

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RALPH RAYMOND BROWN,)	
)	
Plaintiff,)	
)	
v.)	02: 06-cv-0804
)	
KIA MOTORS CORPORATION and)	
KIA MOTORS AMERICA, INC.,)	
)	
Defendants.)	

DECLARATION OF ROBERT P. COCCO

Pursuant to Title 28, United States Code, § 1746, I, Robert P. Cocco, declare the following:

1. From 1991 until the present, I have been employed by the United States Marshals Service. From 1991 - 2002, my title was Deputy U.S. Marshal. From 1991 - 1993, I was assigned to the United States District Court District of Columbia; in 1993, I transferred to the United States District Court for the Western District of Pennsylvania; from 2002 - to the present, my title is Judicial Security Inspector.
2. Prior to joining the U.S. Marshals Service, I was a police officer with the United States Supreme Court Police, Washington, D.C., from 1986-1987, and was a police officer with the United States Park Police, Washington, D.C., from 1987 - 1991.
3. The United States Marshals Service is a United States federal law enforcement agency within the United States Department of Justice. *See* 28 U.S.C. § 561. The United States Marshals Service is the enforcement arm of the United States federal courts. U.S. Marshals protect court officers and buildings and ensure the effective operation of the judicial system. In the federal courthouse in Pittsburgh, Pennsylvania, the U.S. Marshals office

maintains and oversees a state-of-the-art surveillance video system of the interior and exterior of the federal courthouse.

4. In the Pittsburgh federal courthouse, surveillance cameras are located inside each individual courtroom, outside the entrances to each courtroom, and monitor the hallways on each floor of the building.

5. On Friday, January 15, 2010, at approximately 1500 hours, I was contacted by Judge Terrence F. McVerry about an incident involving a trial exhibit in the case of Brown v. Kia Motors Corporation and Kia Motors America, Inc., Civil Action No. 06-cv-804. Judge McVerry informed me that an allegation of evidence tampering had been made and he inquired if surveillance video for the interior of Courtroom 6B, the courtroom in which the exhibit had been stored, had been recorded. At the time, Courtroom 6B was not occupied or assigned to an active or senior district judge.

6. I personally reviewed the surveillance video and confirmed that activity inside of unoccupied Courtroom 6B had not been recorded, but that surveillance video had been recorded of hallway activity and travel in and out of the courtroom. Judge McVerry requested that I log the activity and I requested assistance from a member of Chambers staff as I was not familiar with the attorneys or various personnel involved in the Brown v. Kia Motors Corporation and Kia Motors America, Inc. case.

7. Thereafter, Barbara S. Campbell, law clerk to Judge McVerry, met me in the Marshals Control Room in the U.S. Courthouse where we proceeded to review the surveillance tapes for the entrance of Courtroom 6B as recorded on Camera 604. We reviewed the

surveillance tapes for Courtroom 6B which had been recorded on the afternoon of Thursday, January 14, 2010, commencing at approximately 16:30 hours (4:30 PM) through 22:46 hours (10:46 PM) and for Friday, January 15, 2010, commencing at 6:50 hours (6:50 AM) and ending at 13:30 hours (1:30 PM).

8. The surveillance video tapes reflect the following sequence of events:

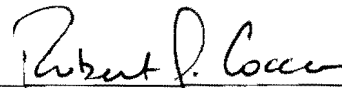
January 14, 2010

16:52	Courtroom Deputy Keirstin L. Yost unlocks doors to Courtroom 6B, but does not enter courtroom
16:58	Attorney Christopher C. Spencer and unidentified male look into Courtroom 6B door windows, but do not enter courtroom
17:05	Attorney J. Kendall Few enters Courtroom 6B alone
17:08	Attorney Georgia Hamilton and Paralegal Tracey Turner enter Courtroom 6B
17:09:52	Attorney Michael L. Ritchie and Law Clerk Barbara Campbell enter Courtroom 6B
17:10:14	Attorneys J. Kendall Few and Michael L. Ritchie exit Courtroom 6B
17:10:40	Courtroom Deputy Keirstin L. Yost enters Courtroom 6B
17:12:26	Attorney Georgia Hamilton and Paralegal Tracey Turner exit Courtroom 6B
17:12:34	Courtroom Deputy Keirstin L. Yost and Law Clerk Barbara Campbell exit Courtroom 6B; Ms. Yost appears to lock courtroom doors as she exits
17:14 - 6:50 on January 15, 2010	No activity to or from Courtroom 6B

January 15, 2010

6:50 - 10:07	film starts - no activity
10:07	Courtroom Deputy Keirstin L. Yost appears to unlock Courtroom 6B doors, but does not enter courtroom
12:32	Judge McVerry looks into door windows of Courtroom 6B, but does not enter courtroom
13:24	Attorney Christopher C. Spencer and unidentified male enter Courtroom 6B
13:35	Attorney Christopher C. Spencer and unidentified male exit Courtroom 6B with covered partial vehicle buck; appear to be moving buck towards the direction of Courtroom 6C (Judge McVerry's courtroom)

I SO DECLARE UNDER PENALTY OF PERJURY.



Robert P. Cocco,
Judicial Security Inspector

Dated: February 16, 2010