

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JAN 26 2005

Michael N. Milby, Clerk of Court

UNITED STATES OF AMERICA

vs.

JOSEPH HIRKO, *et al.*

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§

CRIMINAL NO. H-03-93

AMENDED SCHEDULING ORDER

The Court's Order of July 28, 2004 (**Instrument No. 344**) is amended as follows:

The Court establishes the following additional deadlines:

- | | |
|------------------|---|
| February 1, 2005 | The entire jury venire will be sent the attached jury questionnaire to complete. |
| March 28, 2005 | The Parties will appear to submit their juror strikes "for cause" based on the responses to the questionnaire and the Court will provide the parties with a list of agreed strikes. The Court will address any motions <i>in limine</i> . |

The Clerk shall enter this Order and provide a copy to all parties.

SIGNED on this the 25th day of January, 2005, at Houston, Texas.



VANESSA D. GILMORE
UNITED STATES DISTRICT JUDGE

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA

§

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v.

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CRIMINAL ACTION NO. H-03-0093

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KEVIN HOWARD, et., al.,

§

JUROR QUESTIONNAIRE

This form helps the Court select a jury. Please print all your answers and use black ink. If the question does not apply to you, please write "N/A" in it. The lawyers are entitled to information about potential jurors. If you require more space to respond to any question or if an explanation is necessary, please include the additional information on the explanation sheet attached to the back of the questionnaire. When using this sheet, please indicate the question to which your comment or explanation relates.

- 1. MALE FEMALE
- 2. Age _____
- 3. Place of Birth _____
- 4. Religious preference _____
- 5. City of Residence _____ Zip Code _____
- 6. What County do you live in? _____
- 7. How long have you lived in the Houston area?
- 8. Type of Work _____ Years _____

Please check all that apply, Are you:

- Self employed? _____
- Employed full time? _____
- Employed part time? _____
- Working in the home? _____
- Unemployed/laid off? _____
- Retired? _____
- A student? _____
- Disabled and unable to work? _____

9. Children's Ages, Sex and Occupation

10. Marital Status _____

11. Spouse's Birth Place _____

12. Spouse's Type of Work _____ Years _____

13. What is your highest completed level of education?

- _____ Grade school
- _____ High school graduate or GED
- _____ Some college
- _____ Associate degree, Community or Junior College
- _____ Bachelors Degree
- _____ Graduate or Professional Degree: Please state degree:
- _____ Technical, trade, or business school

14. List government agencies that you or a member of your immediate family have worked for, including law enforcement and military service.

Who? _____

Governmental Unit/Branch of Service _____

Highest rank achieved _____ Years _____

Type of Work _____

15. <u>School Level</u>	<u>School and City</u>	<u>Subject Studied</u>	<u>Degree</u>
High School	_____	_____	_____
College	_____	_____	_____
Post College	_____	_____	_____

16. Please describe any legal, paralegal, accounting, banking, or finance training and experience you have received.

17. Civil Suits

Have you sued or been sued? YES _____ NO _____ TYPE OF CASE _____

Have you served on a jury? YES _____ NO _____ TYPE OF CASE _____

Verdict reached? YES _____ NO _____

Have you been a witness in court? YES _____ NO _____ TYPE OF CASE _____

18. Criminal Actions

Have you been charged criminally, other than a traffic ticket? YES _____ NO _____ TYPE OF CASE _____

Have you made a criminal complaint? YES _____ NO _____ TYPE OF CASE _____

Have you served on a jury? YES _____ NO _____ TYPE OF CASE _____

Verdict reached? YES _____ NO _____

Have you been a witness in court? YES _____ NO _____

19. List the magazines and newspapers you read.

How often do you read the newspaper?

Daily _____
Several times per week _____
Seldom/Never _____

20. List the TV or radio news, public affairs or talk shows that you view or listen to.

How often do you view or listen to these programs?

Daily _____
Several times per week _____
Seldom/Never _____

21. List the civic clubs, societies, union, and political groups of which you and/or your spouse are a present or former member.

Have you and/or your spouse ever held a leadership position in any of these groups? _____

22. How many hours per week do you spend using the internet? _____

List the news or public affairs internet sites that you regularly visit.

23. If there is a physical or other inability for you to serve as a juror, please describe it.

24. Have you, or anyone in your family, ever owned their own business? YES NO

If YES, what type of business, and is the business still open? _____

25. Have you ever been responsible for hiring, firing, or supervising employees? YES NO

26. What is the largest number of employees you have supervised at one time? _____

27. Do you know anyone who works in the United States Attorney's office or in any District Attorney's office?

YES NO If YES, whom do you know? _____

28. Have you ever attended any seminars or taken any courses in criminal law, constitutional law, ethics, government, law enforcement or politics? YES NO

If YES, what courses/seminars? _____

29. Have you, any family members, or close friends ever had a bad experience with a municipal, county, state, or federal agency? YES NO

If YES, please explain: _____

30. Do you know anyone who has been accused or convicted of wire fraud, money laundering, conspiracy, or securities fraud? YES NO

If YES, please explain: _____

31. At any time prior to today (or presently), have you, your family members, or close friends been the subject

of an investigation or charge by an agency of the state or federal government or have any case pending in state or federal court at this time? YES NO

If YES, please explain: _____

32. Have you heard or read about the Enron cases generally? YES NO

33. Have you heard or read about any of the following people specifically?

Kevin Hannon YES NO

Joseph Hirko YES NO

Kevin Howard YES NO

Michael Krautz YES NO

Kenneth Rice YES NO

Rex Shelby YES NO

Scott Yeager YES NO

If YES, please explain: _____

34. Do you, any family member, or close friend know or have any connection with any of the Defendants or their families in this case?

Kevin Hannon YES NO

Joseph Hirko YES NO

Kevin Howard YES NO

Michael Krautz YES NO

Kenneth Rice YES NO

Rex Shelby YES NO

Scott Yeager YES NO

If YES, please explain: _____

35. Do you, any members of your family, or close friends know or have any past or present connection of any kind with the government attorneys, the defense attorneys, or anyone in their law firms?

Samuel J. Buffone YES NO If YES, please explain: _____

J.A. Tony Canales YES NO If YES, please explain: _____

Lee L. Hamel YES NO If YES, please explain: _____

Jim E. Lavine YES NO If YES, please explain: _____

Barry Pollack YES NO If YES, please explain: _____

Per A. Ramfjord YES NO If YES, please explain: _____

Norman Sepenuk YES NO If YES, please explain: _____

Edwin J. Tomko YES NO If YES, please explain: _____

Jack B. Zimmermann YES NO If YES, please explain: _____

John R. Kroger, U.S. Department of Justice YES NO

If YES, please explain: _____

Benton Campbell, U.S. Department of Justice YES NO

If YES, please explain: _____

Lisa O. Monaco, U.S. Department of Justice

YES

NO

If YES, please explain: _____

Sean M. Berkowitz, U.S. Department of Justice

YES

NO

If YES, please explain: _____

Alston & Bird Law Firm

YES

NO

If YES, please explain: _____

Canales & Simonson Law Firm

YES

NO

If YES, please explain: _____

Collier Shannon Law Firm

YES

NO

If YES, please explain: _____

Hamel Bowers Law Firm

YES

NO

If YES, please explain: _____

McManemin & Smith Law Firm

YES

NO

If YES, please explain: _____

Ropes and Gray Law Firm

YES

NO

If YES, please explain: _____

Stoel Rives Law Firm

YES

NO

If YES, please explain: _____

Williams Connolly Law Firm

YES

NO

If YES, please explain: _____

Zimmermann & Lavine Law Firm

YES

NO

If YES, please explain: _____

36. Have you or any close relatives or friends ever been employed by Enron Corp., or any of its subsidiaries or affiliates (collectively "Enron")? YES NO

If YES, explain: _____

If YES, could you still impartially consider evidence presented about Enron and its directors, officers and other employees, present and former? YES NO If NO, please explain:

37. Have you or any close relatives or friends ever done business, or been employed by a company that has done business with Enron? YES NO

If YES, explain: _____

If YES, could you still impartially consider evidence presented about Enron and its directors, officers and other employees, present and former? YES NO If NO, please explain:

38. Have you or any close relatives or friends ever been employed by a company that has been affected by the Enron bankruptcy or the layoffs of Enron employees? YES NO If YES, please explain:

If YES, could you still impartially consider evidence presented about Enron and its directors, officers and other employees, present and former? YES NO If NO, please explain:

39. Have you or any close friends or relatives ever owned, directly or indirectly, any securities issued by Enron?

YES NO

If YES, explain: _____

If YES, could you still impartially consider evidence presented about Enron and its directors, officers and other employees, present and former? YES NO If NO, please explain:

40. Have you or any close friends or relatives ever had a financial interest, directly or indirectly, in Enron?

YES NO

If YES, explain: _____

If YES, could you still impartially consider evidence presented about Enron and its directors, officers and other employees, present and former? YES NO If NO, please explain:

41. Did you, or anyone you know, lose their job or lose money as a result of the Enron bankruptcy or the layoffs of Enron employees? YES NO

If YES, explain: _____

If YES, could you still impartially consider evidence presented about Enron and its directors, officers and other employees, present and former? YES NO If NO, please explain:

42. Have you read, seen or heard anything about the Enron Broadband Services case?

YES NO If YES, please explain:

1. What do you recall seeing or reading about those events?

2. When was the last time you read, saw or heard anything about those events?

43. Based on anything you have learned or been told from media reports or other persons, have you formed an opinion about the guilt or innocence of:

Joseph Hirko YES NO

Kevin Howard YES NO

Michael Krautz YES NO

Rex Shelby YES NO

Scott Yeager YES NO

If YES, explain: _____

44. Have you participated in any telephone polls or other surveys about Enron? YES NO

45. Please describe any opinion you may have formed about the conduct of Enron, or any person or entity connected to Enron?

46. Would any opinion you may have formed regarding any matter involving Enron prevent you from impartially considering evidence presented about Enron and its directors, officers and other present and former employees? YES NO If YES, please explain:

JUROR OATH

I HEREBY STATE THAT ALL THE ANSWERS GIVEN IN THIS JUROR QUESTIONNAIRE ARE TRUE, CORRECT, AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

Juror's Signature

Juror's Printed Name