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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

EUGENE DIVISION

UNITED STATES OF AMERICA,

Case No. 10-CR-60066

Plaintiff,

UNITED STATES' **FIRST TRIAL**  
WITNESS LIST

vs.

(Trial set for October 5, 2011)

STEVEN DWIGHT HAMMOND and  
DWIGHT LINCOLN HAMMOND, JR.,

Defendants.

The United States of America, by Dwight C. Holton, United States Attorney  
for the District of Oregon, and Frank R. Papagni, Jr. and Amy Potter, Assistant

United States Attorneys, respectfully submits its first trial witness list which identifies the witnesses the Government may call at trial.

The Government anticipates that the number of witnesses and length of its case-in-chief will be heavily influenced by the number of stipulations, if any, agreed to by Defendants.

In compliance with constitutional, statutory and criminal procedural rules, the Government has supplied Defendants with approximately 6800 pages of discovery, and intends to supply approximately 450 more pages before August 1, 2011. Further, the Government will, before trial, supply Defendants with impeachment information on all witnesses who will testify during the Government's case-in-chief and rebuttal.

At the status conference on November 8, 2010, (CR 11), Defendants requested and received a nine-month postponement of the trial primarily based on their intent to retain "an arson specialist" to review reports and visit the alleged crime scenes.

A reciprocal discovery motion (CR 24) was filed by the Government on May 24, 2011. Defendants have represented in pleadings filed on March 21, 2011 (CR 12) they have witnesses to be called for the defense. Trial is scheduled for October 5, 2011. However, with less than 70 working days before trial,

Defendants have not yet provided to the Government a single page in reciprocal discovery, or identified a single defense fact witness or expert witness.

**Witnesses in Case-in-Chief**

1. **BILL ANDERSON** - BLM Range Conservation Officer
2. **ARNOLD, WALTER** - Contract Firefighter
3. **JEREMIAH BAISLEY** - Lived on Hammond Ranch
4. **MATTHEW BASEY** - Worked on the Hammond Ranch
5. **JOE BATES** - Air Tactical Group Supervisor (Air Attack)
6. **CARRIE BILBAO** - BLM Fire Investigator
7. **JOHN BIRD** - West Virginia Division of Forestry Fire Investigator
8. **KARLA BIRD** - BLM Field Manager
9. **SHANNON BRENNAN** - Former employee of Hammond Ranches
10. **MILES BROWN** - Former BLM Resource Area Field Manager
11. **DOUGLAS W. BURDETTE** - FAA Aviation Safety Inspector, Aviation Data Systems Branch
12. **DOUGLAS CAMPBELL** - Pilot
13. **FORREST CAMERON** – Former Malheur National Wildlife Refuge Manager
14. **EARL CARSON** - Member of Frenchglen School Board
15. **GORDON CHOATE** - Former Hunting Guide

16. **JOHN T. CHOATE** - Logger by trade who suppressed a fire started by Steve Hammond near his logging camp
17. **TAMMIE CHOATE** - Observed fire near her husband's logging camp and helped extinguish fire
18. **JOY ANN CIMMIYOTTI** - Former employee of Hammond Ranches
19. **GEORGE CONSTANTINO** - Former USFWS Manager, Malheur Refuge
20. **PATRICK L. DARLING** - FAA Aviation Safety Inspector
21. **DARIN DARLINGTON** – Former U.S. Probation Officer - supervised Steven Hammond while on probation to U.S. Magistrate-Judge Hubel for interfering with private citizen hunting on public lands
22. **STACEY DAVIES** - Ranch Manager for Roaring Springs Ranch
23. **JOHN DOEBEL** – Former Assist. Regional Director, Department of the Interior, USFWS
24. **DONOVAN DOLLAR** - BLM Law Enforcement Ranger (retired)
25. **BRETT DUNTEN** - Contract Firefighter
26. **THOMAS DYER** - BLM District Manager in 2001 (retired)
27. **JASON A. EIGUREN** - Rancher, Flying G Ranch
28. **MICHAEL EIGUREN** - Rancher, Flying G Ranch
29. **RICHARD F. EIGUREN** - Rancher, Flying G Ranch
30. **ALICE ELSHOFF** - USFWS volunteer
31. **CALVIN ELSHOFF** - USFWS volunteer

32. **HAROLD K. EVERETT** – FAA Manager, Airmen Certification (retired)
33. **JOE FLORES** - U.S. Border and Customs Enforcement Officer/Tracker
34. **SCOTT FRANKLIN** - Rancher
35. **JOE GLASCOCK** - Former BLM Range Conservation Officer
36. **DAVID R. GLERUP** - Harney County Sheriff
37. **DANIEL GONZALEZ** - Oregon State Wildlife Habitat Biologist
38. **CARY GOSS** - USFWS Park Ranger
39. **KEN HIGLE** - BLM Fire Management Officer/formerly USFS Emigrant Creek Ranger District employee
40. **JOHN HODNETT** - Pilot
41. **STEVEN R. HULBURT** - Former Airframe and Powerplant (A&P) Aircraft Mechanic
42. **JEFFREY HUSSEY** - BLM Firefighter
43. **BRETT JANTZE** - Owner of Guide Service
44. **JAYLENE KRUEGER** - BLM Dispatcher
45. **BILL LAMPERT, SR.** - Air Tactical Group Supervisor (Air Attack)
46. **BILL LANGENFELD** - Contract Firefighter
47. **JANICE MADDEN** - USFS (Ochoco National Forest) Fire Cause Investigator

48. **JONATHAN MANSKI** - Burns Interagency Dispatch Center (BICC) Manager
49. **JEFF MAUPIN** - Rancher
50. **FRED MCDONALD** - BLM Range Conservation Supervisor
51. **KATIE MCDONALD** - BLM Dispatcher
52. **DARYL LEE MCCONNELL** - BLM Range Rider
53. **JOHN MEGAN** – USFWS Fire Cause Investigator
54. **LISA MEGARGEE** - Former Contract Firefighter
55. **ORAL “ED” E. MICHAM** - Hunter on BLM property in 1999
56. **CHUCK MILLER** - Oregon Dept. Forestry Fire Investigator (retired)
57. **GARY MILLER** - Rancher
58. **LYNN MIRACLE** - BLM Law Enforcement Officer (Lakeview)/Fire Cause Investigator
59. **STEVEN F. MOREFIELD** - BLM Deputy Fire Management Officer
60. **TACI L. WEIL (formerly Moss)** - BLM Dispatch Records Custodian
61. **DENNIS NELSON** - Hunter/client of Gordon Choate
62. **DUSTIN NELSON** - Hunter/client of Gordon Choate
63. **DAN NICHOLS** - Rancher
64. **KEITH NORTHCUTT** - Hunter on BLM property in 1999
65. **CHRIS NORTON** - BLM Firefighter

66. **LANCE OKESON** - BLM Fire Suppression Officer
67. **GEORGE ORR** - BLM Law Enforcement Officer
68. **BILL OTLEY** - Rancher
69. **LARRY OTLEY** - Rancher
70. **DAVID PALMER** - Sam's Tow Service
71. **JOHN PETTY** - BLM Incident Commander
72. **BILL PIERATT** - BLM. Range Conservation Officer
73. **MARVIN L. PLENERT** - Former Regional Director, U.S. Dept. of the Interior, USFWS
74. **ANDY RENC** - USFWS Firefighter (retired)
75. **TAMMI RENFRO** - BLM Dispatcher
76. **PETER REVAC** - USFS Fire Dispatch Manager
77. **JEFFREY ROSE** - BLM Burns Fire Ecologist
78. **CHAD ROTT** - BLM Firefighter
79. **LEWIS SANDERS** - FAA Assistant Manager
80. **STEVE SCHLEYER** - U.S. Dept. of Transportation, OIG, Special Agent
81. **DAN SHEILL** - USFWS Refuge Officer
82. **DENNIS SHRADER** - BLM Special Agent (retired)
83. **DANA SHUFORD** - BLM District Manager (retired)

84. **WARREN SILBERMAN** - FAA Manager, Aerospace Medical Certification Branch
85. **WALT SITZ** - Burns Airport Manager
86. **ROD SPANNAUS** - Harney County Deputy Sheriff/Oregon State Police Game Officer (retired)
87. **BURNS STEWART** - Plant Manager, Ed Staub & Son's Petroleum, Inc.
88. **DAVID "CAM" SWISHER** - BLM Range Conservation Officer
89. **BILL SWANN** - Former BLM Fire Management Officer
90. **JACON TAYLOR** - Hammond Ranch Employee /Relative
91. **DAVE TONEY** - BLM Incident Commander
92. **HENRY VOGLER** - Potential Hammond Alibi Witness
93. **RICHARD VOSS** - USFWS Employee
94. **WILLIAM WAGERS** - BLM District Ranger
95. **DAN WALSWORTH** - USFWS Employee
96. **DAVE WARD** - BLM Range Conservation Officer
97. **DARRELL A. WILLIAMS** - Former Owner - Williams Aircraft Painting & Auto Body
98. **DWIGHT S. WILLIAMS** - FAA Chief Regional Counsel
99. **MARGO J. WILSON** - FAA Supervisory Legal Instruments Examiner, Aircraft Registration Branch (retired)
100. **TARA MARTINAK (formerly Wilson)** - BLM Public Affairs Officer



101. **MICHAEL WINDOM** - BLM Assistant Special Agent in Charge
102. **CINDY WITZEL** - Witness to Steven Hammond's statement about fires in 2006
103. **JOHN WITZEL** - Witness to Dwight Hammond flying plane in 2005
104. **GARY WHITE** - Fire Investigation Team Leader
105. **CHARLES YRIARTE** - Hammond Family Friend

The United States reserves the right to call additional witnesses as became necessary during the course of trial.

DATED this 20th day of July 2011.

DWIGHT C. HOLTON  
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District of Oregon

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Assistant United States Attorney

/s/ Amy Potter  
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