

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X

JOHN WILEY & SONS, INC.,

08 CV 7834

Plaintiff

-against-

**SUPAP KIRTSANG D/B/A BLUECHRISTINE99
and JOHN DOE NOS. 1-5,**

Defendants

-----X

PROPOSED VOIR DIRE QUESTIONS

Defendant Supap Kirtsaeng (“**Kirtsaeng**” or “**Defendant**”), by his counsel, Sam P. Israel, P.C., respectfully submits the following proposed voir dire questions in addition to or supplemental to the Court’s examination of the prospective jurors in this case pursuant to Rule 47(a) of the Federal Rules of Civil Procedure, to wit:

CASE SYNOPSIS

The Plaintiff in this case is a publisher of text books. The Defendant is a foreign graduate student who during the time of the acts that are the subject of this lawsuit was studying to obtain a doctoral degree in California.

In addition to publishing books in the United States, that Plaintiff has assigned rights to a foreign entity to publish the same books overseas. The Defendant has obtained copies of the versions of the books published overseas and sold them in the United States through the internet at prices that were less than the Plaintiff sells the American versions for.

In suing the Defendant, the Plaintiff contends that the Defendant was not authorized to

sell the books in this country and that, in so doing, he violated the Copyrights laws of the United States.

Later I will give you instructions on the law and how it applies to the facts proven during the trial.

VOIR DIRE

1. Does any juror know either of the following person or entity or, in the case of the entity, persons who works for it:

The Plaintiff: John Wiley & Sons, Inc.

The Defendant: Supap Kirtsaeng

2. Have any of you ever purchased foreign versions of products made in this country?

a) What products were they?

b) How did the foreign product compare to the U.S. version?

3. Have any of you, or have any members of your family, been either a plaintiff or a defendant in a law suit?

a) Did it involve claims for copyright, trademark or patent infringement?

4. Have any of you served on a jury in a civil case?

a) If so, what was the nature of the case?

b) Was your jury service a negative or positive experience?

5. Have any of you ever worked in the publishing business?

a) If so, for whom and doing what?

6. Have any of you obtained a Masters of Doctorate degree?

a) If so, what degree and from what institution?

7. Do any of you know any of the attorneys involved in this case?
8. Do you have any relatives or close friends who are attorneys or paralegals?
9. Have you, a member of your family or a close friend ever been a witness in a lawsuit?
 - a) What was the nature of the lawsuit?
 - b) Was your/his/her experience a negative or positive one?
10. Are you aware of any cases involving claims of copyright infringement?
 - a) What have you heard?
11. Do any of you have any contact with persons from Thailand?
 - a) Specifics.
12. Do any of you have negative or adverse feelings towards foreigners working or studying in the United States?
13. Ladies and gentlemen, is there any reason at all, whether it concerns something we have mentioned or not, why any of you feel that you could not be fair and impartial jurors in this case?

Dated: New York, New York
October 6, 2009

Respectfully submitted:
Sam P. Israel, P.C.

By: S/_____
Sam P. Israel (SPI0270)
Attorney for Defendant Supap
Kirtsang
Twenty Third Floor
New York, NY 10006
Tel: 212-201-5345
Fax: 212-201-5343