

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

UNITED STATES OF AMERICA)	
)	
v.)	
)	
CHRISTOPHER J. BENYO,)	Criminal. No. 01:05cr12
CHARLES E. JOHNSON, JR.)	
JOHN P. TULI, and)	Judge Walter D. Kelley, Jr.
KENT D. WAKEFORD)	
)	
Defendants.)	
_____)	

JURY QUESTIONNAIRE

TO THE PROSPECTIVE JUROR:

You are now a prospective juror in the case of United States of America v. Christopher J. Benyo, Charles E. Johnson, Jr., John P. Tuli and Kent D. Wakeford. The jury will be selected between October 11 and October 13, 2006. The trial in this matter will begin with opening statements on October 16, 2006.

The attached questionnaire must be answered by you. The answers will assist the judge and lawyers in selecting a jury. Answer all the questions to the best of your ability. There are no right or wrong answers. To answer correctly you must answer honestly.

We need your help so that we can select a fair and impartial jury in this case. Only the judge and lawyers will know your name. Do not assume anything from these questions. The fact they are being asked does not necessarily have anything to do with the evidence that you will hear.

The judge and lawyers know that every person has beliefs and prejudices concerning many things. You should answer with your true feelings, whatever they may be. Do not assume that any of your answers will qualify you or disqualify you from serving on this jury.

Please fully answer each question to the best of your ability. Write or print clearly. You must not ask anyone for help. Do the best you can.

If you cannot answer a question because you do not understand it, write "Do Not Understand" in the margin next to the question. If you cannot answer because you do not know, write "Do Not Know" in the margin next to the question. If you want to explain your answer do so briefly in the margin next to the question. If for any reason you do not want to answer any of the questions asked, please write the word "PRIVATE" next to the question and we will take this matter up with you privately.

We are all certain that you understand the importance of juries to our American system of justice. We are confident that you will not try to avoid your duty as a citizen to serve if it is at all possible to do so. Without your help our courts cannot operate properly under the Constitution.

An Explanation Sheet is provided for you at the end of the questionnaire to answer questions more fully. Rather than leaving out information, please turn to the end and put your answers on the explanation sheet provided.

Because your answers are part of the jury selection process and become part of the records of this court, your answers must be truthful and under penalty of perjury.

Walter D. Kelley, Jr.
United States District Judge

I Hardship

The Court and the parties estimate that the trial in this case will last approximately 8 weeks. The jury will sit 4 days per week (Monday through Thursday) during the bulk of the trial when evidence is being taken, although the jury will have to be present 5 days a week until deliberations are complete. Thus, for most of the trial, jurors will not be required to report on Fridays or holidays. In addition, every effort will be made to accommodate special needs of individual jurors. Jurors will be paid an attendance fee of \$40 per day for each day you report to the court-house.

Jury service is one of the highest duties, privileges, and obligations of a citizen. The participation of people like you is essential to the proper administration of justice. The Court recognizes that not everyone can serve on a case of this length. However, mere inconvenience or the usual financial hardships of jury service will not be enough to excuse you.

1. Would you have a serious hardship if chosen for this case?

_____ YES, I would have a serious hardship if chosen for this case. Please answer the questions below, and fully explain your hardship. You must still complete the entire questionnaire.

_____ NO, I would not have a serious hardship if chosen for this case.

If YES, please explain the hardship, and list your current occupation and employer. If you are retired or unemployed, please indicate that fact and list your previous occupation. Please write legibly.

Occupation: _____ Your Age: _____

Employer: _____

Are you self-employed? _____ Are you retired? _____

Will you be paid your salary while you serve jury duty? Yes ___ No ___

What is your hardship? _____

2. Do any of the following conditions or circumstances apply that might make it difficult for you to serve as a juror:

(a) Do you have any medical conditions that would make it difficult for you to serve as a juror?

Yes ___ No ___

(b) Do you have any problems with your hearing or vision that would make it difficult for you to serve as a juror?

Yes _____ No _____

(c) Do you regularly take any medications that would interfere in any way with your ability to concentrate or serve as a juror?

Yes _____ No _____

(d) Have you recently been treated for a substance abuse problem (for example, alcohol, illegal or prescription drugs)?

Yes _____ No _____

(e) Do you have any personal or family or work responsibilities that would interfere with your service as a juror?

Yes _____ No _____

(f) Do you have any difficulty understanding, speaking, reading or writing the English language?

Yes _____ No _____

If you have answered “yes” to any of the questions in 2 a-f above, please provide details:

II Personal Background

3. Gender: _____

4. Age: _____

5. Place of Birth: _____

(a) If you were not born in the United States, what year did you come here? _____

6. What is your ethnic background?

- _____ White/Caucasian, not Hispanic
- _____ Black/African-American, not Hispanic
- _____ Hispanic/Latino
- _____ Asian or South Asian
- _____ American Indian or Native American
- _____ Other (please specify): _____

7. Is English your native language? Yes ___ No ___

If not, please state your native language: _____

8. In what town, city, or county do you currently live? _____

9. Length of time at current address: _____

10. How long have you lived in Northern Virginia? _____

11. If you have lived less than five years at your current address, indicate your prior town or community.

12. What is your current marital/domestic status?

- | | | | |
|----------------------|-------|------------------------|-------|
| Single/never married | _____ | Divorced | _____ |
| Married | _____ | Divorced and remarried | _____ |
| Domestic partner | _____ | Widowed | _____ |
| Separated | _____ | | |

13. If you have children or stepchildren, please list them:

	<u>Sex</u>	<u>Age</u>	<u>Live with you?</u>	<u>Education Level</u>	<u>Occupation</u>
A					
B					
C					
D					
E					

14. What is/was your father's occupation?

15. What is/was your mother's occupation?

16. Do you have any brothers or sisters?

Yes ___ No ___

(a) If so, please indicate whether you are (check one):

The oldest _____

The youngest _____

A middle sibling _____

17. What is your current occupational status? (Check all that apply.)

Work full-time outside the home _____

Student _____

Work part-time outside the home _____

Retired _____

Full-time homemaker _____

Disabled _____

Homemaker w/part-time employment _____

Other: _____

Unemployed _____

18. Please state your place of employment and your current occupation.

19. Check the category that best describes your current employer:

- Federal government agency
- Private, for-profit organization
- State government agency
- Private, not-for-profit organization
- County government agency
- City government agency
- Self employed
- Other: _____

20. Describe what you do: _____

21. How long have you held this job? _____

22. Are you a vendor or a contractor for the United States Government, state government, or local government or do you work for one?

Yes ___ No ___

If yes, please describe: _____

23. Has your occupation changed in recent years?

Yes ___ No ___

If yes, please explain: _____

24. During your working life, what are the typical jobs and employers you have had (other than the current occupation described above)?

<u>Occupation/Employer</u>	<u>Length of Employment</u>

25. Have you EVER had management or supervisory duties? Yes___ No___

If Yes, please explain: _____

(a) How many people do/did you supervise or manage? _____

(b) Do/did you have the power to hire and fire? Yes___ No___

(c) Do/did you consider your management job to be:

Senior management _____

Middle management _____

Lower management _____

Supervisor/foreman _____

26. At your current or any former place of employment, have you ever had any involvement in contract negotiation or procurement as part of your job duties?

Yes ___ No ___

If yes, please describe: _____

27. What is your spouse/domestic partner's occupational status? (Check all that apply.)

- | | |
|---|--------------------|
| _____ Work full-time outside the home | _____ Student |
| _____ Work part-time outside the home | _____ Retired |
| _____ Full-time homemaker | _____ Disabled |
| _____ Homemaker with part-time employment | _____ Other: _____ |
| _____ Unemployed | |

28. Check the following category that best describes your spouse or domestic partner's employer:

- _____ Federal government agency
- _____ Private, for-profit organization
- _____ State government agency
- _____ Private, not-for-profit organization
- _____ County government agency
- _____ City government agency
- _____ Self employed
- _____ Other: _____

29. What is your spouse or domestic partner's current occupation/job title?

30. What kind of work did he/she do in the past? _____

31. Check the highest level of education for you and your spouse or domestic partner:

	<u>You</u>	<u>Spouse/domestic partner</u>
a. Grade school or less	_____	_____
b. Some high school	_____	_____
c. High school graduate	_____	_____
d. Technical or business school	_____	_____
e. Some college	_____	_____
f. College degree	_____	_____
g. Graduate work or degree	_____	_____

If you attended college or received a graduate degree, identify all colleges and graduate schools you attended and your major field of academic concentration.

32. What is your approximate annual household income? (optional)

___ Less than \$25,000	___ \$125,000 to \$174,999
___ \$25,000 to \$75,999	___ \$175,000 to \$ 224,999
___ \$75,999 to \$124,999	___ \$ 225,000 and over

33. Do you own or rent your home? (Please check one)

Own _____ Rent _____

34. Who makes the financial decisions in your household?

35. How familiar would you say you are with the securities industry (stock market)?

Very familiar _____ Please describe: _____

Somewhat familiar _____ _____

Not very familiar _____ _____

Not familiar at all _____

36. How familiar are you with the business, America on Line (AOL)?

Very familiar _____	Please describe: _____
Somewhat familiar _____	_____
Not very familiar _____	_____
Not familiar at all _____	

37. How familiar are you with the business, PurchasePro?

Very familiar _____	Please describe: _____
Somewhat familiar _____	_____
Not very familiar _____	_____
Not familiar at all _____	

38. Who prepares your taxes?

Self/spouse _____

CPA _____

Certified tax preparer (e.g. H.R. Block) _____

Tax attorney _____

Tax preparation company _____

Other _____

39. Do you or your spouse/partner own or have either of you ever owned any of the following types of investments? If YES, please check all that apply:

	Self	Spouse/Partner
Money Market Account	_____	_____
Municipal Bonds	_____	_____
U.S. Government Bonds	_____	_____
Mutual Funds	_____	_____
Privately Issued Bonds	_____	_____
Stocks	_____	_____
U.S. Government Notes	_____	_____
Real Estate	_____	_____
Other (please describe: _____)		

40. Which of the following statements apply to you/your spouse/partner?

- I/We have no investments
- I/We follow the market in the newspaper or financial publications.
- A financial planner or stockbroker advises me/us.
- A financial planner or stockbroker manages my/our investments
- My/his/her employer handles the investment decision making.
- I take the lead in household investment decisions.
- My spouse/partner takes the lead in household investment decisions.

41. Do you, your spouse or domestic partner, or another member of your immediate family have any education, training or employment experience in any of the following fields:

	<u>Yes</u>	<u>No</u>
a. Accounting, auditing, bookkeeping	___	___
b. Business, Financial Management	___	___
c. Banking, Finance	___	___
d. Marketing/Sales, Public relations	___	___
e. Law	___	___
f. Law Enforcement	___	___
g. Criminal justice (courts)	___	___
h. Stock analysis/investment	___	___
i. Government control or regulation	___	___
j. Journalism, media, communications	___	___
k. Computer or information technology	___	___

If yes, please explain the nature and extent of the education, training or employment experience: _____

42. Have you, or any of your immediate family members, ever owned your own business?

Yes ___ No ___

If yes, please explain: _____

43. Have you, or any of your immediate family members or close friends ever served as an officer or on the Board of Directors of any business or corporation?

Yes ___ No ___

If yes, please explain: _____

44. Have you, or any of your immediate family members or close friends ever worked in any capacity for any type of “start up” business venture?

Yes ____ No ____

If yes, please explain: _____

45. Have you, any relatives or close friends ever worked in any capacity for any “dot com” business that markets or sells products or services solely or predominantly through the internet?

Yes ____ No ____

If yes, during what time period and for what company? _____

46. Some people are interested in computer technology and the internet and other people are not at all interested in these things. How would you describe your own interest in computer technology and the internet? (Check one)

Extremely interested _____
Very interested _____
Somewhat interested _____
Not at all interested _____

47. How would you describe your knowledge of computer technology and the internet?

Extremely knowledgeable _____
Very knowledgeable _____
Somewhat knowledgeable _____
Not at all knowledgeable _____

48. About how many hours per day, if any, do you spend using the internet?

At your job? _____
At your home? _____
At other locations? (Specify) _____

Please explain the nature of your internet usage? _____

III Organizational Affiliations, Hobbies and Spare Time Activities

49. Have you, any member of your family, or any close personal friend ever held an elected or appointed office in the federal, state or local government?

Yes ___ No ___

If yes, please describe: _____

50. Have you, your spouse/partner, or immediate family member ever served in the armed forces, including the reserves, National Guard or ROTC? Yes ___ No ___

If yes, please answer the following:

	<u>You</u>	<u>Spouse/ Partner</u>	<u>Family Member</u>
(a)Branch and highest rank	_____		
(b)Date of service	_____		
(c)Place of Service	_____		
(d)Type of Discharge	_____		
(e)Any experience with courts martial, military police, shore patrol or other area of military law enforcement? Yes ___ No ___			
(f)Did you/they have any combat experience? Yes ___ No ___			

If so, identify location and years: _____

51. Please list your hobbies, interests, sports, recreational or other spare time activities:

52. Please list any organizations (civic, charitable, volunteer, professional or business) to which you or your spouse or domestic partner belongs or in which either of you have devoted a substantial amount of time:

Self: _____

Spouse/domestic partner: _____

53. Have you ever held any office or title in any of the organizations you listed in question 52?

Yes ___ No ___

If yes, please describe you/your spouse's title and duties: _____

54. Religious preference: _____

55. Do you hold any religious, moral or personal beliefs about standing in judgment of another person that would prevent you from following the law or performing your obligations as a juror?

Yes ___ No ___ Unsure _____

56. Do you consider yourself an accurate note taker?

Yes ___ No ___

57. On social issues, are you:

Very conservative _____

Conservative _____

Moderate _____

Liberal _____

Very liberal _____

58. On economic issues are you:

Very conservative _____

Conservative _____

Moderate _____

Liberal _____

Very liberal _____

59. Political party preference:

Democrat _____

Independent _____

Republican _____

Other _____

60. Do you or any family members have any bumper stickers on your car(s) or messages on your t-shirts presenting ideas in which you strongly believe?

Yes ___ No ___

If yes, what do the bumper stickers or t-shirts say?

61. How would you describe yourself and your view of life in ten words or less?

62. Which of the following words would describe you? (Please check all that apply):

- | | | | | |
|---|---|---------------------------------------|------------------------------------|--|
| <input type="checkbox"/> Aggressive | <input type="checkbox"/> Analytical | <input type="checkbox"/> Articulate | <input type="checkbox"/> Assertive | <input type="checkbox"/> Business-minded |
| <input type="checkbox"/> Cautious | <input type="checkbox"/> Compulsive | <input type="checkbox"/> Creative | <input type="checkbox"/> Decisive | <input type="checkbox"/> Dedicated |
| <input type="checkbox"/> Detailed | <input type="checkbox"/> Emotional | <input type="checkbox"/> Entrepreneur | <input type="checkbox"/> Impulsive | <input type="checkbox"/> Independent |
| <input type="checkbox"/> Innovative | <input type="checkbox"/> Intelligent | <input type="checkbox"/> Judgmental | <input type="checkbox"/> Laid-back | <input type="checkbox"/> Law & Order |
| <input type="checkbox"/> Leader | <input type="checkbox"/> Logical | <input type="checkbox"/> Loyal | <input type="checkbox"/> Naïve | <input type="checkbox"/> Opinionated |
| <input type="checkbox"/> Outspoken | <input type="checkbox"/> Perceptive | <input type="checkbox"/> Practical | <input type="checkbox"/> Private | <input type="checkbox"/> Problem solver |
| <input type="checkbox"/> Pro-business | <input type="checkbox"/> Pro-Government | <input type="checkbox"/> Pro-worker | <input type="checkbox"/> Religious | <input type="checkbox"/> Skeptical |
| <input type="checkbox"/> Snap-decisions | <input type="checkbox"/> Strict | <input type="checkbox"/> Stubborn | <input type="checkbox"/> Technical | <input type="checkbox"/> Thoughtful |
| <input type="checkbox"/> Trusting | <input type="checkbox"/> Visual | <input type="checkbox"/> Other: _____ | | |

IV Media Exposure

63. How often do you read a Newspaper?

What newspapers?

- Every day _____
- Several times a week _____
- Once or twice a week _____
- Less often than once a week _____
- Never _____

64. How often do you watch TV news?

What stations and programs?

- Every day _____
- Several times a week _____
- Once or twice a week _____
- Less often than once a week _____
- Never _____

65. How often do you listen to radio news?

What stations?

- Every day _____
- Several times a week _____
- Once or twice a week _____
- Less often than once a week _____
- Never _____

66. How often do you get news off the Internet? _____ What sites? _____

- Every day ____
- Several times a week _____
- Once or twice a week _____
- Less often than once a week _____
- Never _____

67. Please list any other sources of news you watch, listen to, or read on a regular basis or favorite news programs or internet sites, not included above. Include radio talk shows.

68. Please list the newspaper, magazines and/or other print publications you read regularly.

69. What section of the newspaper do you read first? _____

70. Do you regularly listen to or watch local and/or national news programs?
Yes ____ No ____
If yes, which ones and how frequently? _____

71. What was the last book that you read? _____

72. What types of books do you generally read?

73. What kinds of movies do you like to watch? _____

74. Do you follow newspaper, radio and/or TV stories about crime?

Yes ___ No ___

If yes, do you follow crime stories:

Very closely _____

Somewhat closely _____

Not too closely _____

Not at all _____

75. Please list the TV shows you watch regularly: _____

76. How many hours do you spend watching television? _____

77. What radio and television talk shows do you listen to or watch most often?

78. Please state your three favorite television programs:

1. _____
2. _____
3. _____

79. Do you watch any of the following programs:

- | | |
|---|---------------------------|
| ___ 60 Minutes | ___ 20/20 |
| ___ Frontline | ___ America's Most Wanted |
| ___ Nightline | ___ Dateline |
| ___ Other news/docudrama show (please specify): _____ | |

80. Do you ever listen to radio talk shows, turn to political commentators on TV or the radio, or do you ever visit political blog sites on the Internet?

Yes ___ No ___

If yes, which one(s)? _____

81. Do you read any financial or business newspapers or periodicals?

Yes ___ No ___

If yes, which publications do you read and how often?

82. Do you watch any television programs specifically dealing with law, the courtroom or law enforcement or forensic science, such as Court TV, Nancy Grace, Law & Order, CSI?

Yes _____ No _____

If yes, which programs do you watch and how often:

Name of Program	How often you watch it
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____

83. Do you watch any television programs specifically dealing with financial and business issues?

Yes ___ No ___

If yes, how many times per week? _____

Which programs? _____

84. Do you visit any websites or blogs that specifically dealing with financial and business issues?

Yes ___ No ___

If yes, which sites/blogs? How often? _____

85. How much attention would you say you pay to news about finance and investments?

A great deal ___

Quite a bit ___

Some ___

A little ___

None ___

86. If you are chosen to be a juror, you will not be permitted to read or listen to any media or internet coverage of this case and related subjects. Would these restrictions pose any difficulty for you?

Yes ___ No ___

If yes, please explain: _____

V Contact and Experiences with Crime, Courts and Legal System

87. Are you, or is any close friend or relative, a member of a neighborhood crime watch or prevention group?

Yes ___ No ___

If yes, please identify the group and describe that participation: _____

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

Yes ___ No ___

(a) If no, go to the next numbered question. If yes, please provide the following information for each person and incident:

<u>Relationship</u> (Self, sister, etc.)	<u>Type of</u> <u>Crime</u>	<u>Victim or</u> <u>Witness</u>	<u>Reported</u> <u>to Police?</u>	<u>Was</u> <u>anyone</u> <u>Charged?</u>	<u>Outcome</u> <u>of the</u> <u>Case</u>

(b) In what ways, if any, did any of these incidents that you, or a person close to you, experienced affect your attitude about crime or the criminal justice system?

(c) How do you feel about how the police or law enforcement authorities handled the situation?

89. Have you, or has any member of your family or close friend, ever been questioned about, accused of, investigated for, arrested for or charged with a crime, other than a minor traffic offense?

Yes ___ No ___

(a) If yes, please provide the following:

<u>Relationship of person charged (Self, Sister, etc.)</u>	<u>Crime(s) involved</u>	<u>Case Outcome</u>

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

(c) How did you feel about being questioned about that experience? _____

(d) Would this experience affect your ability to serve as a juror in this case?

Yes _____ No _____

Please explain:

90. Have you or any family members or close friends had any personal experience as a victim of fraud or accused of defrauding someone else?

Yes _____ No _____

If yes, please explain: _____

91. Have you or any family members or close friends ever sued or been sued?

Yes _____ No _____

If yes, please state if you/they were the plaintiff (party suing) or the defendant (the party being sued), the type of case and what the outcome was: _____

92. Have you, your business, any family member or your employer ever filed for bankruptcy?

Yes _____ No _____

If yes, please state who filed and what happened: _____

93. Have you ever had to appear in court, or in any legal proceeding, as a plaintiff, defendant, victim, or witness, including as an expert witness, for any reason other than that explained above?

Yes _____ No _____

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

94. Have you ever had an unfavorable experience with a lawyer or judge?

Yes ___ No ___

If yes, please explain: _____

95. Have you, or has any close friend or relative, made or brought any claims or lawsuits against any federal, state, or local government agency?

Yes __ No__

If yes, please explain: _____

96. Have any claims or lawsuits ever been made by any federal, state or local official or government agency against you, or any close friend or relative?

Yes _____ No _____

If yes, please explain: _____

97. What opinion do you hold about juries and the jury system?

98. Have you or any family members ever served on a Grand Jury in any jurisdiction?

Yes _____ No _____

If yes, please describe that Grand Jury experience (when, where, how long did you/relative serve, the nature of the cases presented):

99. Have you ever served as a juror in a civil or criminal trial before?

Yes ___ No ___

(a) If yes, please complete the following for each trial on which you served as a juror:

When did you serve?	In what court?	Criminal or Civil?	Charges/ Allegations?	What verdict did the jury reach?
1.				
2.				
3.				

(b) Have you ever served as a jury foreperson?

Yes _____ No _____

(c) Was there anything about your jury experience that left you disappointed or dissatisfied with our justice system?

Yes _____ No _____

Please explain: _____

(d) Was there anything about your experience as a juror which would make you not want to serve again?

Yes _____ No _____

Please explain: _____

100. Have you, any members of your family, or any close friends ever been employed by, or made any application for employment with, any local, state, or federal law enforcement or private security agency, including, but not limited to, the following (check as many as apply for each category):

	Self	Family Member	Close Friend	Position
Federal Bureau of Investigation (F.B.I.)				
U.S. Attorney's Office				
State Prosecutor's Office				
Internal Revenue Service (IRS)				
Department of Justice				
U.S. Treasury Department				
U.S. Chamber of Commerce				
Securities and Exchange Commission (SEC)				
Military Police				
Correctional Officer				
Bureau of Prisons				
Parole or Probation Office				
State Police				
Police Department				
Sheriff's Department				
U.S. Marshal's Service				
Secret Service				
U.S. Customs				
U.S. Postal Service				
Pretrial Services or Bail Agency				

	Self	Family Member	Close Friend	Position
Federal Protective Services				
U.S. Park Police				
Other law enforcement or private security agency not listed				Also identify name of Agency:

101. Have you, or has any close friend or relative, ever worked or been a volunteer in any capacity in the legal profession?

Yes _____ No _____

If yes, please explain: _____

102. Have you, any member of your immediate family or household, or close personal friend ever been employed by a law firm or in the legal department of any private business, corporation, government agency?

Yes _____ No _____

If yes, please explain: _____

103. Have you, any member of your immediate family or household, or close personal friend ever been employed as an investigator or investigative reporter?

Yes _____ No _____

If yes, please explain: _____

104. Do you know any private criminal defense attorneys, public defenders, Legal Aid lawyers, paralegals, investigators or anyone else involved in criminal defense work?

Yes _____ No _____

If yes, please list their name(s), the type of legal work they do, where they do their work and their relationship to you: _____

105. Do you know any District Attorneys, Assistant District Attorneys, U.S. Attorneys, Assistant U.S. Attorneys or any other type of prosecutor?

Yes _____ No _____

If yes, please list their name(s), the type of legal work they do, where they do their work and their relationship to you: _____

VI General Opinions and Beliefs about the Criminal Justice System

106. In general, how would you rate the ethics and honesty of defense attorneys?

107. In general, how would you rate the ethics and honesty of prosecutors?

108. Do you believe that the testimony of law enforcement personnel is:

More truthful than other witnesses? _____

Less truthful than other witnesses? _____

Same truthfulness as other witnesses? _____

Please explain: _____

109. Do you believe that if a person observes others commit a crime and knows they are committing a crime that the observer is also guilty of committing that same crime?

Yes ___ No ___ Unsure ___

Please explain: _____

PLEASE CHECK THE ANSWER THAT MOST CLOSELY REFLECTS YOUR OWN OPINION CONCERNING THE FOLLOWING STATEMENTS.

110. Do you feel that the criminal justice system generally treats criminals too harshly, about right, or too leniently?

Too harsh _____ About right _____ Too lenient _____

111. Do you believe that all laws should be strictly enforced no matter what the results?

Yes ___ No ___ Unsure _____

112. Do you believe that “proof beyond a reasonable doubt” is too heavy a burden for the prosecution to have to meet in a trial?

Yes ___ No ___ Unsure _____

113. Do you believe that if someone is charged with a crime, most likely they are guilty of some wrongdoing?

Yes ___ No ___ Unsure _____

114. Do you believe that defendants in a criminal trial should be required to take the witness stand to prove their own innocence?

Yes ___ No ___ Unsure _____

115. Do you believe that our criminal justice system favors the wealthy and/or powerful?

Yes ___ No ___ Unsure _____

116. Do you believe too many guilty people escape punishment because of legal technicalities?

Yes ___ No ___ Unsure _____

117. The Court will instruct you that an indictment is nothing more than a document from the government alleging wrong-doing. It does not mean that the accused person is guilty, and it is not evidence of guilt. Is there any reason you would not be able to follow this instruction?

Yes ___ No ___ Unsure _____

118. The Court will instruct you that the burden of proof in a criminal case is exclusively on the government. A defendant has no duty to prove his or her innocence. Is there any reason you would not be able to follow this instruction?

Yes ___ No ___ Unsure _____

119. The Court will instruct you that defendants accused of participating in white collar crime are given the same rights as other criminal defendants. Is there any reason you would not be able to follow this instruction?

Yes ___ No ___ Unsure _____

120. The Court will instruct you that a defendant in a criminal case has the absolute right not to testify. If a defendant chooses not to testify, the jury cannot consider this fact in any way. Is there any reason you would not be able to follow this instruction?

Yes ___ No ___ Unsure _____

If yes, please explain: _____

VII Knowledge and Opinion of White Collar Corporate Crime

121. How closely, if at all, would you say you have followed the news reports of the following corporate criminal investigations and trials? (Circle one response for each investigation.)

	Very Closely	Somewhat Closely	Not Very Closely	Not at All
A. Arthur Andersen	1	2	3	4
B. John Rigas (Adelphia Communications Inc.)	1	2	3	4
C. WorldCom	1	2	3	4
D. Tyco	1	2	3	4
E. Martha Stewart	1	2	3	4
F. Richard Scrushy (HealthSouth)	1	2	3	4
G. Enron (Kenneth Lay, Jeffrey Skilling)	1	2	3	4

122. Have you watched (or listened to) any movies, documentaries, television specials or interviews or other programs concerning corporate scandals or white collar crime?

Yes ___ No ___

Please describe: _____

123. Have you read any books or magazine or newspaper articles about corporate scandals or white collar crime?

Yes _____ No _____

Please describe: _____

124. Have you written to any elected or appointed government official; or to any newspaper or magazine; or called in to any television or radio program, or written to any internet "chat room" to express your opinion about recent corporate scandals or any other related issue?

Yes _____ No _____

If yes, please describe: _____

125. Have you or any of your immediate family members lost money due to the downturn of the stock market in recent years?

Yes (self) _____ Yes (family) _____ No _____

Briefly, explain:

126. Have you or has anyone close to you been affected by the financial problems of a company where there have been allegations of corporate fraud or wrongdoing on the part of the executives?

Yes _____ No _____

Briefly explain:

127. Have you or anyone close to you ever made a complaint to a brokerage firm, the NASD, the SEC or any law enforcement agency regarding the activities of an individual employed or associated with the securities industry?

Yes _____ No _____

If yes, please explain what happened and the outcome: _____

128. In general, are your impressions about large corporations: (Check one)

Mostly Favorable _____

Mostly Unfavorable _____

Both favorable and unfavorable _____

Please explain: _____

129. How concerned are you about the honesty and ethics of large corporations?

130. Do you think that corporations treat one another honestly and fairly most of the time?

Yes _____ No _____ Unsure _____

131. Which of the following statements comes closest to your views? (circle one)

(a) A little dishonesty is inevitable in the business world and you can't get too upset about it.

(b) Dishonesty in the business world should not be tolerated under any circumstances.

132. Do you believe that if a business and its shareholders lose a lot of money, someone must have committed a crime?

Yes _____ No _____ Unsure _____

133. Do you think government regulation of the financial and accounting practices of large corporations are too strict, not strict enough, or about right? (Check ONE answer)

Too strict _____ Not strict enough _____ About right _____

Unsure _____

134. Do you think government regulation of the financial and accounting practices of large corporations does enough to protect the investing public from fraud by corporate executives?

Yes _____ No _____ Unsure _____

135. Is there anything about a case where a defendant or witnesses are current or former executives of corporations that would make it hard for you to serve as a fair and impartial juror?

Yes ___ No ___ Unsure _____

If yes, please explain: _____

136. The defendants in this case are all former executives of large corporations. Would this affect your ability to treat them the same as any other criminal defendant?

Yes ___ No ___ Unsure _____

Please explain: _____

VIII Knowledge and Media coverage of this case

This case involves a range of criminal charges including conspiracy, securities fraud and wire fraud filed against two former executives of America On Line (AOL), Kent Wakeford of New York City and John Tuli of Weston, Massachusetts and two former PurchasePro executives, Charles E. "Junior" Johnson, Jr. of Las Vegas and Christopher Benyo of Greenville, South Carolina and Alexandria, Virginia. This case has received media coverage in this jurisdiction and elsewhere.

137. What have you read or heard about this case?

138. What have you heard or read about AOL's Deferred Prosecution Agreement?

139. How closely have you followed the media coverage of this case?

Very closely ___
Somewhat closely ___
Not too closely ___
Not at all ___

140. How much have you heard about this case?

- A lot about the case _____
- Some _____
- Very little about the case _____
- Nothing at all _____

141. Please indicate from what source(s) you heard about the case. (Check as many as apply):

- Television Newspapers Radio Internet
- Personal knowledge of accused, or his family, friends or acquaintances
- Personal knowledge of an alleged victim, or his or her family, friends or acquaintances
- Personal conversations with others in the community
- Overheard others discussing case
- Other sources of information (list):

142. What opinions do you have, if any, about this case?

Please describe: _____

143. How closely have you followed the media coverage of the merger of America On Line and Time Warner Inc.?

- Very closely ____
- Somewhat closely ____
- Not too closely ____
- Not at all ____

Please describe your interest in, and impressions of the merger, if any:

144. Have you read any books or articles about the merger of AOL and Time Warner Inc. such as Stealing Time by Alec Klein?

Yes _____ No _____

If yes, please explain:

145. What impressions, if any, do you have about America OnLine (AOL), its executives, employees or business practices?

Please describe: _____

146. What impressions, if any, do you have about PurchasePro, its executives, employees or business practices?

Please describe: _____

147. Have you or your friends or relatives ever:

a.	Worked for AOL?	Yes ___ No ___
b.	Worked for PurchasePro?	Yes ___ No ___
c.	Been a customer of AOL ?	Yes ___ No ___
d.	Been a customer of PurchasePro?	Yes ___ No ___
e.	Done business with AOL?	Yes ___ No ___
f.	Done business with PurchasePro?	Yes ___ No ___
g.	Owned stock in AOL or PurchasePro?	Yes ___ No ___

If yes, to any of the above, please explain: _____

148. Have you ever invested money in AOL or PurchasePro?

Yes _____ No _____

(a) If you answered yes to the previous question, did you make or lose money on the investment?

Made money _____ Lost money _____

149. Have you, or anyone close to you, directly or indirectly been affected by anything that has happened with AOL or PurchasePro?

Yes _____ No _____

If yes, please explain: _____

150. Below is a list of business entities that may be mentioned in connection with this case. If you have any employment, business or investment relationship to the entity, please check the appropriate space next to the name(s) and explain the connection.

- | | |
|--|---|
| <input type="checkbox"/> AuctionNet | <input type="checkbox"/> Insurezone |
| <input type="checkbox"/> Bigstep | <input type="checkbox"/> Monster |
| <input type="checkbox"/> China.com | <input type="checkbox"/> Office Depot |
| <input type="checkbox"/> Cisco | <input type="checkbox"/> Proxicom |
| <input type="checkbox"/> Citibank | <input type="checkbox"/> Spherion |
| <input type="checkbox"/> Future Media | <input type="checkbox"/> Travelocity |
| <input type="checkbox"/> Hewlett Packard | <input type="checkbox"/> Viva Magnetics |
| <input type="checkbox"/> Homestore | <input type="checkbox"/> Yellowbrix |
| <input type="checkbox"/> Information Markets | <input type="checkbox"/> 1-800 Flowers |

151. The judge who will preside over this case is Judge Walter D. Kelley, Jr. of the United States District Court for the Eastern District of Virginia. Do you or does any relative or friend know or have any connection with Judge Kelley or any of his staff?

Yes _____ No _____

If yes, please explain: _____

152. Have you read or heard about any specific statements attributed to the defendants in this case?

Yes _____ No _____ Unsure _____

Please describe: _____

153. Have you heard any statements by any U.S. government officials concerning this case?

Yes _____ No _____ Unsure _____

Please describe: _____

154. To the best of your knowledge, do you or does any family member or close friend know or have any association with PurchasePro.com, a now-defunct business software company based in Las Vegas, NV?

Yes _____ No _____

Please explain:

155. Do you or any family member or close personal friend know or have any connection with anyone who works for the U.S. Attorney's Office or the Department of Justice?

Please explain: _____

156. Do you or any family member or close personal friend know or have any connection with any of the prosecuting attorneys or case agents? (Check all that may apply):

- Joanne M. Altenburg
- Timothy Belevetz
- Benjamin M. Binger
- Regina K. Burris
- Roger L. Campbell
- Justin B. Combs
- Charles F. Connolly
- Robert T. Core
- Matthew Donnelly
- Mary Jo Ervin
- Alan Johnson
- Felix Lostracco
- Kendra S. McLamb
- Gretchen M. Pinillos
- Adam A. Reeves
- Chuck Rosenberg
- Patrick A. Westerhaus

Please explain: _____

157. Do you or any family member or close personal friends know or have any connection with any of the defense attorneys or their law firms? (Check all that may apply):

- Henry W. Asbill – LeBoeuf, Lamb, Greene & MacRae LLP
- Preston Burton – Orrick, Herrington & Sutcliffe LLP
- William Coffield – Lankford, Coffield & Reed, PLLC
- Paul S. Hugel – Clayman & Rosenberg
- Mark Hulkower – Steptoe & Johnson LLP
- Marc E. Levin – Steptoe & Johnson LLP
- V. Thomas Lankford – Lankford, Coffield & Reed, PLLC
- Bree Nicolai Murphy – Orrick, Herrington & Sutcliffe LLP
- Terrance G. Reed – Lankford, Coffield & Reed, PLLC
- Kerri Ruttenberg – LeBoeuf, Lamb, Greene & MacRae LLP

Please explain:

158. Has any thing you have read or heard, or any contact or experience or conversation you may had, left you with any opinion, impression or feeling about America On Line (AOL), PurchasePro, the individual defendants that would it make it difficult for you to sit as a fair and impartial juror in this type of case?

Yes ___ No ___

Please explain: _____

IX Allegations and Trial Procedures

159. In addition to the conspiracy charge, this case may involve allegations of securities fraud, wire fraud, false statements to auditors, shareholders, investigators and others in connection with an alleged scheme to defraud government agencies and the investing public in connection with the marketing, sale and advertising of computer software for “business-to-business (B2B)” market place licenses. Is there anything about the nature of these charges that make you feel it would be difficult for you to be an impartial and fair juror?

Yes _____ No _____ Unsure _____

Please explain: _____

160. Do you have any opinions about the government's use of witnesses who claim they participated with the defendants in some of the crimes charged here and who have entered into plea deals with the government in exchange for their cooperation?

Yes _____ No _____ Unsure _____

Please explain: _____

161. Should a defendant who is a lawyer or had legal training be held to a different legal or ethical standard than any other defendant?

Yes _____ No _____ Unsure _____

Please explain: _____

162. If, during the course of jury deliberations, a fellow juror should suggest that you disregard the law or the evidence and decide the case on other grounds, what would you do?

Please explain: _____

163. Even though four (4) men are being tried together in this case, you will be instructed that you must consider the evidence offered against them on an individual basis. That means that each one of these men – Christopher Benyo, Charles Johnson, Jr., John Tuli, and Kent Wakeford – is entitled to have the charges against him considered by you as if he was having a separate trial. Do you believe you will have difficulty considering the evidence against each defendant individually?

Yes _____ No _____ Unsure _____

Please explain: _____

164. The indictment accuses the defendants, either alone or with other defendants or uncharged persons, with engaging in numerous violations of the criminal laws. You will be instructed to return a separate verdict as to each defendant on every offense with which he is charged.

(a) Do you think a person accused of many crimes or bad acts must have done at least something wrong?

Yes _____ No _____ Unsure _____

Please explain: _____

(b) Will you be able to make a decision on each separate count in the indictment as though it were the only offense you had to decide without considering any of the other charges?

Yes _____ No _____ Unsure _____

Please explain: _____

(c) Will you be able to make a decision on a particular charge against one defendant without considering the charges against any other defendant?

Yes _____ No _____ Unsure _____

Please explain: _____

165. This case may receive ongoing media attention. The Court wants to make sure that this case is decided solely on the evidence in the courtroom and not based on things that are said outside the courtroom. Accordingly, the Court will advise you periodically that you must avoid reading about the case in the newspapers or listening to any radio or television reports about the case. The Court will also advise you periodically that you must avoid discussing the case with friends or family or other jurors during the course of the trial. Would these requirements pose any difficulty for you?

Yes _____ No _____ Unsure _____

Please explain: _____

166. If you are selected to serve as a juror on this case, would you be concerned about reactions to the verdict by:

Friends	_____ Yes	_____ No
Relatives	_____ Yes	_____ No
Co-workers	_____ Yes	_____ No
Neighbors	_____ Yes	_____ No
The media	_____ Yes	_____ No
People in this community	_____ Yes	_____ No

If yes, what kind of concern(s) do you have? Please explain: _____

167. Do you have any attitudes or experiences that would cause you to lean in favor of either the prosecution or the defendants in this case?

Yes _____ No _____ Unsure _____

If yes, please explain: _____

168. Do you have any special interest, personal stake or moral investment in the outcome of this case, or do you know of anyone who may have a special interest in the outcome of this case?

Yes _____ No _____ Unsure _____

If yes, please explain: _____

169. Do you have any personal reason for wanting to serve as a juror in this case?

Yes _____ No _____ Unsure _____

If yes, please explain: _____

170. Do you know of any reason whatsoever why you cannot sit as a juror in this case and decide it impartially according to the law?

Yes _____ No _____ Unsure _____

Please explain: _____

171. Are you a smoker?

Yes _____ No _____

If yes, do you need to smoke more often than every two hours? Please explain:

172. Do you have any specific problems concentrating or dealing with stress or pressure?

Yes _____ No _____

If yes, please explain: _____

173. Do you have any personal, professional, or financial obligations that would prevent you from giving your full attention or prevent you from being present in Court for the entirety of the trial?

Yes _____ No _____

If yes, please explain: _____

174. Is there any matter not covered by this questionnaire that you think the Court or the attorneys might want to know about you when considering you as a juror in this case?

Yes _____ No _____ Not sure _____

Please explain: _____

175. As a result of filling out this questionnaire, have you developed any opinions that would preclude you from fairly and impartially evaluating the evidence?

Yes _____ No _____ Not sure _____

Please explain: _____

176. Is there anything about the subject matter of this case, or the points covered in this questionnaire, which creates a question in your mind as to whether you could be a fair, objective, and impartial juror in this particular case?

Yes _____ No _____ Not sure _____

Please explain: _____

177. At the conclusion of the case it is the Court's task to charge you on the law and explain to you the elements of the crimes charged in the indictment. Do you have any personal, religious, and philosophical or other beliefs as to what the law is or should be that would make it difficult for you to follow the instructions of the Court?

Yes _____ No _____

If yes, please explain: _____

X Knowledge of defendants and potential witnesses

178. To the best of your knowledge, do you or does any family member or close friend know or have any connection with any of the following individuals? (Check all that may apply):

See Attached List.

Please explain:

178. (Cont)
Defendants and Potential Witnesses

Altomari, Michael	Farrell, Paul	Luechtefeld, Monica
Anderson, Jeffrey	Feiken, Jennifer	Lusk, Carolyn
Ban, Peter	Fernandez, Raul	Marceron, Kenneth
Bankoff, James	Gaitten, Kelly	Marcus, Catherine
Baxley, Eric	Gallagher, Gerry	Martin, Claire
Beams, Greg	Gang, David	Massa, Jeff
Beebe, Andrew	Garg, Sushil	McElhatton, John B.
Benyo, Christopher	Garmen, Greg	McGhee, Shawn
Benyo, Linda Larkin	Gonzales, Vicki I.	McGuinness, David
Berlow, Myer	Hammond, Christopher	McNally, Mark
Boe, Randall	Hegwer Miller, Scott	McNicol, Paul
Boeth, Dale	Heller, Brian	Miller, Doug
Bradley, Todd	Henry, Terry	Miller, Scott
Brandt, Jan	Hildebrand, Patrick	Moreo, Kerry Early
Brenner, Joseph	Himmelfarb, Bruce	Morrisette, Todd
Brimhall, Matthew	Hong, Matt	Morrissey, Peter
Brown, Lisa	Howard, Richard	Murphy, III, Joseph A.
Bueter, Robert	Hughes Bales, William	Nelson, Bruce
Cardwell, Gary S.	Hunt, John Edward	Niemeyer, Randall
Carrigan, Robert	Hurst, Steven	Nolan, William
Carton, Christopher Paul	Jacobs, Josh	O'Rourke, Kerry
Chiles, John	Jaffe, Samara	Otus, Nuri
Chung, Paul	Jehl, Laura	Paczuski, Dariusz
Clemmer, Richard	Johnson, Jr., Charles E.	Paul, Henry
Clough, James	Johnson, Kyle	Perla, David
Colburn, David	Joyce, Barry	Phillips, Charles
Collins, Martha Layne	Kandasamy, David	Phillips, Douglas
Corgel, Richard	Kassenbaum, Kevin	Pon, Jeffrey
Corvino, Paul	Keller, Eric	Pulliam, Royce
Cronin, Cristin	Kennedy, Joseph M.	Puntoriero, Michael J.
Cunningham, Maureen	Kilroy, Jr., Gene	Quinn, Joseph
Dattilo, Clare	Kim, Edward	Ravery, Arman
Davis, Neal	Kosowsky, J. Allen	Reichl, Suzanne
Davis, Kristi	Krause, Larry	Resnick, Joshua
Dawahare, Stephen	Krupika, Robert	Riewe, Julie
Deaton, Jr., Luther	Layne, Geoff	Rigdon, Greg
Delson, Stacy	Layne, Doug	Rindner, Steven
Desroaches, Pascal	Lehtonen, Todd	Ring, Marjorie
Dinter, Paul	Levy, Meagan	Ripp, Joseph
Dittrich, Timothy	Lichtenberger, Henry	Rosenthal, Donald
Dunbar, Diana	Litsinger, Karen	Rosenthal, Bud
Fain, Cathy	Lodarek, Russell W.	Sandel, Alex
Faison, Chelley	Lowe, Barbara	Santos, Arsenio

Juror Number _____

Sholeff, James
Sholeff, Amy
Shrock, Darryl
Simmons, Kevin Thomas
Singer, Fred
Smith, James
Smith, Mary Alyce
Smith, Paul J.
Sorenson, Matthew
Staley, Diane
Stella, Michael

Stevens, Richard G.
Stuntz, Mayo
Switzer, Ronald
Taylor, Janet
Tuli, John
Van Straaten, Derek
Wakeford, Kent
Walravens, Patrick
Warner, Charles
Watts, Robert
Wiegand, Scott

Wilsey, Jeffrey
Witt, Jason
Wojewodka, James
Wovsaniker, Mark
Wynkoop, Carmel
Wynn, Steven
Yang, Walter
Yost, Harrison Matthew
Zimmerman, Cindi

Juror Number _____

AFFIRMATION

I, _____, hereby declare under penalty of perjury that the foregoing answers set forth in this Jury Questionnaire are true and correct to the best of my knowledge and belief. I have not discussed my answers with others or received assistance in completing the questionnaire. I have answered all of the above questions in this Jury Questionnaire myself.

Executed in the Eastern District of Virginia, on this ____ day of October, 2006.

Signature