Pursuant to the Court's Order for Pretrial Preparation filed June 19, 2008, Defendant Barry 1. Bonds respectfully submits a partial list of witnesses who may be called by the 27 28 defense at trial. Defendant's Witness List Dockets.Justia.com

- 1. <u>Brian Goldman, M.D.</u> Dr. Goldman is a medical doctor. Depending upon which, if any, purported laboratory evidence is offered by the Government, Dr. Goldman may be called to testify to the circumstances under which he was identified as the physician who ordered and authorized laboratory procedures.
- 2. <u>Harvey Shields</u>. Mr. Shields was a trainer for Mr. Bonds. If called as a witness, Mr. Shields may testify to his personal interactions with Mr. Bonds, Greg Anderson, and other potential Government witnesses.
- 3. <u>Mark Letendre</u>. Mr. Letendre was a trainer for the San Francisco Giants. If called as a witness, Mr. Letendre may be asked about his personal interactions with Mr. Bonds, Greg Anderson, and other potential Government witnesses.
- 4. <u>Michael Rains</u>. Mr. Raines is an attorney. If called as a witness he may testify to promises and representations made by the Government prior to Mr. Bonds' Grand Jury testimony, as well as interactions between the Government and Mr. Bonds after the promises and representations were made, but before he testified.
- 5. <u>Dr. David Black.</u> Dr. Black is an expert witness who may or may not be called to testify, depending in part upon (1) the admissibility of purported laboratory evidence which is the subject of pending motions *in limine*, and (2) under *Daubert*, the admissibility of opinion evidence by Government experts. Dr. Black is the director and C.E.O. of Aegis Sciences Corporation, a licensed clinical laboratory that performs urine and blood testing for athletic associations and others. Dr. Black has a Ph.D. in Forensic Toxicology Legal Medicine with a minor in Medicinal Chemistry and Pharmacology. He is a Clinical Associate Professor at the Meharry Medical College in the Department of Pharmacology. Dr. Black has testified as an expert on testing issues in numerous court matters. A copy of his *curriculum vitae* is attached. Dr. Black will evaluate any urine or blood test results that the Government introduces into evidence, together with any associated laboratory documentation, and will offer opinions concerning the tests' validity. Dr. Black will address the Government experts' opinions that the tests "reflect steroid use" and that the indicated steroid "is usually administered by injection." Govt. Opp. to

Defendant's In Limine Motion at 47.

6. Dr. Ronald Swerdloff. Dr. Swerdloff is an expert witness who may or may not be called to testify, depending in part upon (1) the admissibility of purported laboratory evidence which is the subject of pending motions *in limine*, and (2) under *Daubert*, the admissibility of opinion evidence by Government experts. Dr. Swerdloff is a medical doctor specializing in endocrinology, internal medicine and andrology. As the Director, Harbor-UCLA Reproductive Program – World Health Organization Collaborative Center for Reproduction, he has extensive experience in the study and treatment of pituitary gland, including human growth hormone replacement therapy. He is a renowned expert in fields of research regarding effects of exogenous consumption of testosterone and other androgens (steroids), as well as of grown hormone. He has testified as a medical expert in numerous court matters. A copy of his *curriculum vitae* is attached. Dr. Swerdloff will testify to his opinions concerning the likely effects of anabolic steroids and human growth hormone, as established by peer review studies and reliable scientific methods and procedures.

7. The individual listed below are all Federal Agents who, among other things, conducted interviews of individuals who may be Government witnesses. If such persons give testimony which is subject to impeachment by their prior statements, the individuals listed below may be called to testify to the prior statements:

Jeff Novitzky

Ken Bonano

Erwin Rogers

Jon Colombet

Ed Barberini

Christopher Fuelling

Brian Cook

Heather Young

Anthony Montero

Douglass Doss

1	John Posusney
2	Steve Coffin
3	Vincent Browning
4	Gregory Jenkins
5	
6	Defense counsel believe that listing additional witnesses, who are potential
7	impeachment witnesses, would be inconsistent with the Defendant's right to an effective
8	defense. ¹ It would provide untruthful Government witnesses – if any there be – with
9	advance warning of conversations, relationships and transactions as to which impeaching
10	evidence is – and importantly, is not – available for presentation at trial.
11	
12	Respectfully submitted,
13	
14	DATED: February 13, 2009 LAW OFFICES OF ALLEN RUBY
15	ETTH OTTIOLS OF TILDLINGS
16	Allen Ruby, Attorney for
17	Defendant Bonds,
18	
19	DATED: February 13, 2009 ARGUEDAS, CASSMAN & HEADLEY, LLP
20	THE OBDITOR OF THE OB
21	Cristina A. Arguedas, Attorney for
22	Defendant Bonds,
23	
24	
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27	
28	A number of impeaching witnesses unavoidably had to be identified on this attached Witness List because they are Government agents subpoenaed through the prosecution.

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