: If you hear anything concerning bankruptcy
22 in this case, would you be able to put aside your own personal
23 experience and come into the court with an open mind, listen to
24 the witness testimony, read the documentary evidence, follow my
25 instructions on the law, and be a fair and impartial juror?

O5N1GUOVD3

1 JUROR: Yeah, sure.

2 THE COURT: Okay. You can step back.

3 (Juror not present)

4 THE COURT: Any objection to my keeping her?

5 MR. KAMARAJU: Not from us, your Honor.

6 MS. MURRAY: No, your Honor.

7 (Next juror present)

8 THE COURT: Hi there. What number are you?

9 JUROR: 160.

10 THE COURT: 160. You may step back.

11 JUROR: Okay.

12 (Juror not present)

13 THE COURT: Is that it? Okay.

14 (in open court)

15 THE COURT: Do you or anyone close to you have any
16 strong views about the Chinese government or the Chinese
17 Communist Party?

18 All right. Step up.

19 (At the sidebar)

20 THE COURT: What is it that you want me to get at with
21 this question?

22 MR. KAMARAJU: I think, like yesterday, if somebody
23 says they've had contact or knowledge of the Chinese Communist
24 Party, you can simply ask them, can you put those aside and be
25 a fair and impartial juror?

O5N1GUOVD3

1 (Juror present)

2 THE COURT: Okay. What number are you?

3 JUROR: 101.

4 THE COURT: All right. You may step back.

5 (Next juror present)

6 THE COURT: What number are you, sir?

7 JUROR: 113.

8 THE COURT: You may step back.

9 (Next juror present)

10 THE COURT: Your number, sir?

11 JUROR: 111.

12 THE COURT: You may step back.

13 JUROR: Okay.

14 (Next juror present)

15 JUROR: 130.

16 THE COURT: 130. You may step back.

17 (Next juror present)

18 THE COURT: Your number?

19 JUROR: 131.

20 THE COURT: 131. You may step back.

21 (Next juror present)

22 THE COURT: Your number?

23 JUROR: 166.

24 THE COURT: You may step back.

25 (Next juror present)

O5N1GUOVD3

1 THE COURT: Your number?

2 JUROR: 168.

3 THE COURT: You may step back.

4 (Next juror present)

5 THE COURT: Your number?

6 JUROR: 174.

7 THE COURT: And what is it that you feel about the
8 Chinese government or the Chinese Communist Party?

9 JUROR: Well, it's more government. Just geopolitical
10 aggression.

11 THE COURT: All right. So can you put aside what you
12 know about the Chinese government or what you heard about it
13 and come into the courtroom with an open mind and listen to the
14 witness testimony, read the documentary evidence, follow my
15 instructions on the law, and be a fair and impartial juror?

16 JUROR: I can try to.

17 THE COURT: What do you mean try? This is a yes or no
18 question.

19 JUROR: Can you repeat the question.

20 THE COURT: Sure. Can you put aside any feelings you
21 have about the Chinese government or the Chinese Communist
22 Party—

23 JUROR: Yes.

24 THE COURT: —and come into the courtroom with an open
25 mind, listen to the witness testimony, read the documentary

O5N1GUOVD3

1 evidence, follow my instructions on the law, and be a fair and
2 impartial juror?

3 JUROR: Yes. I mean, if it's yes or no, then yes.

4 THE COURT: Good. Good. You may step back.

5 (Next juror present)

6 THE COURT: What is your number, sir?

7 JUROR: 179.

8 THE COURT: No. 179. Okay. Sir, you can step back.

9 (Next juror present)

10 THE COURT: Hi. What's your number?

11 JUROR: 180.

12 THE COURT: 180. Okay.

13 JUROR: As I mentioned earlier, I work in the media
14 business. I have a global role. Part of my global team sits
15 in China so I have a lot of deals there, and just in terms of
16 operationally, operating that media business, a lot of what
17 happens there is very different than what we face in the rest
18 of the world and how we have to conform is—there's a heavy
19 hand based on what we can and can't do, so I would say that I
20 do have a negative opinion of it, just based on my own
21 dealings.

22 THE COURT: So you're talking about censorship, right?

23 JUROR: Correct.

24 THE COURT: So can you—

25 JUROR: I wasn't sure the nature of your question out

O5N1GUOVD3

1 there, exactly.

2 THE COURT: Can you put aside your feeling about the
3 Chinese government and come into the courtroom with an open
4 mind, listen to the witnesses testify, read the documentary
5 evidence, follow my instructions on the law, and be a fair and
6 impartial juror?

7 JUROR: Yes.

8 THE COURT: All righty. Step back, please.

9 (Next juror present)

10 THE COURT: What is your number, please?

11 JUROR: 148.

12 THE COURT: 148?

13 JUROR: Yes.

14 THE COURT: You may step back.

15 JUROR: Thank you.

16 (Next juror present)

17 THE COURT: Hi there. What's your number?

18 JUROR: 121.

19 THE COURT: And you may step back.

20 THE LAW CLERK: That's it, Judge.

21 (In open court)

22 THE COURT: During the trial you may hear testimony
23 about or from former senior members of the Trump
24 administration, including Steve Bannon and Peter Navarro. Do
25 you have any strong views about advisors to former president

O5N1GUOVD3

1 Donald Trump, including Steve Bannon and Peter Navarro, that
2 would prevent you from being a fair and impartial juror?

3 Please step up.

4 (At the sidebar; juror present)

5 JUROR: 101.

6 THE COURT: And you may step back.

7 (Next juror present)

8 THE COURT: Your number, sir?

9 JUROR: 103.

10 THE COURT: You may step back.

11 (Next juror present)

12 THE COURT: Your number?

13 JUROR: 116.

14 THE COURT: You may step back.

15 (Next juror present)

16 THE COURT: Your number?

17 JUROR: 117.

18 THE COURT: You may step back.

19 (Next juror present)

20 JUROR: 133.

21 THE COURT: You may step back.

22 (Next juror present)

23 THE COURT: Your number?

24 JUROR: 152.

25 THE COURT: You may step back.

O5N1GUOVD3

1 JUROR: Thank you.

2 (Next juror present)

3 JUROR: 153.

4 THE COURT: 153. You may step back.

5 (Next juror present)

6 JUROR: 156.

7 THE COURT: 156. You may step back.

8 (Next juror present)

9 THE COURT: Your number?

10 JUROR: 166.

11 THE COURT: You may step back.

12 (Next juror present)

13 THE COURT: Your number?

14 JUROR: 177.

15 THE COURT: You may step back.

16 (Next juror present)

17 JUROR: 179.

18 THE COURT: You may step back.

19 (Next juror present)

20 JUROR: 174.

21 THE COURT: All righty. What you would like to tell
22 me?

23 JUROR: I just wouldn't believe anything they have to
24 say.

25 THE COURT: All right. So if I tell you that they're

O5N1GUOVD3

1 not going to actually be witnesses but their names may come
2 up—the prosecution alleges that Mr. Bannon conspired with the
3 defendant, Mr. Guo, to commit crimes. And so you have said you
4 wouldn't believe them, so I assume then you have negative views
5 about Mr. Bannon; is that correct?

6 JUROR: Correct.

7 THE COURT: Okay. So having heard the accusation that
8 I've just summarized, would your feelings about Mr. Bannon
9 prevent you from being fair as a juror to Mr. Guo?

10 JUROR: Likely. To be honest, yeah, I guess so.

11 THE COURT: Okay. You may step back.

12 (Juror not present)

13 THE COURT: What number was that?

14 MS. SHROFF: 174.

15 THE COURT: 174. Okay. He is excused.

16 (Next juror present)

17 THE COURT: Go ahead. What's your number?

18 JUROR: 143.

19 THE COURT: 143. You may step back.

20 (Next juror present)

21 JUROR: 146.

22 THE COURT: 146. Okay. Go ahead.

23 JUROR: I'm Democrat, and any Republican—I wouldn't
24 trust a Trump advisor at all.

25 THE COURT: So in this case, the prosecution alleges

O5N1GUOVD3

1 that Steve Bannon conspired with Mr. Guo to commit crimes. The
2 question is, can you put aside your feelings for Mr. Bannon,
3 come into the courtroom with an open mind, listen to the
4 witnesses in the case, read the documentary evidence, follow my
5 instructions on the law, and be a fair and impartial juror to
6 Mr. Guo?

7 JUROR: I think so, yeah.

8 THE COURT: What do you mean by "I think so"? It's a
9 yes or no question.

10 JUROR: Yes.

11 THE COURT: Yes. Okay. You may step back.

12 (Next juror present)

13 THE COURT: What's your number?

14 JUROR: 154.

15 THE COURT: 154. You may step back.

16 (Next juror present)

17 THE COURT: What's your number?

18 JUROR: 180.

19 THE COURT: 180. Go ahead.

20 JUROR: Okay. So just, Steve Bannon, I think he
21 was—I mentioned I was a new-ish American, and I didn't become
22 a US citizen until after the Trump White House because the
23 voices like Steve Bannon's relative to immigrants that made me
24 feel very scared, and even after living in this country for
25 years and years with a green card, I felt very uncomfortable.

O5N1GUOVD3

1 The rhetoric that he put forward was some of the most divisive
2 and alarming that I've ever seen.

3 THE COURT: All righty. So if you'll stay with me.

4 JUROR: All right.

5 THE COURT: So in this case the prosecution alleges
6 that Mr. Bannon was a co-conspirator of Mr. Guo, that they
7 conspired together to commit crimes. Would you be able to put
8 aside these negative feelings that you have about Mr. Bannon
9 and come into the court with an open mind, listen to the
10 witness testimony, read the documentary evidence, follow my
11 instructions on the law, and be a fair and impartial juror for
12 Mr. Guo?

13 JUROR: Look, I'd like to say that I would, and I
14 would—I would try. My hardest and—I just do have deep,
15 strong feelings relative to what this person has I think vilely
16 spread across this country. I don't think he's a good person.
17 So I would try and not let that taint my opinion in this case.
18 I understand what you're asking. I'm just being truthful.

19 THE COURT: All righty. You may step back.

20 JUROR: Thank you.

21 (Juror not present)

22 THE COURT: And I think she should be dismissed for
23 cause.

24 MR. FINKEL: What her feelings were had nothing to do
25 with his trustworthiness. It was about immigration. If your

O5N1GUOVD3

1 Honor asked her whether she understood that this case has
2 nothing to do with immigration, whether that impacts her view,
3 I think that would be appropriate. And for what it's worth,
4 she said she would try. She didn't hesitate and say no, and
5 then, well, maybe; she said, yes, I could try. I think it
6 would be appropriate for further inquiry.

7 MS. SHROFF: She called him the most vile human being,
8 vilely spreading rhetoric across the country. Yeah. No.

9 THE COURT: Vile only about immigration? No. No.
10 She is struck, No. 180.

11 (Next juror present)

12 JUROR: Hi. I'm 181.

13 THE COURT: 181. You may step back, sir.

14 JUROR: Okay. Just go back?

15 THE COURT: Go back to your seat, yes.

16 (Next juror present)

17 THE COURT: Hi there.

18 JUROR: 182.

19 THE COURT: Yes. You may step back.

20 JUROR: Okay.

21 (Next juror present)

22 JUROR: 194.

23 THE COURT: 194. You may step back to your seat.

24 (Next juror present)

25 JUROR: 197.

O5N1GUOVD3

1 THE COURT: 197.

2 JUROR: Yes.

3 THE COURT: Okay. And what did you want to say?

4 JUROR: Anything spoken by Bannon is going to be
5 questionable.

6 THE COURT: So we're not expecting him to be a witness
7 here. The prosecution alleges that Mr. Bannon was a
8 co-conspirator of Mr. Guo, that he and Mr. Guo conspired to
9 commit crimes. So the question is, can you put aside your
10 negative feelings about Mr. Bannon and come into the courtroom
11 with an open mind, listen to the witness testimony, read the
12 documentary evidence, follow my instructions on the law, and be
13 a fair and impartial juror for Mr. Guo?

14 JUROR: I'd try.

15 THE COURT: Well, it's really a yes or no kind of a
16 question.

17 JUROR: Okay. Yeah, I guess, yes.

18 THE COURT: Well, I can't have you guess either.

19 JUROR: Okay. Yes.

20 THE COURT: So do you feel that you really don't have
21 certainty about this?

22 JUROR: Yeah, it's true.

23 THE COURT: Okay. All righty. You may step back.

24 (Juror not present)

25 THE COURT: He waffled. He was 1?

O5N1GUOVD3

1 THE LAW CLERK: 197.

2 MR. FINKEL: Your Honor, he waffled, but I think he
3 said yes each time.

4 THE COURT: The problem is—

5 MR. FINKEL: You can stop laughing, Ms. Shroff. Thank
6 you.

7 THE COURT: His body language, the shrugging of the
8 shoulders, his kind of a little bit of a back-and-forth of the
9 head, the tone of his voice, I could tell that he was not
10 speaking with certainty, and I felt that it was appropriate to
11 go further.

12 Go ahead.

13 (Next juror present)

14 THE COURT: All right. What is your number?

15 JUROR: 202.

16 THE COURT: And your name?

17 JUROR: XXXXXXXXXXXX.

18 THE COURT: And what would you like to say?

19 JUROR: I was just being transparent because I don't
20 know if you guys do, like, research on the jurors or anything,
21 but like social media, I have never had anything good to say
22 about Steve Bannon or Peter Navarro, but—and I, you know, most
23 definitely will try to be objective and, you know, listen to
24 the facts and stuff, but I just didn't want it to cause a
25 problem later.

O5N1GUOVD3

1 THE COURT: All right. So you're saying that you have
2 heard negative things about those two people.

3 JUROR: Yes.

4 THE COURT: And so you have a negative impression; am
5 I correct?

6 JUROR: Correct.

7 THE COURT: All right. So in this case the
8 prosecution alleges that Mr. Bannon and Mr. Guo conspired
9 together to commit crimes, and my question for you—and this is
10 a yes or no question—can you come into the courtroom with an
11 open mind, listen to the witness testimony—Mr. Bannon will not
12 be a witness—listen to the witness testimony, read the
13 documentary evidence, following my instructions on the law, and
14 be a fair and impartial juror for Mr. Guo?

15 JUROR: Yes. I thought he was a witness. That's why
16 I was like, ah. That's what I thought the issue was. But yes,
17 I can definitely—

18 THE COURT: Well, it may be that statements of
19 Mr. Bannon may come into evidence.

20 JUROR: Oh, okay.

21 THE COURT: Not necessarily that he will be physically
22 in the courtroom, but things that he may have said may come up.
23 And so if you hear a quote of something that he said, my
24 question is, can you put aside any negative impressions and be
25 a fair and impartial juror?

O5N1GUOVD3

1 JUROR: I believe I can.

2 THE COURT: What do you mean by "I believe"? This is
3 a yes or no question.

4 JUROR: Then yes.

5 THE COURT: And you feel certain about that.

6 JUROR: Yes.

7 THE COURT: Okay. Step back.

8 JUROR: Thank you.

9 (Juror not present)

10 MS. SHROFF: Could we just ask him if he heard
11 testimony from Bannon through a recording or a video—

12 THE COURT: No.

13 MS. SHROFF: That's the evidence.

14 THE COURT: I don't see any need for that. I think
15 I've gone far enough.

16 Let's go. Come.

17 (Next juror present)

18 THE COURT: Hi there. Your number?

19 JUROR: 204.

20 THE COURT: 204. Okay. Go ahead.

21 JUROR: In regards to?

22 THE COURT: I had asked a question concerning—

23 JUROR: Right. Those gentlemen, I don't agree with
24 any of their policies or their politics, so I would certainly
25 have a very visceral opinion in regards to their involvement in

O5N1GUOVD3

1 this case.

2 THE COURT: Okay. So you have a negative opinion
3 about those people, right?

4 JUROR: Correct.

5 THE COURT: All right. So in this case, the
6 prosecution alleges that Mr. Bannon and Mr. Guo conspired
7 together to commit crimes. So my question for you is, can you
8 put aside your already-formed negative opinion about Mr. Bannon
9 and come into the court with an open mind, listen to the
10 witness testimony, read the documentary evidence, follow my
11 instructions on the law, and be a fair and impartial juror for
12 Mr. Guo?

13 JUROR: I don't think I can. If he's involved with
14 either one of those individuals, no.

15 THE COURT: Okay. Thank you. You may step back.

16 JUROR: Thank you.

17 (Juror not present)

18 THE COURT: I will excuse her for cause.

19 That's it. Okay.

20 (In open court)

21 THE COURT: Do any of you have any strong views about
22 cryptocurrency that would prevent you from being a fair and
23 impartial juror?

24 All righty. Go ahead. If you'll state your number,
25 please.

O5N1GUOVD3

1 JUROR: 121.

2 THE COURT: Are you saying that you have strong views
3 for or against cryptocurrency?

4 JUROR: Oh, I didn't hear the for or against. I'm in
5 between.

6 THE COURT: In between? And do you think that those
7 feelings would affect your ability to be a fair and impartial
8 juror?

9 JUROR: Possibly, yeah.

10 THE COURT: Okay. And again, your number is?

11 JUROR: 121.

12 THE COURT: Okay. Thank you.

13 Anybody else?

14 Is it your opinion that the actions charged in the
15 indictment as I have described them to you should not be crimes
16 or should not be prosecuted federally?

17 Have you been involved as a defendant, victim,
18 witness, or in any other way in any prosecution for fraud or
19 money laundering?

20 JUROR: 169. Just to clarify, the question was if I
21 was a witness in a prosecution?

22 THE COURT: That's one of the categories, whether you
23 were a defendant, victim, witness, or in any other way involved
24 in a prosecution for fraud or money laundering.

25 JUROR: Yes. I testified in a grand jury proceeding

O5N1GUOVD3

1 regarding—

2 THE COURT: Okay. So that's enough. Thank you.

3 The defendant is charged with acting with others in
4 committing the alleged crimes. Some of those other individuals
5 are not on trial in this case. You may not draw any inference,
6 favorable or unfavorable, towards the government or the
7 defendant from that fact. You also may not speculate as to why
8 other persons are not on trial in this courtroom. Would any of
9 you have any difficulty following that instruction?

10 Have you, a family member or close friend ever been
11 involved or appeared as a witness in any investigation by a
12 federal or state grand jury or by a congressional or state
13 legislative committee, licensing authority, or governmental
14 agency?

15 And this is posed to the people who have not answered
16 the question.

17 Have you, a family member, or close friend ever been
18 questioned in any matter by a federal, state, or local law
19 enforcement agency, including the FBI? Again, for those who
20 have not already answered the question.

21 JUROR: Juror 121.

22 THE COURT: You were questioned by law enforcement?

23 JUROR: A close friend was.

24 THE COURT: Okay. All right. Thank you.

25 JUROR: Juror 158. I was interviewed by the SEC as

O5N1GUOVD3

1 part of a regular audit of the company that I worked at.

2 THE COURT: All righty.

3 JUROR: I was—oh, 134. I was in federal court
4 proving that my son is my son.

5 THE COURT: Okay. Thank you.

6 JUROR: Juror 117. And I was present—I don't know if
7 I was a minor at the time—but my parents were questioned by
8 the FBI regarding my brother's application for Peace Corps.

9 THE COURT: Thank you.

10 JUROR: 123. I had answered questions of the FBI
11 about a security clearance.

12 THE COURT: Thank you.

13 Have you, a family member or close friend ever been a
14 witness or a complainant in a hearing or trial, whether state,
15 local, or federal? If you already have not answered the
16 question.

17 JUROR: 187. I was a witness in a murder trial.

18 THE COURT: So would that—

19 JUROR: It was in Pennsylvania.

20 THE COURT: Was that state or federal court?

21 JUROR: It was state.

22 THE COURT: And how long ago was that?

23 JUROR: About four years ago.

24 THE COURT: Did you say 40?

25 JUROR: Four.

O5N1GUOVD3

1 THE COURT: Four. So is there anything about that
2 experience, having served as a witness in a Pennsylvania court,
3 that would prevent you from being a fair and impartial juror in
4 this case?

5 JUROR: No.

6 THE COURT: Okay. Anyone else?

7 JUROR: Juror No. 178. I was a witness in a—I don't
8 even know what to call it. It was for a friend of mine whose
9 father molested her, in court.

10 THE COURT: Oh, okay. Thank you.

11 Anybody else?

12 Are you, a member of your family, or a close friend
13 now under subpoena or, to your knowledge, about to be
14 subpoenaed in a criminal case?

15 Have you, a family member or close friend ever been
16 charged with a crime? And this is for people who have not
17 answered the question.

18 Have you, a family member, or close friend ever been
19 the subject of any investigation or accusation by a grand jury,
20 federal or state?

21 Have you, a family member, or close friend ever been
22 the victim of a crime?

23 JUROR: Hi again. 119.

24 THE COURT: Go ahead.

25 JUROR: Yeah. I was the victim of an assault.

O5N1GUOVD3

1 THE COURT: You were the victim of an assault.

2 Go ahead, the next person.

3 JUROR: 179. My father attempted infanticide when I
4 was a child.

5 THE COURT: Oh, I'm so sorry to hear that.

6 Go ahead.

7 JUROR: 168. Car theft.

8 THE COURT: You said a car theft, is that it?

9 JUROR: Car theft.

10 THE COURT: 168, yes?

11 JUROR: Yes, 168.

12 JUROR: 169. My wife was the victim of an identity
13 theft that was used to conduct unauthorized financial
14 transactions.

15 THE COURT: Thank you.

16 JUROR: 123. I had a bike stolen, and I also had
17 grand larceny at my work where I had a laptop and some desk
18 supplies stolen off of it.

19 THE COURT: Okay.

20 JUROR: 122. My home was robbed.

21 THE COURT: Thank you.

22 JUROR: 153. My sister was murdered.

23 THE COURT: Oh, I'm so sorry to hear that.

24 Anyone else?

25 JUROR: 138. I was a victim of a hate crime.

O5N1GUOVD3

1 THE COURT: I'm sorry. Did you say that was 138?

2 JUROR: Yes.

3 THE COURT: What happened, sir? Did you want to talk
4 to us privately?

5 JUROR: No. It's fine. I'm gay, and I was assaulted.

6 THE COURT: I'm sorry. Did you say the date?

7 JUROR: No. I said I'm gay.

8 THE COURT: Yes.

9 JUROR: I was assaulted. I fought back. The
10 perpetrator was caught, but I didn't press charges because he
11 was a veteran, was suffering from PTSD.

12 THE COURT: So he was never held accountable for that.

13 JUROR: No.

14 THE COURT: And so the fact that you were an innocent
15 victim and the perpetrator of the crime was never held
16 accountable, would that make you want to hold Mr. Guo
17 accountable?

18 JUROR: Yes, if that is—if he is guilty of the
19 offense.

20 THE COURT: Well, I'm saying, would your experience
21 make you biased against Mr. Guo?

22 JUROR: No.

23 THE COURT: Okay. So can you set aside that terrible
24 experience of the past and come into the courtroom with an open
25 mind and listen to the witness testimony and read the

O5N1GUOVD3

1 documentary evidence and follow my instructions on the law, and
2 be a fair and impartial juror?

3 JUROR: Yes.

4 THE COURT: You can be fair to Mr. Guo; is that
5 correct?

6 JUROR: That's correct.

7 THE COURT: And you can be fair to the government,
8 yes?

9 JUROR: Yes, that's correct.

10 THE COURT: Okay. Go ahead.

11 JUROR: 151. My brother-in-law was murdered.

12 THE COURT: Oh, I'm sorry to hear that.

13 JUROR: 150. I have a couple of—

14 THE COURT: One second. One second, please.
15 Go ahead.

16 JUROR: I have a couple of friends that was victim of
17 internet—it was through the internet and the people was not
18 legit.

19 THE COURT: Okay. Thank you for telling me.

20 JUROR: 149. Car theft and residential burglary.

21 THE COURT: Go ahead.

22 JUROR: 187. I've been robbed at gunpoint on the
23 street, and I've had my apartment broken into while I was in
24 it.

25 THE COURT: And you're 187?

O5N1GUOVD3

1 JUROR: 187, yes.

2 THE COURT: Okay. So the robbery at gunpoint on the
3 street, did you report that?

4 JUROR: Yes, I did.

5 THE COURT: And how long ago was that?

6 JUROR: That was in the '70s.

7 THE COURT: And were the police able to find the
8 perpetrator?

9 JUROR: They never really tried.

10 THE COURT: So you were disappointed with the way that
11 the police behaved back then?

12 JUROR: Yes, I was.

13 THE COURT: So would that tend to make you have a bias
14 against the police?

15 JUROR: To some extent, yes. I think I would listen
16 to what the evidence is in this case, but—

17 THE COURT: So you had a negative experience with the
18 police, and my question is, considering that there will be law
19 enforcement witnesses, can you put aside that negative
20 experience of so many years ago and come into the court with an
21 open mind, listen to the witness testimony—

22 JUROR: Unfortunately I've had other—I was also a
23 juror on a trial of a corrupt policeman, so I have had several
24 negative experiences with the police.

25 THE COURT: So are you saying that those negative

O5N1GUOVD3

1 experiences would cause you to have a bias against a law
2 enforcement official?

3 JUROR: Again, I would certainly try to listen fairly,
4 but is there some inherent bias? Probably, yes.

5 THE COURT: So we all come into this courtroom with
6 biases. I have biases. But the task is, can you set those
7 biases aside, first be aware of them and then to set them
8 aside, so that you can be objective about the evidence in this
9 particular case? Would you agree with me that there are good
10 police officers?

11 JUROR: Yes.

12 THE COURT: And do you rely on the police or would you
13 rely on the police if you felt that you needed them?

14 JUROR: I have not been able to in the past.

15 THE COURT: Would you call the police if you felt that
16 you needed to call the police?

17 JUROR: I would.

18 THE COURT: Yes, you would. Okay. So you would agree
19 that there are some good police and some police that are not
20 good?

21 JUROR: Yes.

22 THE COURT: So can you set aside your negative
23 attitude and—you're saying that your feelings are founded upon
24 your personal experiences. And can you set aside those
25 personal experiences and listen objectively to the evidence in

O5N1GUOVD3

1 this case and be fair to both sides?

2 JUROR: I believe I can.

3 THE COURT: It's a yes or no question.

4 JUROR: Yes.

5 THE COURT: And your number again?

6 JUROR: 187.

7 THE COURT: Do you feel that you would have any bias
8 against the government in this case?

9 JUROR: No.

10 THE COURT: Bias in favor of the government?

11 JUROR: No.

12 THE COURT: Bias against the defendant?

13 JUROR: No.

14 THE COURT: Bias for the defendant.

15 JUROR: I don't know the defendant.

16 THE COURT: Okay. So you're saying no, you would not
17 have a bias in favor of—

18 JUROR: Correct.

19 THE COURT: —the defendant.

20 JUROR: Right.

21 THE COURT: Okay. Go ahead.

22 JUROR: 129. My home was burglarized.

23 THE COURT: All right. Thank you for telling me.

24 JUROR: 201. 201, my number. In 2019, in October, I
25 got a sucker punch in my face in 10:30 p.m. in Manhattan, and

O5N1GUOVD3

1 it was a gang, four people—three guys and one young woman, 18
2 years old. And the police found the woman, and they called me.
3 I went to police. I was in the hospital, and then I went to
4 police, and many people asked me different questions. And they
5 found this girl, and they saw it, everything what happened,
6 because it was a camera on the street, and they showed me,
7 because I didn't see. She hit me from the back. So I didn't
8 see actually. I saw the movie. And she didn't get any
9 justice, nothing. They said because she was 18 years old,
10 she's young, this is the first time. And that's the story.
11 That's it.

12 THE COURT: Then you were disappointed.

13 JUROR: Yes, very disappointed.

14 THE COURT: Okay. Anybody else?

15 JUROR: 113. I was mauled by a group of teenagers.
16 The outcome, similar situation. They were given probation
17 because of their age.

18 THE COURT: So you were also disappointed.

19 JUROR: Yes.

20 THE COURT: All righty.

21 JUROR: Juror 117. My car was broken into, my mother
22 was mugged, and my father and brother have been held up many
23 times with a gun and a knife.

24 THE COURT: Thank you.

25 That's it?

O5N1GUOVD3

1 Okay. Has anyone served on a jury or grand jury, in
2 federal or state court?

3 JUROR: Juror 101. It was probably about five or six
4 years ago. It was a attempted murder and weapons charge, and I
5 was on the jury.

6 THE COURT: All right. If you've served in a criminal
7 case, do not tell me the verdict.

8 Okay. Thank you.

9 JUROR: I've served.

10 THE COURT: What's your number?

11 JUROR: 105.

12 THE COURT: Go ahead.

13 JUROR: In criminal case, state case.

14 THE COURT: And what county was that?

15 JUROR: Westchester, White Plains.

16 THE COURT: What?

17 JUROR: White Plains, Westchester.

18 THE COURT: And without telling me the verdict, did
19 the jury reach a verdict?

20 JUROR: We sure did.

21 THE COURT: And how long did you say that was ago?

22 JUROR: Last year.

23 THE COURT: Last year?

24 JUROR: Last year.

25 THE COURT: Was that state court?

O5N1GUOVD3

1 JUROR: State court.

2 THE COURT: Okay. Who else?

3 JUROR: 109. I was on a jury about seven years ago.

4 THE COURT: All righty. Who else?

5 JUROR: 111. I served on a state case about 15 to 20
6 years ago.

7 THE COURT: Okay. Who else?

8 JUROR: 119. State civil case, about three years ago.

9 THE COURT: All righty. Who else?

10 JUROR: 133. I served here in Manhattan. It was a
11 grand jury, but it was multiple cases a day for a month.

12 THE COURT: All righty.

13 JUROR: 137. I served here about ten years ago.

14 THE COURT: In this courthouse?

15 JUROR: Yes.

16 THE COURT: And was it a civil or criminal case?

17 JUROR: Criminal.

18 THE COURT: And without telling me the verdict, did
19 the jury reach a verdict?

20 JUROR: No.

21 THE COURT: You're saying that there was—

22 JUROR: They reached a resolution. They pleaded it
23 out.

24 THE COURT: Oh, you're saying that you never actually
25 deliberated?

O5N1GUOVD3

1 JUROR: No.

2 THE COURT: So there was a guilty plea before you had
3 the opportunity to deliberate; is that it?

4 JUROR: Yes.

5 THE COURT: And you said that was ten years ago?

6 JUROR: Probably about ten years ago. It might have
7 been longer than that.

8 THE COURT: Okay.

9 JUROR: 142.

10 THE COURT: Yes.

11 JUROR: I served in a criminal case in the Bronx like
12 15 years ago.

13 THE COURT: Okay.

14 JUROR: Juror 144. Served around 2009 or 2010, state.

15 THE COURT: Okay.

16 JUROR: 152. I served the state, Rockland County, in
17 a criminal case, seven years ago.

18 THE COURT: All righty. Who else?

19 JUROR: 169. I served on a jury on a criminal case,
20 state, around 2008. We did reach a verdict.

21 THE COURT: Okay. Who else?

22 JUROR: 138. Civil case. We did reach a verdict.

23 THE COURT: And so was that here in federal court or
24 state court?

25 JUROR: State court.

O5N1GUOVD3

1 THE COURT: In Manhattan?

2 JUROR: Manhattan, yes.

3 THE COURT: And how many years did you say?

4 JUROR: Probably eight, nine years ago.

5 THE COURT: Civil matter, and you reached a verdict.

6 JUROR: Yes.

7 THE COURT: Okay. Who else?

8 JUROR: 182. State court, criminal, 15 years ago. In
9 Manhattan state court.

10 THE COURT: 182?

11 All righty. Who else?

12 (Continued on next page)

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O5NVGUOVD4

1 THE COURT: All righty. Who else?

2 JUROR: 162. Over ten years ago, Southern District,
3 civil case, we reached a verdict.

4 THE COURT: Who else?

5 JUROR: 175. I served on the grand jury for a month.

6 THE COURT: Who else?

7 JUROR: 187. I served on all state grand jury twice.

8 THE COURT: Where?

9 JUROR: Criminal, reached a verdict. Civil, that did
10 not reach a verdict, but settled after a week's deliberation.
11 And another criminal, I was alternate and deliberated the first
12 day and then they sent me home.

13 THE COURT: I just want to take these one at a time.
14 What county?

15 JUROR: All in Manhattan.

16 THE COURT: All in Manhattan.

17 And the most recent case happened when?

18 JUROR: More than ten years ago.

19 THE COURT: And that was a civil or criminal case?

20 JUROR: That was criminal.

21 THE COURT: And you reached a verdict?

22 JUROR: Yes, we did.

23 THE COURT: And then the next most recent case?

24 JUROR: That was the civil case where it went on for a
25 couple of weeks and we deliberated for close to a week and then

O5NVGUOVD4

1 they settled.

2 THE COURT: Okay. And anything else?

3 JUROR: I was an alternate on another criminal case.

4 THE COURT: Any other case where you served as a
5 juror?

6 JUROR: No. Well, not that I recall at this point.
7 Nothing -- I think it was settled along the way, but I don't
8 recall deliberating.

9 THE COURT: Anyone else?

10 JUROR: 193. A state court, Manhattan. It was a
11 civil case.

12 THE COURT: And how long ago was that?

13 JUROR: It was six or seven years ago.

14 THE COURT: Go ahead. Who's next?

15 JUROR: 192. I served as a jury about eleven years
16 ago here in this building. It was a criminal trial. We did
17 reach a verdict.

18 THE COURT: All righty. Who else?

19 JUROR: 197. Criminal in the Bronx in 2018. But
20 after it was finished, the lawyers approached us and revealed
21 that there was information that wasn't revealed to us that
22 would have changed our mind about the entire process.

23 THE COURT: And you're 197, did you say?

24 JUROR: 197.

25 THE COURT: Okay. Who else?

O5NVGUOVD4

1 JUROR: 202.

2 THE COURT: Yes.

3 JUROR: I had a civil, state, and I was a juror up in
4 Putnam County.

5 THE COURT: And how long ago was that?

6 JUROR: 2019.

7 THE COURT: Who else?

8 That was a state matter?

9 JUROR: Yes. State. Sorry.

10 THE COURT: Go ahead.

11 JUROR: 199.

12 THE COURT: Yes.

13 JUROR: Over ten years ago I was on a jury. State,
14 criminal.

15 THE COURT: What county was that?

16 JUROR: Manhattan.

17 THE COURT: And did you reach a verdict?

18 JUROR: Yes.

19 THE COURT: Anyone else?

20 JUROR: Juror No. 200.

21 THE COURT: Yes.

22 JUROR: A criminal case in Brooklyn about nine years
23 ago.

24 THE COURT: Anyone else?

25 JUROR: 204. I was a grand jury juror in 2001. White

O5NVGUOVD4

1 Plains, New York, 2007. And again in 2009 in White Plains, New
2 York.

3 THE COURT: Thank you. Anyone else?

4 The government witnesses in this case will include
5 agents and analysts from the FBI. This question is addressed
6 to those of you who have not already answered the question.

7 Would any of you be more or less likely to believe a
8 witness merely because he is a law -- he or she is a law
9 enforcement officer?

10 Some of the evidence admitted at trial may come from
11 searches performed by law enforcement officers. I instruct you
12 that those searches were legal and that the evidence obtained
13 from those searches is admissible in this case.

14 Do any of you have strong feelings about searches
15 conducted by law enforcement officers or the use of evidence
16 obtained from searches that would interfere with your ability
17 to be fair and impartial as a juror in this case?

18 Does anyone have any expectations about the types of
19 evidence that the government or the defendant should or will
20 present in this criminal trial or in a criminal trial more
21 generally?

22 Would any of you be unable to follow the Court's
23 instructions that the government is not required to use any
24 particular technique in order to investigate evidence of a
25 crime?

O5NVGUOVD4

1 Under our system of law, the jury determines the facts
2 and the Court determines the law. These two areas are separate
3 and distinct. At the end of the case, I will instruct you on
4 the law. You are required to accept the law as I explain it to
5 you. It will be your job to determine the facts subject to my
6 explanation of the law. You may not substitute your notions of
7 what the law is or what you think it should be.

8 Is there anyone who feels that he or she is either
9 unwilling or unable to apply the law as I explain it to you?

10 Under our system of law, every defendant is presumed
11 innocent and cannot be found guilty unless a jury, having heard
12 all the evidence in the case, unanimously decides that the
13 evidence proves his guilt beyond a reasonable doubt.

14 Is there anyone who has difficulty accepting the law
15 or the presumption of innocence as to the defendant?

16 Under our system of law the burden of proof is on the
17 government. The burden never shifts. The defendant does not
18 have to prove his innocence, present any evidence, testify, or
19 cross-examine any of the government's witnesses. If the
20 defendant chooses not to testify, you cannot hold that against
21 him. Is there any juror who cannot follow that instruction?

22 Conversely, if defense counsel decides to put on a
23 case on defendant's behalf, that fact does not shift the burden
24 of proof to the defendant, nor does it diminish the obligation
25 of the government to prove the defendant's guilt beyond a

O5NVGUOVD4

1 reasonable doubt. Would anyone have any difficulty following
2 this principle?

3 The law provides that only the evidence produced here
4 in court may be used by you to determine whether the government
5 has met its burden of proving the defendant's guilt beyond a
6 reasonable doubt. You may not consider any outside facts
7 beyond the trial evidence. Is there anyone who has difficulty
8 accepting that law?

9 The law provides that the question of punishment is
10 for the judge alone. The question of the possible sentence
11 that the defendant may face cannot enter into your
12 deliberations as to the guilt or innocence of the defendant.
13 Is there any juror who cannot follow that instruction?

14 If the evidence establishes the defendant's guilt
15 beyond a reasonable doubt, is there anyone who feels that they
16 could not render a verdict of guilty?

17 If the evidence does not establish the defendant's
18 guilt beyond a reasonable doubt, is there anyone who feels that
19 they could not render a verdict of not guilty?

20 Aside from the attorneys who have already identified
21 themselves, do any of you have any legal training, is there any
22 reason that this would prevent you from applying the law as I
23 instruct you, without regard for what you may think the law is
24 from outside training or experience?

25 Does anyone have any religious, philosophical, or

O5NVGUOVD4

1 other beliefs that would make him or her unable to render a
2 verdict?

3 Now I'm going to be questioning the jurors
4 individually.

5 We are to start with Juror No. 104. Please state your
6 number, your county of residence, and your neighborhood during
7 the last five years.

8 JUROR: 104, Manhattan, Harlem.

9 THE COURT: And how far did you go in school?

10 JUROR: Bachelor's degree.

11 THE COURT: In what subject?

12 JUROR: Communications.

13 THE COURT: And what is your job of the last five
14 years?

15 JUROR: ABA instructor, applied behavioral analysis.

16 THE COURT: Are you married or in a significant
17 relationship?

18 JUROR: No.

19 THE COURT: Are there any other adults in your
20 household who work?

21 JUROR: No.

22 THE COURT: Do you like to read any types of books?

23 JUROR: Yeah, fiction books and nonfiction.

24 THE COURT: Any particular websites you like?

25 JUROR: No.

O5NVGUOVD4

1 THE COURT: How about any clubs or organizations?

2 JUROR: No.

3 THE COURT: How do you spend your spare time?

4 JUROR: I like seeing my friends.

5 THE COURT: And is there anything that would prevent
6 you from being a fair and impartial juror?

7 JUROR: No.

8 THE COURT: All right. We're going now to No. 105.
9 If you would state your number, your county of residence, and
10 your neighborhood in the last five years.

11 (Pause)

12 THE COURT: All right. Now I have forgotten where I
13 was.

14 105. Okay. Sir, would you state your number and your
15 county of residence and neighborhood in the last five years.

16 JUROR: 105, live in Westchester, Mt. Vernon, over the
17 last five, six years.

18 THE COURT: Okay. How far did you go in school?

19 JUROR: College.

20 THE COURT: And did you get a bachelor's degree?

21 JUROR: Yes, B.S.

22 THE COURT: In what subject?

23 JUROR: Mechanical engineering.

24 THE COURT: What is your job?

25 JUROR: I'm a retired engineer.

O5NVGUOVD4

1 THE COURT: And how long have you been retired?

2 JUROR: Six years ago.

3 THE COURT: Are you married or in a significant
4 relationship?

5 JUROR: Single. Divorce.

6 THE COURT: You're divorced.

7 And do you have any people in your household, adults
8 who work other than yourself?

9 JUROR: No.

10 THE COURT: Do you like any type of reading, books,
11 magazines, websites?

12 JUROR: Technical books and computer. Right now
13 computer.

14 THE COURT: Any clubs or organizations?

15 JUROR: I play golf with my friends.

16 THE COURT: And is there anything else that you do in
17 your spare time?

18 JUROR: I do sing. I do classical. I'm a classical
19 singer.

20 THE COURT: How wonderful.

21 Is there anything that would prevent you from being a
22 fair and impartial juror?

23 JUROR: No.

24 THE COURT: What voice do you sing?

25 JUROR: I'm bass. Can you hear that?

O5NVGUOVD4

1 THE COURT: All righty. If you'd pass the mic to 106.
2 If you would state your number, the county of
3 residence, and the neighborhood that you've been in in the last
4 five years.

5 JUROR: Sure. Juror 106, Croton-on-Hudson,
6 Westchester, New York.

7 THE COURT: And how far did you go in school?

8 JUROR: Bachelor's.

9 THE COURT: In what subject?

10 JUROR: Biology.

11 THE COURT: And your job?

12 JUROR: I'm a technical account manager.

13 THE COURT: And how long have you been doing that?

14 JUROR: Four years in that position.

15 THE COURT: And before that?

16 JUROR: I was technical support, head of technical
17 support.

18 THE COURT: And technical support, what is the nature
19 of --

20 JUROR: Software.

21 THE COURT: Software? Okay.

22 Are you married or in a significant relationship?

23 JUROR: Yes, married.

24 THE COURT: And your spouse, what does that person do
25 for a living?

O5NVGUOVD4

1 JUROR: She's a pediatric nurse practitioner.

2 THE COURT: Do you like any type of reading, books,
3 magazines, websites?

4 JUROR: Yes. Fiction, nonfiction books. Websites,
5 nothing in particular, just lots of things.

6 THE COURT: Any groups, any clubs, organizations?

7 JUROR: No groups or clubs.

8 THE COURT: What do you do in your spare time?

9 JUROR: Most of that time is spent with my kids;
10 otherwise, long distance running, mountain biking.

11 THE COURT: Is there anything that would prevent you
12 from being a fair and impartial juror in this case?

13 JUROR: No.

14 THE COURT: All righty. If you would pass the mic to
15 No. 107.

16 And 107, would you please state your name, county of
17 residence, and neighborhood the last five years?

18 JUROR: XXXXXXXXXXXXXXXX.

19 THE COURT: Don't say your name.

20 I'm going to strike that from the record.

21 Your number?

22 JUROR: 107.

23 THE COURT: Okay.

24 JUROR: Manhattan, Harlem.

25 THE COURT: And you've been there for at least five

O5NVGUOVD4

1 years?

2 JUROR: I'm sorry?

3 THE COURT: You've been in Harlem for at least five
4 years?

5 JUROR: Oh, yes, yes.

6 THE COURT: And how far did you go in school?

7 JUROR: Bachelor's in psychology.

8 THE COURT: And what is your job?

9 JUROR: Credentialing and privileging specialist.

10 MS. SHROFF: I'm sorry, your Honor, we couldn't hear.

11 THE COURT: If you could just repeat that, please.

12 JUROR: Credentialing and privileging specialist.

13 THE COURT: What do you do in that position?

14 JUROR: Credential doctors, incoming doctors.

15 THE COURT: Do you work for the government?

16 JUROR: The Veterans Health Administration.

17 THE COURT: Okay. You're married or in a significant
18 relationship?

19 JUROR: Married.

20 THE COURT: And your spouse, what does that person do
21 for a living?

22 JUROR: He's unemployed; currently unemployed.

23 THE COURT: What did he used to do?

24 JUROR: Drive. He was a driver, taxi.

25 THE COURT: Do you have any other members of the

O5NVGUOVD4

1 household who are adults that work?

2 JUROR: My daughter.

3 THE COURT: What does she do?

4 JUROR: She works at a department store, retail.

5 THE COURT: Do you like any type of reading, books,
6 magazines, websites?

7 JUROR: I like websites.

8 THE COURT: What type?

9 JUROR: TikTok.

10 THE COURT: Any clubs or organizations?

11 JUROR: No.

12 THE COURT: How do you spend your spare time?

13 JUROR: With my family or running in the park.

14 THE COURT: Is there anything that would prevent you
15 from being a fair and impartial juror in this case?

16 JUROR: No.

17 THE COURT: All right. Please pass the mic to Juror
18 110. Oh, I'm sorry, Juror 110 is absent.

19 No. 115. If you would state your number and your
20 county of residence and neighborhood of the last five years?

21 JUROR: Juror No. 115.

22 THE COURT: Yes.

23 JUROR: Bronx County, Wakefield section.

24 THE COURT: How far did you go in school?

25 JUROR: High school graduate, some college.

O5NVGUOVD4

1 THE COURT: And what were you studying in college?

2 JUROR: Computer science.

3 THE COURT: What is your job?

4 JUROR: Inventory specialist.

5 THE COURT: You've been doing that for the last five
6 years?

7 JUROR: Last one year. Prior four years I was doing
8 IT.

9 THE COURT: Are you married or in a significant
10 relationship?

11 JUROR: No.

12 THE COURT: Do you like any type of reading?

13 JUROR: I like fantasy books.

14 THE COURT: Websites?

15 JUROR: Nothing in particular.

16 THE COURT: Any clubs or organizations?

17 JUROR: No.

18 THE COURT: What do you do in your spare time?

19 JUROR: Go hiking with friends or play video games.

20 THE COURT: Is there anything that would prevent you
21 from being a fair and impartial juror in this case?

22 JUROR: No.

23 THE COURT: We're now going to No. 126. I'm sorry,
24 120 is the next person. Thank you.

25 If you would state your number, your county of

O5NVGUOVD4

1 residence.

2 JUROR: 120, Manhattan, Upper East Side.

3 THE COURT: How far did you go in school?

4 JUROR: College.

5 THE COURT: And what did you study?

6 JUROR: Nursing.

7 THE COURT: And so you are an RN?

8 JUROR: Yes.

9 THE COURT: And your current job?

10 JUROR: Registered nurse.

11 THE COURT: And are you married or in a significant
12 relationship?

13 JUROR: No.

14 THE COURT: Are there other adults in the household
15 who work?

16 JUROR: No.

17 THE COURT: Do you like any type of reading, books,
18 magazines, websites?

19 JUROR: Yes, true crimes.

20 THE COURT: True crime.

21 Are you involved in any clubs or organizations?

22 JUROR: No.

23 THE COURT: What do you do in your spare time?

24 JUROR: Hike and travel.

25 THE COURT: Is there anything that would prevent you

O5NVGUOVD4

1 from being a fair and impartial juror in this case?

2 JUROR: No.

3 THE COURT: All right. Now 126. If you would state
4 your number and your county of residence and neighborhood over
5 the last five years?

6 JUROR: 126, Rockland County, north Rockland.

7 THE COURT: Where in Rockland?

8 JUROR: North Rockland.

9 THE COURT: North Rockland?

10 How far did you go in school?

11 JUROR: Bachelor's degree.

12 THE COURT: In what?

13 JUROR: Accounting.

14 THE COURT: Your current job?

15 JUROR: Property accountant.

16 THE COURT: Are you married or in a significant
17 relationship?

18 JUROR: No.

19 THE COURT: Are there other adults in your home who
20 work?

21 JUROR: Yes.

22 THE COURT: And what do they do?

23 JUROR: My mother works at a fast-food restaurant.

24 My -- one of my brother is a truck driver; another one is a --
25 he delivers newspaper. And my mom's husband works at a nursing

O5NVGUOVD4

1 home.

2 THE COURT: Do you like any type of reading, books,
3 magazines, websites?

4 JUROR: Yes. Nonfiction.

5 THE COURT: Nonfiction.

6 Are you belonging to any clubs or organizations?

7 JUROR: No.

8 THE COURT: How do you spend your spare time?

9 JUROR: Hiking, kayak.

10 THE COURT: Is there anything that would prevent you
11 from being a fair and impartial juror in this case?

12 JUROR: No.

13 THE COURT: All right. Going to No. 128. 128. One
14 two eight.

15 JUROR: 128, New York County, East Harlem.

16 THE COURT: And you've been there for the last five
17 years?

18 JUROR: Yes.

19 THE COURT: And how far did you go in school?

20 JUROR: High school graduate.

21 THE COURT: What is your job?

22 JUROR: Retired from the Department of Veteran Affairs
23 in 1971.

24 THE COURT: You retired in 1971?

25 JUROR: Yes, I did.

O5NVGUOVD4

1 THE COURT: Oh, wow.

2 And how long did you work at the veterans affairs
3 department?

4 JUROR: Thirty years.

5 THE COURT: Are you married or in a significant
6 relationship?

7 JUROR: No.

8 THE COURT: Are there any other adults in your home
9 who work?

10 JUROR: No.

11 THE COURT: Do you like any types of books, magazines,
12 websites?

13 JUROR: Sports magazines.

14 THE COURT: What type of sports?

15 JUROR: Sports magazines.

16 THE COURT: Any clubs or organizations?

17 JUROR: None.

18 THE COURT: How do you spend your days?

19 JUROR: Listening to music.

20 THE COURT: Is there anything that would prevent you
21 from being a fair and impartial juror in this case?

22 JUROR: No. None.

23 THE COURT: All right, then. No. 137.

24 JUROR: 137.

25 THE COURT: I'm sorry. One moment. I think I've

O5NVGUOVD4

1 skipped someone here. Yes, 135 it is.

2 If you would say your number, your county of
3 residence.

4 JUROR: 135, Bronx County, Baychester.

5 THE COURT: And you've been there for the last five
6 years?

7 JUROR: Yes.

8 THE COURT: And how far did you go in school?

9 JUROR: Bachelor's.

10 THE COURT: In what subject?

11 JUROR: Nursing.

12 THE COURT: So you're an RN?

13 JUROR: Yes.

14 THE COURT: And what do you do for a living?

15 JUROR: RN, nursing.

16 THE COURT: And you've been doing that for the last
17 five years?

18 JUROR: Before I was a pharmacy tech.

19 THE COURT: Are you married or in a significant
20 relationship?

21 JUROR: No.

22 THE COURT: Are there other adults in your home who
23 work?

24 JUROR: No.

25 THE COURT: Like any type of reading?

O5NVGUOVD4

1 JUROR: Yes.

2 THE COURT: What is that?

3 JUROR: Everything, kind of fiction, nonfiction.

4 THE COURT: Any clubs or organizations -- excuse me?

5 JUROR: No.

6 THE COURT: How do you spend your spare time?

7 JUROR: With friends, family.

8 THE COURT: Is there anything that would prevent you
9 from being a fair and impartial juror in this case?

10 JUROR: No.

11 THE COURT: No. 137. If you would say your number,
12 your county of residence, and your neighborhood.

13 JUROR: 137, Bronx County.

14 THE COURT: And you've been there for the last five
15 years?

16 JUROR: Yes.

17 THE COURT: What area of the Bronx?

18 JUROR: Concourse Village.

19 THE COURT: How far did you go in school?

20 JUROR: Master's in social work.

21 THE COURT: And your job?

22 JUROR: Administration for Children's Services,
23 Division of Finance.

24 THE COURT: Are you married or in a significant
25 relationship?

O5NVGUOVD4

1 JUROR: Single, divorced.

2 THE COURT: Any other people in your home who work?

3 JUROR: None.

4 THE COURT: Do you like any type of reading?

5 JUROR: Yes. Fictional, nonfictional,

6 autobiographies.

7 THE COURT: How do you spend your spare time?

8 JUROR: Family, friends, reading, watching TV.

9 THE COURT: So you're the first person in this room
10 who watches TV.

11 JUROR: I watch a lot of TV.

12 THE COURT: Okay. Is there anything that would
13 prevent you from being a fair and impartial juror in this case?

14 JUROR: No.

15 THE COURT: No. 138. Your county of residence and
16 neighborhood for the last five years and your number?

17 JUROR: 138, live in Manhattan, East Harlem.

18 THE COURT: And you've been there for five years?

19 JUROR: Yes.

20 THE COURT: Married or in a significant relationship?

21 JUROR: Single.

22 THE COURT: Are there any other adults in the
23 household who work?

24 JUROR: No.

25 THE COURT: Do you like any type of books, magazines,

O5NVGUOVD4

1 or websites?

2 JUROR: Spend a lot of time on YouTube, variety of
3 stuff to watch.

4 THE COURT: Any clubs or organizations?

5 JUROR: No.

6 THE COURT: What is your job?

7 JUROR: I'm the executive director of a nonprofit in
8 New York City.

9 THE COURT: And your educational background?

10 JUROR: I have a master's degree in social policy.

11 THE COURT: Clubs or organizations?

12 JUROR: None.

13 THE COURT: Your spare time?

14 JUROR: Gardening, cooking, going for walks.

15 THE COURT: Anything that would prevent you from being
16 a fair and impartial juror in this case?

17 JUROR: No.

18 THE COURT: No. 145.

19 No. 142. Not 142? Okay. I made a mistake. I meant
20 142.

21 JUROR: 142, Manhattan, Inwood.

22 THE COURT: And you've been there for the last five
23 years?

24 JUROR: That's correct.

25 THE COURT: And how far did you go in school?

O5NVGUOVD4

1 JUROR: Bachelor's, criminal justice.

2 THE COURT: So you have learned about the law;
3 correct?

4 JUROR: Yes, but I'm no longer interested in that
5 anymore.

6 THE COURT: So would you be able to put aside whatever
7 you know about the law and follow my instructions on the law
8 exclusively?

9 JUROR: Yes.

10 THE COURT: Your job?

11 JUROR: I have two. I'm a retail manager and I also
12 have a videography business as well.

13 THE COURT: And you're married or in a significant
14 relationship?

15 JUROR: No.

16 THE COURT: Are there any other adults in the home who
17 work?

18 JUROR: Yes, a cousin. He runs an auto body shop.

19 THE COURT: Do you like any type of reading?

20 JUROR: No. YouTube, documentaries, it's kind of my
21 thing.

22 THE COURT: Any clubs or organizations?

23 JUROR: No.

24 THE COURT: Spare time?

25 JUROR: Working out with friends and editing.

O5NVGUOVD4

1 THE COURT: Do you mean video editing?

2 JUROR: Yes.

3 THE COURT: Is there anything that would prevent you
4 from being a fair and impartial juror in this case?

5 JUROR: No.

6 THE COURT: All righty. No. 145.

7 JUROR: 145. Bronx.

8 THE COURT: What neighborhood is that?

9 JUROR: Norwood.

10 THE COURT: And you've been there for the last five
11 years?

12 JUROR: Yes.

13 THE COURT: How far did you go in school?

14 JUROR: I got my bachelor's in computer science.

15 THE COURT: And what is your job?

16 JUROR: Right now I'm unemployed.

17 THE COURT: And what did you used to do?

18 JUROR: I used to work in a warehouse.

19 THE COURT: And how long ago was that?

20 JUROR: That was last year.

21 THE COURT: And so you have been unemployed for how
22 long?

23 JUROR: Ten months.

24 THE COURT: And how long did you work at the
25 warehouse?

O5NVGUOVD4

1 JUROR: I worked there about seven years.

2 THE COURT: Seven years. Okay.

3 Are you married or in a significant relationship?

4 JUROR: Single.

5 THE COURT: Are there any adults in your home who
6 work?

7 JUROR: Yes. My sister, she's a pharmacy technician;
8 and my dad, he's a construction worker.

9 THE COURT: Do you like to do any reading, books,
10 magazines, websites?

11 JUROR: Yeah, I like to read.

12 THE COURT: What type of reading?

13 JUROR: Usually fantasy and nonfiction.

14 THE COURT: Clubs or organizations?

15 JUROR: No.

16 THE COURT: How do you spend your spare time?

17 JUROR: Usually I watch movies or read and basically
18 spend time with my family, too.

19 THE COURT: Is there anything that would prevent you
20 from being a fair and impartial juror in this case?

21 JUROR: No.

22 THE COURT: No. 146.

23 JUROR: Juror 146, Putnam County, in Cold Spring, New
24 York.

25 THE COURT: Which county did you say?

O5NVGUOVD4

1 JUROR: Putnam County.

2 THE COURT: Putnam County, Cold Spring.

3 And you've been there for the last five years?

4 JUROR: Yup.

5 THE COURT: And how far did you go in school?

6 JUROR: B.A.

7 THE COURT: In what subject?

8 JUROR: English and history.

9 THE COURT: Your current job?

10 JUROR: Executive assistant to a CEO for a public
11 company.

12 THE COURT: You've been there for five years?

13 JUROR: Yes.

14 THE COURT: Are you married or in a significant
15 relationship?

16 JUROR: Married.

17 THE COURT: And your spouse, what does that person do
18 for a living?

19 JUROR: He's a contractor.

20 THE COURT: Do you like any type of reading, books,
21 magazines, websites?

22 JUROR: Yeah. Nonfiction, fiction, Instagram.

23 THE COURT: Any other adults in the household who
24 work?

25 JUROR: No.

O5NVGUOVD4

1 THE COURT: Any clubs or organizations?

2 JUROR: No.

3 THE COURT: How do you spend your spare time?

4 JUROR: Running after my kids.

5 THE COURT: Is there anything that would prevent you
6 from being a fair and impartial juror in this case?

7 JUROR: No.

8 THE COURT: No. 147. Go ahead.

9 JUROR: 147, Westchester County, Ossining.

10 THE COURT: And you've been in Ossining for at least
11 five years?

12 JUROR: Yes.

13 THE COURT: How far did you go in school?

14 JUROR: Bachelor's.

15 THE COURT: In what subject?

16 JUROR: Business management.

17 THE COURT: And your job?

18 JUROR: Data entry at an accounting firm.

19 THE COURT: You've been there for five years?

20 JUROR: Yes.

21 THE COURT: Are you married or in a significant
22 relationship?

23 JUROR: No.

24 THE COURT: Any adults in your home who work?

25 JUROR: Mom's a public schoolteacher in Yonkers.

O5NVGUOVD4

1 THE COURT: Do you like any type of reading?

2 JUROR: Yes, mostly history.

3 THE COURT: Any clubs or organizations?

4 JUROR: No.

5 THE COURT: How do you spend your spare time?

6 JUROR: Either reading or on YouTube.

7 THE COURT: Is there anything that would prevent you

8 from being a fair and impartial juror in this case?

9 JUROR: No.

10 THE COURT: No. 161.

11 JUROR: Juror 161, live in Westchester County,

12 Eastchester.

13 THE COURT: For at least five years?

14 JUROR: Yes.

15 THE COURT: How far did you go in school?

16 JUROR: Bachelor's, economics and French.

17 THE COURT: Your current job?

18 JUROR: I trade options on foreign currencies for a

19 bank.

20 THE COURT: Are you married or in a significant

21 relationship?

22 JUROR: Yes, married.

23 THE COURT: And your spouse, what does that person do?

24 JUROR: She's a cooking instructor.

25 THE COURT: Are there other adults in the home who

O5NVGUOVD4

1 work?

2 JUROR: No.

3 THE COURT: Do you like any type of reading?

4 JUROR: Most of what I read is financial news for
5 work.

6 THE COURT: If you would repeat that and speak into
7 the microphone.

8 JUROR: Sure. Mostly most of what I read is financial
9 news.

10 THE COURT: Any clubs or organizations?

11 JUROR: No.

12 THE COURT: How do you spend your spare time?

13 JUROR: I play guitar.

14 THE COURT: Anything that would prevent you from being
15 a fair and impartial juror in this case?

16 JUROR: No.

17 THE COURT: No. 163.

18 JUROR: Juror 163. I'm from Westchester, and I live
19 in Harrison.

20 THE COURT: For the last five years?

21 JUROR: Yes.

22 THE COURT: And how far did you go in school?

23 JUROR: So I just graduated. I have a bachelor's in
24 political science and economics.

25 THE COURT: And so do you have a job now?

O5NVGUOVD4

1 JUROR: Yes, I'm a business consultant.

2 THE COURT: Is this your first full-time job?

3 JUROR: I started a month and a half ago, so yes.

4 THE COURT: Okay. Did you have any other jobs in the
5 past?

6 JUROR: I was an intern at a private equity firm.

7 THE COURT: Are you married or in a significant
8 relationship?

9 JUROR: No.

10 THE COURT: Do you like any type of reading?

11 JUROR: I like reading. Self-improvement books and
12 finance books as well.

13 THE COURT: What kind of books?

14 JUROR: Self-improvement books and finance books.

15 THE COURT: Any clubs or organizations?

16 JUROR: No.

17 THE COURT: How do you spend your spare time?

18 JUROR: Either with friends or at sporting events.

19 THE COURT: Is there anything that would prevent you
20 from being a fair and impartial juror in this case?

21 JUROR: No.

22 THE COURT: Let's go to 173.

23 JUROR: Hi, I'm 173.

24 THE COURT: Your county of residence?

25 JUROR: Oh, sorry. It's Rockland County.

O5NVGUOVD4

1 THE COURT: And what part of Rockland?

2 JUROR: Nanuet.

3 THE COURT: And you've been there for the last five
4 years?

5 JUROR: Yes.

6 THE COURT: How far did you go in school?

7 JUROR: I have a Ph.D. in molecular genetics.

8 THE COURT: Your current job?

9 JUROR: I'm a research scientist at a pharmaceutical
10 company.

11 THE COURT: Are you married or in a significant
12 relationship?

13 JUROR: Yes, I am married. My husband has also a
14 Ph.D. in computer science.

15 THE COURT: And what is his job?

16 JUROR: He is a computer scientist also in accounting,
17 in an insurance company.

18 THE COURT: And are there any other adults in your
19 household who work?

20 JUROR: No.

21 THE COURT: Do you like any type of reading?

22 JUROR: I like mostly -- generally I'm reading mostly
23 scientific journals right now because I am in research.

24 THE COURT: Clubs or organizations?

25 JUROR: Through my company I'm connected to scientific

O5NVGUOVD4

1 as well as nonscientific and volunteer organizations, yeah.

2 THE COURT: What type of volunteer organizations?

3 JUROR: Generally, scientific; but also we do, you
4 know, charity organizations, yeah.

5 THE COURT: How do you spend your spare time?

6 JUROR: Spending time with my daughter, running
7 around, play dates. And also, you know, I have friends, I like
8 cooking, yeah.

9 THE COURT: Is there anything that would prevent you
10 from being a fair and impartial juror in this case?

11 JUROR: No.

12 THE COURT: Let's go to 186.

13 JUROR: 186, New York, New York; Harlem.

14 THE COURT: And you've been there for the last five
15 years?

16 JUROR: Yes.

17 THE COURT: And how far did you go in school?

18 JUROR: Finished high school, some college.

19 THE COURT: And what were you studying in college?

20 JUROR: Business management.

21 THE COURT: Your job?

22 JUROR: I'm a train conductor for a railroad.

23 THE COURT: Have you done that during the last five
24 years?

25 JUROR: Last eight years.

O5NVGUOVD4

1 THE COURT: How many?

2 JUROR: Last eight years.

3 THE COURT: Eight years. Okay.

4 Are you married or in a significant relationship?

5 JUROR: Yes.

6 THE COURT: And your significant other, what does that
7 person do for a living?

8 JUROR: She's a New York City schoolteacher.

9 THE COURT: Other adults in your home who work?

10 JUROR: No.

11 THE COURT: Like any type of reading?

12 JUROR: Yes, I like to read all nonfiction, fiction,
13 Bible.

14 THE COURT: Any clubs or organizations?

15 JUROR: No clubs or organizations.

16 THE COURT: And your spare time, how do you spend
17 that?

18 JUROR: I like to bowl and I play spades.

19 THE COURT: Is there anything that would prevent you
20 from being a fair and impartial juror in this case?

21 JUROR: No.

22 THE COURT: Let's go to No. 187.

23 JUROR: 187, New York County, Hell's Kitchen.

24 THE COURT: How far did you go in school?

25 JUROR: I have a master's and I became a Ph.D.

O5NVGUOVD4

1 dropout.

2 THE COURT: What is your master's in?

3 JUROR: I said I was a Ph.D. dropout. I went on, but
4 didn't complete the degree.

5 THE COURT: I understand. But you did get the
6 master's?

7 JUROR: Yes, I got a master's.

8 THE COURT: And so what was your --

9 JUROR: That was romance languages.

10 THE COURT: Romance languages. Which of the romance
11 languages?

12 JUROR: Primarily Spanish, but French and Portuguese.

13 THE COURT: And what is your job?

14 JUROR: I'm retired.

15 THE COURT: And what did you used to do?

16 JUROR: IT. Nothing to do with languages.

17 THE COURT: Are you married or in a significant
18 relationship?

19 JUROR: Single.

20 THE COURT: What do the members of your household do
21 for a living, if you have any other adults in your house?

22 JUROR: There is no one else.

23 THE COURT: Do you like any type of reading?

24 JUROR: After *The New York Times*, I read mostly
25 fiction and some music magazines.

O5NVGUOVD4

1 THE COURT: Clubs or organizations?

2 JUROR: None.

3 THE COURT: How do you spend your spare time?

4 JUROR: Go to a lot of theater, concerts, movies, and
5 eating.

6 THE COURT: Is there anything that would prevent you
7 from being a fair and impartial juror in this case?

8 JUROR: No.

9 THE COURT: No. 188.

10 JUROR: From Manhattan, Hell's Kitchen.

11 THE COURT: Okay. You've been there for the last five
12 years?

13 JUROR: Yes.

14 THE COURT: How far did you go in school?

15 JUROR: A bachelor's degree.

16 THE COURT: In what subject?

17 JUROR: Psychology.

18 THE COURT: Your current job?

19 JUROR: Case manager for housing.

20 THE COURT: Case manager for housing did you say?

21 JUROR: Yes.

22 THE COURT: Are you married or in a significant
23 relationship?

24 JUROR: No.

25 THE COURT: Are there any other adults in your home

O5NVGUOVD4

1 who work?

2 JUROR: Yes, my mom.

3 THE COURT: What does she do?

4 JUROR: Inspection for a company for jewelry.

5 THE COURT: Do you like any type of reading?

6 JUROR: No. I like social media.

7 THE COURT: And any particular type of social media?

8 JUROR: All of them. Instagram -- Instagram,
9 Facebook, Snapchat, TikTok.

10 THE COURT: How do you spend your spare time?

11 JUROR: With my family.

12 THE COURT: Is there anything that would prevent you
13 from being a fair and impartial juror in this case?

14 JUROR: My sister is part of the NYPD, so a little bit
15 of bias, but --

16 THE COURT: So what is it that she does for the NYPD?

17 JUROR: She's a police officer.

18 THE COURT: So what do you mean a little bit of bias?

19 JUROR: I just feel that sometimes they are mistreated
20 in their job. They work too many hours. They are pushed
21 beyond their limits a lot. So I just feel that like the
22 government job itself, they should be like less enforced on
23 them.

24 THE COURT: So I agree that government jobs should not
25 be as trying and that the salary should be higher.

O5NVGUOVD4

1 So your sister has decided to do a very difficult job.
2 And she puts herself at risk in order to help her community,
3 and so that is noble. And sometimes people don't appreciate
4 that. Sometimes people can be rude or even abusive towards
5 police officers.

6 But then there are those people who have deep
7 appreciation for the police and who don't do anything that
8 would be harmful or offensive towards the police. Would you
9 agree with me on that?

10 JUROR: I guess so. But I guess more recently we've
11 seen cases like when the police officers are abusing, I guess,
12 civilians. And I guess people take that thinking that the
13 police officers don't do their job well. And they think that
14 they're all one person, I'd say.

15 THE COURT: So you're saying that there are some
16 incidents that have gotten a lot of media attention where a bad
17 cop is doing bad things, and then people sometimes will
18 generalize about all other cops, is that what you're saying?

19 JUROR: Yes.

20 THE COURT: Okay. Yeah, sometimes that does happen,
21 that people generalize and stereotype. But there are those who
22 appreciate that there are police officers who are competent and
23 do their jobs with integrity; is that right?

24 JUROR: Yes.

25 THE COURT: Okay. So there will be law enforcement

O5NVGUOVD4

1 witnesses in this case. And my question for you is can you
2 evaluate their testimony in the same way that you would
3 evaluate any other person's testimony?

4 JUROR: Yes.

5 THE COURT: So what I mean by that is would you have a
6 bias in favor of a law enforcement witness?

7 JUROR: I don't think so, no.

8 THE COURT: So it does call for a yes or no answer.

9 Do you feel certain that you would not have a bias in
10 favor of a law enforcement witness?

11 JUROR: Not 100 percent, I would say.

12 THE COURT: Okay. All right. Thank you for your
13 candor.

14 Counsel, if you'll approach.

15 (At sidebar)

16 MR. KAMARAJU: Sorry.

17 THE COURT: No, no, no. I asked you to tell me. So
18 why don't we just knock out the remaining five, even if we end
19 up going past 5.

20 MR. KAMARAJU: We knock out the five individual
21 questions.

22 THE COURT: Yes.

23 MR. KAMARAJU: And then come back.

24 THE COURT: Yes.

25 MR. FINKEL: Do peremptories after --

O5NVGUOVD4

1 MR. KAMARAJU: We need time.

2 MS. SHROFF: We can't do that.

3 MR. FINKEL: I'm just saying, the government simply is
4 able to do peremptories after the jury leaves, if it's
5 convenient for the Court and its staff.

6 THE COURT: So my only concern is the marshals.
7 Because they have a particular routine in getting the
8 defendants back. And so I have to make an inquiry about that.
9 But I don't mind remaining in order for us to get this done.

10 MR. FINKEL: Of course.

11 THE COURT: Let's see what happens.

12 MS. SHROFF: Your Honor, it's hard for us to confer
13 with him and also to get him back and not have Mr. Guo sit in
14 the holding pens for hours at a time because he misses the bus.
15 So that's my concern.

16 THE COURT: Where do you confer with him?

17 MS. SHROFF: Well, this morning, your Honor, I was
18 here by quarter to nine, and I conferred with him in the
19 morning.

20 THE COURT: In the pen here?

21 MS. SHROFF: Yes, I did.

22 THE COURT: Okay.

23 MS. SHROFF: And I think I was the first one here.

24 And I spent the time trying to figure out which ones he had
25 made notations about. And we would ask for that same

O5NVGUOVD4

1 opportunity. That's what happened yesterday.

2 THE COURT: What I'm saying is it's possible that I
3 might give you that opportunity after we finish today, but I
4 have to find out from the marshals whether or not that would
5 interfere with their schedule.

6 MS. SHROFF: Okay.

7 THE COURT: So I will let you know.

8 MR. FINKEL: Thank you, your Honor.

9 (In open court)

10 THE COURT: All right. I'd like to go to 189.

11 JUROR: 189, Rockland County, Monsey.

12 THE COURT: And how long have you been in Monsey?

13 JUROR: My whole life.

14 THE COURT: And how far did you go in school?

15 JUROR: Bachelor's.

16 THE COURT: In what subject?

17 JUROR: Religious studies.

18 THE COURT: And what is your current job?

19 JUROR: I have my own handyman business.

20 THE COURT: And how long have you been doing that?

21 JUROR: For myself, about two weeks; working for other
22 people on and off, four years.

23 THE COURT: And what were you doing before that
24 four-year period?

25 JUROR: Bachelors/in school, religious studies,

O5NVGUOVD4

1 Yeshiva.

2 THE COURT: Okay. And are you married or in a
3 significant relationship?

4 JUROR: Yeah.

5 THE COURT: And your significant other, what does that
6 person do for a living?

7 JUROR: She's in school for dance therapy.

8 THE COURT: Are there any other adults in your home
9 who work?

10 JUROR: No.

11 THE COURT: Are you involved in any clubs or
12 organizations?

13 JUROR: I go to synagogue.

14 THE COURT: And do you like any type of reading?

15 JUROR: I do a lot of religious -- a lot of religious
16 studies, business, anything technical, like mechanical.

17 THE COURT: And any clubs or organizations?

18 JUROR: I go to shul, synagogue.

19 THE COURT: And how do you spend your spare time?

20 JUROR: With my wife and, I don't know, chilling
21 around friends.

22 THE COURT: Is there anything that would prevent you
23 from being a fair and impartial juror in this case?

24 JUROR: Unless it goes against my religion, then no.
25 If something could happen, I don't know what the case is fully

O5NVGUOVD4

1 about.

2 THE COURT: So in this case, the only laws that you
3 can consider are the laws of the United States government. And
4 so you could not consider any religious laws. Would you be
5 able to set aside religious laws and follow my instructions on
6 the law?

7 JUROR: I would like to say so, but you are what you
8 read, so --

9 THE COURT: So you feel you're not certain?

10 JUROR: I'm not certain.

11 THE COURT: Okay. No. 190.

12 JUROR: Bronx, New York, Bronx County.

13 THE COURT: And what neighborhood of the Bronx?

14 JUROR: Grand Concourse by Yankee stadium.

15 THE COURT: And you've been in the Grand Concourse
16 area for the last five years?

17 JUROR: 55 years.

18 THE COURT: Did you say 55?

19 JUROR: 55.

20 THE COURT: Okay. How far did you go in school?

21 JUROR: I went to the 12th.

22 THE COURT: And what is your current job?

23 JUROR: I'm retired, on disability. I used to work in
24 the hospital for 22 years, and I have a spinal injury.

25 THE COURT: Are you married or in a significant

O5NVGUOVD4

1 relationship?

2 JUROR: Married. Separated.

3 THE COURT: And your spouse, what does that person do
4 for a living?

5 JUROR: She used to work for the bank, Manufacturers
6 Hanover, now it's Chase.

7 THE COURT: And are there any adults in your home who
8 work?

9 JUROR: No.

10 THE COURT: Do you like any type of books, magazines,
11 or websites?

12 JUROR: No websites. Bible, religious information,
13 animals. I have a little Chihuahua who I take care of.

14 THE COURT: Clubs or organizations?

15 JUROR: Christian, religion.

16 THE COURT: How do you spend your spare time?

17 JUROR: Trying to heal from the injuries that I got,
18 work-related injuries.

19 THE COURT: And the injuries that you have, is that
20 going to have any impact on your ability to be a fair and
21 impartial juror in this case?

22 JUROR: No, it's not. As a matter of fact, because of
23 the injuries, I have just some workers' compensation cases
24 myself *pro se*, and won some cases, so I respect the law.

25 THE COURT: I'm just saying, physically, is there

O5NVGUOVD4

1 anything about your physical condition that would interfere
2 with your ability to be a juror?

3 JUROR: Nope.

4 THE COURT: Is there anything that would prevent you
5 from being a fair and impartial juror in this case?

6 JUROR: Nope.

7 THE COURT: No. 191?

8 JUROR: Westchester County, Rye.

9 THE COURT: You've been there for the last five years?

10 JUROR: Yeah.

11 THE COURT: And how far did you go in school?

12 JUROR: Bachelor's degree.

13 THE COURT: In what?

14 JUROR: Geology and applied biological sciences.

15 THE COURT: And what is your job?

16 JUROR: I'm a geologist.

17 THE COURT: And what do you do as a geologist?

18 JUROR: Environmental consulting.

19 THE COURT: Have you been an environmental consultant
20 for the last five years?

21 JUROR: Yes.

22 THE COURT: Are you married or in a significant
23 relationship?

24 JUROR: Married.

25 THE COURT: And your spouse, what does that person do

O5NVGUOVD4

1 for a living?

2 JUROR: She does marketing.

3 THE COURT: Are there any other adults in the home
4 that work?

5 JUROR: No.

6 THE COURT: Any types of books, magazines, or
7 websites?

8 JUROR: No.

9 THE COURT: Clubs, organizations?

10 JUROR: Professional geology organizations.

11 THE COURT: How do you spend your spare time?

12 JUROR: Hanging out with my kids.

13 THE COURT: Is there anything that would prevent you
14 from being a fair and impartial juror in this case?

15 JUROR: No.

16 THE COURT: 192.

17 JUROR: 192, New York City, Upper East Side.

18 THE COURT: For the last five years?

19 JUROR: Yes.

20 THE COURT: How far did you go in school?

21 JUROR: Bachelor's degree in performing arts.

22 THE COURT: Your job?

23 JUROR: I'm a financial adviser, financial planner.

24 THE COURT: You have that for the last five years?

25 JUROR: Yes.

O5NVGUOVD4

1 THE COURT: Are you married or in a significant
2 relationship?

3 JUROR: In a relationship.

4 THE COURT: And does that individual work?

5 JUROR: As a yoga instructor.

6 THE COURT: Any other adults in your home who work?

7 JUROR: I employ a caregiver.

8 THE COURT: Do you like any type of reading?

9 JUROR: I read all current events, news, internet,
10 magazines, newspapers.

11 THE COURT: How do you spend your spare time?

12 JUROR: On my couch.

13 THE COURT: Is there anything that would prevent you
14 from being a fair and impartial juror in this case?

15 JUROR: No.

16 THE COURT: 195.

17 JUROR: Juror 195, Putnam County, Patterson.

18 THE COURT: Did you say Harrison?

19 JUROR: No, Patterson.

20 THE COURT: Patterson.

21 And you've been there for five years?

22 JUROR: Yes.

23 THE COURT: And how far did you go in school?

24 JUROR: Master's degree in healthcare administration
25 and geratology.

O5NVGUOVD4

1 THE COURT: Your job?

2 JUROR: Physical therapist.

3 THE COURT: And how long have you been doing that?

4 JUROR: 35 years.

5 THE COURT: Are you married or in a significant
6 relationship?

7 JUROR: No.

8 THE COURT: Are there any other adults that work in
9 your household?

10 JUROR: Yes, my son. He's an HVAC technician.

11 THE COURT: Any clubs or organizations?

12 JUROR: No.

13 THE COURT: How do you spend your spare time?

14 JUROR: TV, reading, sleeping.

15 THE COURT: Is there anything that would prevent you
16 from being a fair and impartial juror in this case?

17 JUROR: No.

18 THE COURT: No. 202. Oh, no, No. 199.

19 JUROR: 199, Manhattan, Murray Hill.

20 THE COURT: Murray Hill?

21 JUROR: Correct.

22 THE COURT: And you've been there for the last five
23 years?

24 JUROR: Yes.

25 THE COURT: How far did you go in school?

O5NVGUOVD4

1 JUROR: Bachelor's, psychology.

2 THE COURT: Your job?

3 JUROR: Unemployed.

4 THE COURT: What did you do before you were
5 unemployed?

6 JUROR: Advertising.

7 THE COURT: How long did you work in advertising?

8 JUROR: 15 years.

9 THE COURT: Are you married or in a significant
10 relationship?

11 JUROR: No.

12 THE COURT: Are there any other adults in the home
13 that work?

14 JUROR: No.

15 THE COURT: You like any type of reading?

16 JUROR: No.

17 THE COURT: Any clubs or organizations?

18 JUROR: No.

19 THE COURT: How do you spend your spare time?

20 JUROR: Friends, family, TV. I am big into animal
21 rescue.

22 THE COURT: Is there anything that would prevent you
23 from being a fair and impartial juror in this case?

24 JUROR: No.

25 THE COURT: Counsel, would you approach.

O5NVGUOVD4

1 (At sidebar)

2 THE COURT: So there are a couple of people I believe
3 who need to be stricken for cause: No. 188, do you both agree?

4 MS. SHROFF: Yes, your Honor.

5 THE COURT: Okay. So No. 188, dismissed.

6 Is there anybody else?

7 MS. MURRAY: 189.

8 MS. SHROFF: I have 189.

9 THE COURT: Yes. You both agree that he should be
10 stricken?

11 MS. SHROFF: Yes.

12 MS. MURRAY: Yes, your Honor.

13 THE COURT: Okay. So he's dismissed.

14 Is there anyone else?

15 MS. MURRAY: 202 was not yet stricken, that was the
16 last juror.

17 THE LAW CLERK: And 14.

18 THE COURT: Wait a minute. Remind me why 202 should
19 be stricken.

20 MS. MURRAY: We haven't inquired individually.

21 THE COURT: You're saying I forgot to talk to 202?

22 MS. MURRAY: Yes.

23 MS. SHROFF: And 14. 14 is the leftover who came
24 late.

25 THE COURT: Where is 14?

O5NVGUOVD4

1 THE LAW CLERK: I believe he's in the back.

2 MR. FINKEL: Is 14 now 205?

3 THE LAW CLERK: He's technically No. 14.

4 THE COURT: He remains 14.

5 MR. FINKEL: With respect to --

6 THE COURT: Yes, with respect to his order, when we
7 are doing the strikes, he is now at the very end.

8 MR. FINKEL: Oh, he's at the end. Okay. Thank you.

9 THE COURT: Okay. So let me go back and do --

10 MS. SHROFF: Your Honor, may we just have one second?
11 I just want to see if I had --

12 (Counsel conferred)

13 MS. SHROFF: Your Honor, may I just double-check a
14 number with the Court, as 174 being out?

15 THE COURT: 174 is out.

16 MS. SHROFF: Thank you.

17 (Juror present)

18 THE COURT: Okay. Are you No. 163?

19 JUROR: Yes, I am.

20 THE COURT: Would you happen to have found out whether
21 or not you can get more time paid for?

22 JUROR: I have not found out.

23 THE COURT: But you can do that overnight and come
24 back in the morning and tell me?

25 JUROR: I can send them an email. I can't guarantee

O5NVGUOVD4

1 you if they're going to respond in the morning by the time --
2 before I get here.

3 THE COURT: Can you tell them that it's urgent and
4 that the judge has directed you to do that as a matter of law?

5 JUROR: I can. I can't predict other humans'
6 behaviors.

7 THE COURT: All right. Tell the powers that be that
8 the judge has ordered them to give you that answer.

9 JUROR: Okay. I will.

10 THE COURT: All righty. You may step back.

11 (Juror not present)

12 THE COURT: Who else?

13 THE LAW CLERK: 191 is coming forward.

14 (Juror present)

15 THE COURT: Hello. So did you hear anything further
16 about the amount of time that you would get paid for jury
17 service?

18 JUROR: So no. I mean, I have to do it after this.

19 THE COURT: Okay. All right. So I want you to make
20 that inquiry.

21 JUROR: Okay.

22 THE COURT: I want you to tell whoever it is, whoever
23 the powers that be are, that the judge has ordered that they
24 give you that information immediately.

25 JUROR: Okay.

O5NVGUOVD4

1 THE COURT: Okay? And then tomorrow morning you're
2 going to come back and let me know.

3 JUROR: All right. Sounds good.

4 THE COURT: Thank you.

5 MS. SHROFF: I'm sorry, what was his number?

6 THE LAW CLERK: 191.

7 MS. SHROFF: 191. Okay. Thank you.

8 THE COURT: Okay. So I'm going to now do 202 and 14.
9 And the marshals will permit you to stay late with
10 Mr. Guo?

11 MS. SHROFF: It's not the marshals. We wanted Mr. Guo
12 to get back because then he sits in the pen before he goes back
13 up. So it wasn't whether the marshals would take him back.

14 But, your Honor, may I just ask a question about the
15 two jurors that are going to come back with answers tomorrow?

16 THE COURT: Yeah.

17 MS. SHROFF: Is that not going to affect how we
18 choose? If neither of them are going to get paid, were you
19 planning to excuse them or were they --

20 THE COURT: We'll discuss it tomorrow.

21 MS. SHROFF: So --

22 THE COURT: In other words, if they come back to me
23 and say we're not going to get paid for the full amount of time
24 and that would constitute a financial hardship, then I would
25 excuse them.

O5NVGUOVD4

1 MS. SHROFF: Right. So that's the reason why, so that
2 we're waiting on the answer for those two. It's logical to
3 exercise our peremptories after we hear from them.

4 THE COURT: Oh, definitely. Absolutely. So we'll
5 hear tomorrow.

6 MR. KAMARAJU: Oh, okay.

7 MS. SHROFF: That's fine.

8 MR. KAMARAJU: Sorry, your Honor. We were consulting
9 with Mr. Guo and then doing peremptories right now.

10 THE COURT: No.

11 MS. SHROFF: Okay, okay. Thank you. That's what I
12 meant. Great. Thank you very much.

13 MS. MURRAY: I was also going to note that they are in
14 neither of the next two sets of 12, in any event. So if we had
15 gone to peremptories tonight, it wouldn't have affected the
16 next two sets.

17 THE COURT: Except we have these folks that come up
18 with excuses.

19 MS. MURRAY: No, I understand.

20 MR. KAMARAJU: That's right, your Honor. We don't
21 know what the morning will bring.

22 MS. MURRAY: Just doing the numbers.

23 MR. KAMARAJU: Thank you, your Honor. We appreciate
24 it.

25 THE COURT: Okay. All righty.

O5NVGUOVD4

1 (In open court)

2 THE COURT: No. 202.

3 JUROR: Juror 202, from Putnam County, Garrison, New
4 York.

5 THE COURT: Did you say Garrison?

6 JUROR: Garrison, yup, with a G.

7 THE COURT: And how long have you been there?

8 JUROR: Most of my life.

9 THE COURT: Okay. And how far did you go in school?

10 JUROR: Bachelor's degree in business management.

11 THE COURT: And what is your job?

12 JUROR: I do customer service for radiology at a
13 hospital.

14 THE COURT: You've been doing that for five years?

15 JUROR: Yes.

16 THE COURT: Are you married or in a significant
17 relationship?

18 JUROR: No.

19 THE COURT: Are there any other adults in your home
20 who work?

21 JUROR: My mother is a graphic designer; my father is
22 a corrections officer; oh, and my brother works for the Knicks.

23 THE COURT: Okay. The fact that your father is a
24 corrections officer, would that have any impact on your ability
25 to be a fair and impartial juror in this case?

O5NVGUOVD4

1 JUROR: No.

2 THE COURT: Would you tend to have a bias in favor of
3 the government?

4 JUROR: No. I don't talk to him about, like, his job.

5 THE COURT: Okay.

6 Would you have a bias against the government?

7 JUROR: No.

8 THE COURT: Would you have a bias in favor of Mr. Guo?

9 JUROR: No.

10 THE COURT: Would you have a bias against him?

11 JUROR: No.

12 THE COURT: Do you like any type of reading?

13 JUROR: More of a YouTube person.

14 THE COURT: Any clubs or organizations?

15 JUROR: I'm part of the New York State Falconry
16 Association.

17 THE COURT: How do you spend your spare time?

18 JUROR: I produce music and I develop video games.

19 THE COURT: Not with the birds?

20 JUROR: No. I am on the path to being a falconer, but
21 I myself just got the permit. But I do go to the birds of prey
22 events, yes.

23 THE COURT: Anything that would prevent you from being
24 a fair and impartial juror in this case?

25 JUROR: No.

O5NVGUOVD4

1 THE COURT: No. 14.

2 JUROR: No. 14.

3 THE COURT: And what is your county of residence?

4 JUROR: Bronx.

5 THE COURT: And what is your neighborhood?

6 JUROR: Neighborhood, Bronx, New York. That's it.

7 THE COURT: I'm asking about the section of the Bronx.

8 JUROR: I don't know. Sections is Bronx -- Bronx.

9 That's it. All I know is Bronx.

10 THE COURT: Okay.

11 JUROR: The street I live in is Bronx Boulevard.

12 THE COURT: Okay. And how far did you go in school?

13 JUROR: Finish high school.

14 THE COURT: Your job?

15 JUROR: I do -- right now I'm unemployed for three
16 years now.

17 THE COURT: And what did you do before you were
18 unemployed?

19 JUROR: Warehouse worker.

20 THE COURT: And how long were you a warehouse worker?

21 JUROR: Six and a half to seven years.

22 THE COURT: Are you married or in a significant
23 relationship?

24 JUROR: I'm widowed.

25 THE COURT: I'm sorry to hear that.

O5NVGUOVD4

1 Are there any other adults in your household who work?

2 JUROR: No, I live alone.

3 THE COURT: Do you like any type of reading, books,
4 magazines, websites?

5 JUROR: Well, only book I really read is Bible, the
6 Bible. That's it. I do other reading, but not as -- not a
7 reader except for religious, you know, religious.

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

10 JUROR: No.

11 THE COURT: And how do you spend your spare time?

12 JUROR: I listen to music and YouTube.

13 THE COURT: Is there anything that would prevent you
14 from being a fair and impartial juror in this case?

15 JUROR: No, no.

16 THE COURT: All righty. Counsel, please step up.

17 (At sidebar)

18 THE COURT: I just want to go over those who are being
19 dismissed: 101, 102, 103, 108, 109, 110 no one showed up, 111,
20 112, 113, 114, 116, 117, 118, 119, 121, 122, 123, 124, 127,
21 129, 130 --

22 MS. MURRAY: 125 as well.

23 THE COURT: 125 that is, right? 127, 129, 130, 131,
24 132, 133, 134, 136, 139, 140, 141, 143, 144, 148, 149, 150,
25 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 162, 164,

O5NVGUOVD4

1 165, 166, 167, 168, 169, 170, 171, 172, 174, 175, 176, 177,
2 178, 179, 180, 181, 182, 183, 184, 185, 188, 189, 193, 194,
3 196, 197, 198, 200, 201, 203, 204.

4 Okay. So those are the individuals who will be
5 excused and who will not be coming back tomorrow morning. The
6 rest will be coming back tomorrow morning, including the four
7 that have been here all day from yesterday, we hope.

8 THE LAW CLERK: I think it's eight.

9 THE COURT: There are eight? Oh. Eight.

10 MR. KAMARAJU: Two should be seated, right?

11 MS. SHROFF: Four that are pending.

12 THE COURT: We have two that are chosen, but I am not
13 swearing those.

14 MR. KAMARAJU: Of course.

15 THE LAW CLERK: Judge, could I read the list of who's
16 left?

17 THE COURT: Okay.

18 THE LAW CLERK: So this is who we have left: 104,
19 105, 106, 107, 115, 120, 126, 128, 135, 137, 138, 142, 145,
20 146, 147, 161, 163, 173, 186, 187, 190, 191, 192, 195, 199, 202
21 and 14.

22 THE COURT: Okay. So --

23 MR. KAMARAJU: Did you say 190? I'm sorry.

24 THE LAW CLERK: Yes.

25 THE COURT: So we're going to now excuse those

O5NVGUOVD4

1 individuals who are not coming back tomorrow. And when you
2 come back tomorrow, we will continue with the peremptory
3 challenges.

4 Anything further?

5 MR. FINKEL: They all come back tomorrow.

6 THE COURT: Oh, yes, indeed. We really do. Maybe I
7 should even bring in -- after these leave, maybe I should bring
8 in those eight and remind them of their obligation to return.

9 THE LAW CLERK: Everyone should stay seated except for
10 these people.

11 THE COURT: Well, you can read the list of those who
12 are excused.

13 THE LAW CLERK: Okay.

14 THE COURT: Okay.

15 (Continued on next page)

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05N1GUOVD5

1 (In open court)

2 THE COURT: Mr. Steinberg.

3 THE LAW CLERK: Good afternoon. The following people
4 are excused. We thank you for being here today and yesterday
5 and for your service. Everyone else, the names, or the numbers
6 I do not call, please stay seated.

7 Juror 101, 102, 103, 108, 109, 111, 112, 113, 114,
8 116, 117, 118, 119, 121, 122, 123, 124, 125, 127, 129, 130,
9 131, 132, 133, 134, 136, 139, 140, 141, 143, 144, one 148, 149,
10 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 162,
11 164, 165, 166, 167, 168, 169, 170, 171, 172, 174, 175, 176,
12 177, 178, 179, 180, 181, 182, 183, 184, 185, 188, 189, 193,
13 194, 196, 197, 198, 200, 201, 203, 204.

14 If you heard your number, you may leave now. Thank
15 you again for your service.

16 If you did not hear your number, please remain seated.

17 (Jurors listed above dismissed)

18 THE COURT: I want to first apologize to the jurors
19 who have been waiting all day long, the eight of you who
20 faithfully returned. There were circumstances beyond my
21 control, and beyond the control of the parties, which caused us
22 to go a little bit longer than we expected. However, the trial
23 is going to start tomorrow, and I need for you as well as every
24 other juror in this room to return at 9 a.m. sharp tomorrow.
25 It is very important that you get here on time. There are so

05N1GUOVD5

1 many moving pieces in a trial, the lawyers, the defendant, the
2 witnesses, everyone has got to be on time in order for us to
3 make this flow properly.

4 One important rule that you must observe now and
5 throughout the rest of the trial is that you're not permitted
6 to discuss the case amongst yourselves or with anybody else.
7 Don't permit anyone to discuss the case in your presence. And
8 so I will see everyone tomorrow morning at 9. Have a good
9 evening.

10 And everyone is going to 26A. 26A is the room that
11 you're going to.

12 (Jurors not present)

13 (At the sidebar; juror present)

14 THE COURT: What is your number?

15 THE LAW CLERK: 163.

16 THE COURT: Yes.

17 JUROR: So the first question is, was I selected as a
18 juror, or was I—can you guys narrow it down, or—

19 THE COURT: We have narrowed it down, but we haven't
20 finalized it yet, and so you may be selected as a juror.

21 JUROR: The follow-up question I had was, so I get 30
22 days of jury time that's compensated. If this case lasted till
23 July 12th, which is what I think you said, I have to—I have a
24 firmwide break the week following July 4th, so I'm not sure if
25 that influences anything.

05N1GUOVD5

1 THE COURT: Oh, you mean that this is essentially a
2 vacation?

3 JUROR: Everyone at my firm has the week off following
4 the week of July 4th. So what—the reason I bring this up is
5 because I don't think it's going to be a conflict anymore,
6 assuming the case doesn't go beyond July 12th.

7 THE COURT: Okay. And do you want to confirm that
8 then?

9 JUROR: I can confirm it, yeah. I'd have to let you
10 know in the morning, if I get a response before I leave to come
11 here in the morning. Because I have a work laptop, so—

12 THE COURT: All righty. Good luck with that.

13 JUROR: I just wanted to let you know.

14 THE COURT: Thank you.

15 (Juror not present)

16 MR. FINKEL: That resolves one logistical difficulty,
17 because the problem week was the week after July 12th, which
18 he's going to be off anyway, so in other words, the 30 days, as
19 I understand it, he's covered.

20 MS. SHROFF: That's a really shitty way to spend your
21 one week off from work. I think that's what he was trying to
22 say.

23 THE COURT: I just want to make sure that we all agree
24 that that actually covers the whole time?

25 MR. FINKEL: Yes.

05N1GUOVD5

1 THE COURT: Okay. All right. Well, he'll come to us
2 tomorrow morning.

3 ALL COUNSEL: Thank you, your Honor.

4 THE COURT: Thank you. We're done.

5 MR. FINKEL: I'm sorry. One thing.

6 THE COURT: Go ahead.

7 MR. FINKEL: So I was thinking through the
8 peremptories tomorrow. So if let's say in the middle, the
9 second group of 12 peremptories are exercised such that three
10 of them become in the actual jury and there's whatever, six or
11 so that are left that weren't struck, do they automatically
12 become alternates or do you sort of have a new group of 12 at
13 which point we exercise our alternate peremptories?

14 THE COURT: So we first get a jury of 12, and then one
15 by one we consider the alternates, one by one.

16 MR. FINKEL: Okay.

17 THE COURT: They're not a group of four or a group of
18 six. It's one, and then another, and then another.

19 MR. FINKEL: Consecutively.

20 THE COURT: Correct.

21 MR. FINKEL: Okay. Thank you.

22 THE COURT: Yes.

23 MR. SCHIRICK: Thank you.

24 (Adjourned to May 24, 2024, at 9:00 a.m.)

25