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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

15 UNITED STATES OF AMERICA,)
16 Plaintiff,)
17 v.)
18 BARRY LAMAR BONDS,)
19 Defendant.)
20)
21)

No. CR 07-0732 SI

FIRST AMENDED PROPOSED JURY INSTRUCTIONS

Trial: March 2, 2009
Time: 8:30 a.m.
Court: Hon. Susan Illston

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23 The government respectfully submits this First Amended set of proposed jury
24 instructions. The amendments are as follows. First, Model instruction 3.16 (corruptly) has been
25 deleted, because that term is defined within Special Instruction #1. Second, Model instruction
26 4.3 (other crimes, wrong, or acts of defendant) has been deleted and replaced with Special
27 Instructions #2 and #3, which fit the facts of this case better than the model instruction. Leave is
28 respectfully requested to include such other additional instructions as may become appropriate

FIRST AMENDED PROPOSED INSTRUCTIONS
CR 07-0732 SI

1 during the course of the trial. A copy of these proposed instructions will be delivered to the
2 Court on a 3 ½” floppy disk in the WordPerfect 9 format.

3 Depending on the evidence adduced at trial, some of the instructions included herein may
4 not be appropriate, and some additional instructions may be required. The government
5 respectfully reserve the right to request additional jury instructions or modifications of the
6 attached instructions at trial.

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8 DATED: February 18, 2009

Respectfully submitted,

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JOSEPH P. RUSSONIELLO
United States Attorney

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/s/
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TABLE OF JURY INSTRUCTIONS

**NINTH CIRCUIT
MODEL JURY**

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<u>NO.</u>	<u>INSTRUCTIONS</u>	<u>DESCRIPTION</u>
1	1.12	OUTLINE OF TRIAL
2	2.2	BENCH CONFERENCES AND RECESSES
3	2.3	STIPULATED TESTIMONY
4	2.4	STIPULATIONS OF FACT
5	2.5	JUDICIAL NOTICE
6	2.7	TRANSCRIPT OF RECORDING IN ENGLISH
7	3.12	SEPARATE CONSIDERATION OF MULTIPLE COUNTS
8	4.1	STATEMENTS BY DEFENDANT
9	4.9	TESTIMONY OF WITNESSES INVOLVING SPECIAL CIRCUMSTANCES – IMMUNITY, BENEFITS, ACCOMPLICE, PLEA
10	4.17	OPINION EVIDENCE, EXPERT WITNESS
11	5.6	KNOWINGLY
12	7.6	COMMUNICATION WITH COURT
13	8.112	FALSE DECLARATION BEFORE GRAND JURY
14	Special #1	OBSTRUCTION OF JUSTICE
15	Special #2	ACTIVITIES NOT CHARGED
16	Special #3	EVIDENCE OF OTHER ACTS OF DEFENDANT OR ACTS AND STATEMENTS OF OTHERS