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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

EUGENE DIVISION

UNITED STATES OF AMERICA,

Case No. 10-CR-60066-HO

v.

**NOTICE OF WITNESSES FOR *DAUBERT*
HEARING**

STEVEN DWIGHT HAMMOND,
DWIGHT LINCOLN HAMMOND, JR.

Hearing Date: March 5, 2012

Defendants.

The United States of America, by and through S. Amanda Marshall, United States Attorney for the District of Oregon, and Frank R. Papagni, Jr., and AnneMarie Sgarlata, Assistant United States Attorneys, hereby submits this notice of witnesses it will call for direct examination at the *Daubert* hearing scheduled for March 5, 2012, in the above-captioned case.

On January 13, 2012, the government filed, pursuant to Rule 16 of the Federal Rules of Criminal Procedure, a Notice of Expert Witnesses. The notice set forth a list of twenty-six witnesses whose proposed testimony may include opinions formulated based on their education, training or experience. On February 21, 2012, a *Daubert* hearing was commenced and the Court received the

testimony of three of the government's proposed expert witnesses. The Court continued the hearing to March 5, 2012 (CR 70).

The government intends to call the following witnesses at the *Daubert* hearing on March 5, 2012:

1. John Bird
2. Lance Okeson
3. Charley Martin
4. Gary White
5. Jeffrey Rose
6. Daniel Gonzalez
7. Jonathan Manski
8. Joe Bates

Each witness was identified in the government's Rule 16 Notice of Expert Testimony, filed January 31, 2012, and will be called to testify in the government's case-in-chief at trial. On February 13, 2012, the government provided the Court and counsel with curriculum vitae, resumes, training documents and other reports related to the proposed expert witness testimony. The government reserves the right to call the remaining witnesses listed on its Rule 16 Notice as lay witnesses in its case-in-chief, and to the extent it becomes necessary to elicit an expert opinion from a remaining witness in its case in rebuttal, the government will so advise the Court and counsel at that time.

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Respectfully submitted this 1st day of March 2012.

S. AMANDA MARSHALL
United States Attorney

/s/ Frank R. Papagni, Jr.
FRANK R. PAPAGNI, JR.
Assistant United States Attorney

/s/ AnneMarie Sgarlata
ANNEMARIE SGARLATA
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