

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

JUSTIN BELL and KEITH COSTANZA,)	)	
on behalf of themselves and	)	
similarly situated employees,	)	
Plaintiffs,	)	
	)	
v.	)	Civil Action No. 10-320
	)	
CITIZENS FINANCIAL GROUP, INC.,)	)	
RBS CITIZENS, N.A. (d/b/a	)	
Citizens Bank), and CITIZENS	)	
BANK OF PENNSYLVANIA (d/b/a	)	
Citizens Bank),	)	
Defendants.	)	

**ORDER OF JURY SELECTION PROCEDURE**

Once the jury panel has been placed in the courtroom, the Deputy Clerk will administer the following oath to the panel, en banc:

"You and each of you do solemnly swear and affirm that any statement you make in this room in the cause now trying shall be the truth, the whole truth, and nothing but the truth, and you do so under the pains and penalties of perjury."

Once the oath has been administered, the Courtroom Deputy will then address the panel as follows:

1. "The caption of this case is Justin Bell and Keith Costanza, on behalf of themselves and similarly situated employees v. Citizens Financial Group, Inc., RBS Citizens, N.A., doing business as Citizens Bank, and Citizens Bank of Pennsylvania, also doing business as Citizens Bank and is docketed at this Court's Civil Action No. 10-320. Do any of you know anything about this case?"
  
2. "The PLAINTIFFS in this case are Justin Bell and Keith Costanza. Do any of you know either Mr. Bell or Mr. Costanza?"

3. "The DEFENDANTS in this case are Citizens Financial Group, Inc., RBS Citizens, N.A., doing business as Citizens Bank, and Citizens Bank of Pennsylvania, also doing business as Citizens Bank. Have you, any member of your immediate family, or a close friend, ever been employed by, or worked for defendants Citizens Financial Group, Inc., RBS Citizens, N.A., or Citizens Bank of Pennsylvania? If so, when? How long did you (or they) work? What do (or did) you (or they) do?"
4. "The PLAINTIFFS are represented by Attorneys Brendan J. Donelon and Daniel W. Craig from the law firm of Donelon, P.C. and Peter Winebrake and R. Andrew Santillo of the law firm of Winebrake & Santillo, LLC."
5. "The DEFENDANTS are represented by Attorneys Mark W. Batten, Alison Langlais, Elise M. Bloom, Amanda Haverstick and Brian J. Gershengorn of the law firm of Proskauer Rose, LLP."
6. "Do any of you know any of these attorneys? Have they, or any member of their firms, ever represented you or a member of your immediate family, if you know?"
7. "Do any of you have any difficulty in seeing or hearing, or understanding the English language, that would impair your full attention to the trial?"
8. "Do any of you take medication that might make you drowsy or prevent you from giving your full concentration during the course of this trial?"
9. "Do any of you have any physical problems that would make it difficult for you to sit as a juror in this case?"

10. "Witnesses in this case may be any or all of the following:

Remi Amerson  
John Andrews  
Ramon Andujar  
Michelle Arsenult  
Justin Bell  
Lorraine Berger  
Susan Berthelette  
Justina Biele-Gai  
Jean Blanchard  
Jeremy Bond  
Gregory Branch  
Brenda Brandon  
Angela Burkholder  
Kelly Burnham  
Janette Cabrera  
Robert Callahan  
Peter Camilleri  
Karen Cappiello  
Peter Chetkin  
Salina Chowdhury  
Jean Coleman  
Jessica Collette  
Jill Combs  
Amber Cominskey  
Randolph Corbin  
Keith Costanza  
Jacqueline Courtwright  
Brian Crandall  
Alberonys Cuevas  
Rodney Currier  
Michael Dasaro  
Suzanne Davidson  
Zachary Degen  
Michael DeRosa  
Michelle Dicarlo  
Dominick Doyle  
Katie Farrington  
Nancy Lee Federoff  
Liesl Mae Fox  
Margaret Friedrich  
Roberto Garcia  
Michael Giammarco  
Jessica Gil  
Andrew Giles  
Joseph Goldberg, Jr.  
Michael Grass  
Carmine Guarino

Steven Hallenback  
Erika Harris  
Charles Hayes  
Clifford Jenkins  
Jonathan Kaufman  
Denise Kellner  
Rosemary Kidd  
Daniel King  
Tracey Kloss  
Richelle Leary  
Steve Leboon  
Kiana Lom  
Simon Lowenthal  
Jacob Lusby  
Jacqueline Luther  
Kristina Magee  
Lisa McGraw  
William Medlin  
Kristin Meehan  
Thomas Mercurio  
Delia Meteau  
Jamie Miller  
Jacquelyn Miosi  
Diane Mooney  
Angela Moultrie  
Pamela Nagy  
Malcolm Nowlin  
Tracy O'Donnell  
Anthony Parisi  
Eric Patterson  
Antonietta Peixoto  
Kimberly Peraza  
James Petrillo  
Caroline Pettit  
Regina Pikovsky  
Travis Podolec  
Alan Prescod  
Nicole Provest  
Kelley Quirk  
Joe Reddish  
Sarah Ribis  
Gabriel Rodriguez  
Valerie Rogers  
Courtney Schaeffer  
William Sieberling  
James Serafino  
Jagjiwan Singh  
Justina Sirianni  
Wendy Smith  
Tai St. John

Sara Stacey  
Luba Starikov  
Sylvia Stein  
Amber Steinmeier  
Pamela Suro  
Emily Tan  
Anthony Terrizzi  
Janet Thornton  
Harold Thousand  
Natasha Tibbals (Williamson)  
Faith Truax  
Tad Tuite  
Joseph Varano  
Christian Vernam  
Kenneth Vrana  
Denise Wood  
Amparo Xavier  
Barbara Zecchini (Dyer)

Do you know any of these witnesses?

After the above questions have been asked of the jury, en banc, the jurors will be seated in the jury box. A panel of 14 jurors will be seated in the courtroom. Individual voir dire will then begin in the jury deliberation room in the order in which the jurors were seated. Pursuant to Local Rule 47.1(C), the Courtroom Deputy will ask each juror the following:

1. "Where do you live (city and county only)?"
2. "What is your occupation and for whom do you work?"
3. "Are you married? If so, what is your spouse's occupation and for whom does he or she work?"
4. "Do you have any children? Are they in school or employed? If employed, for what do they do and for whom do they work?"
5. "Do you own or rent your current home?"
6. "Do you have an attorney? If so, what is your attorney's name? Have you ever had the occasion to use an attorney? If so, for what?"
7. "Have you ever been a party to a lawsuit?"
  - (a) plaintiff or defendant?
  - (b) type of lawsuit and result?
  - (c) effect on jury service?
8. "What is the extent of your education? Do you have any post-college education?"

9. "Are you, or any member of your immediate family, presently doing business with defendants Citizens Financial Group, Inc., RBS Citizens, N.A., or Citizens Bank of Pennsylvania?"

"Have you, or any member of your immediate family done business with defendants Citizens Financial Group, Inc., RBS Citizens, N.A., or Citizens Bank of Pennsylvania in the past?"

"If yes to either question, what is (or was) the nature of the relationship or interest, if you know? Would any such relationship or interest prevent you from rendering a fair and impartial verdict?"

10. "Have any of the questions asked brought to your mind anything that you wish to volunteer?"
11. "Is there any reason you couldn't sit on this jury?"

At the conclusion of the individual voir dire, the Deputy will announce a short break to allow counsel to consider the jurors' responses. A total of six (6) strikes will be made. The parties will make alternating strikes with the plaintiff proceeding first. Each challenge is to be labeled (i.e. "P-1" is plaintiff's first challenge; "D-2" is defendant's second challenge). Those stricken jurors will be removed from the jury box. The remaining panel will be the jury selected for this trial.

When seating a jury panel, the first eight (8) names from the panel of 14 seated is the PRIMARY panel. This means that if any of the first eight (8) jurors are selected for this jury, they are to remain in their seats, with the remaining jurors to fill in the rest of the panel.

If, for example, jurors 1, 3, 5 & 8 are selected, as are jurors 10, 12, 13 & 14, the panel will be seated in the following manner:

Juror #1 remains juror #1.  
Juror #8 becomes juror #2.  
Juror #3 remains juror #3.  
Juror #10 becomes juror #4.  
Juror #5 remains juror #5.  
Juror #12 becomes juror #6.  
Juror #13 becomes juror #7.  
Juror #14 becomes juror #8.



Once the jury is seated in the jury box and the Judge is on the bench, but prior to the beginning of testimony, the jury will be given the following oath:

"Do each of you solemnly swear or affirm that you will well and truly try the matters in issue now on trial, and render a true verdict, according to the law and the evidence, and that you do so under the pains and penalties of perjury."

After the entire case has been presented to the jury and they prepare to deliberate on the issues presented, the Clerk will be sworn in as the Bailiff by the following oath:

"You do solemnly swear to keep this jury together in some private and convenient place, and not to permit any person to speak to, or communicate with them, nor to do so yourself unless by order of the court or to ask whether they have agreed on a verdict, and to return them into court when they have so agreed, or when ordered by the Court, so help you God."

BY THE COURT:

s/Gary L. Lancaster, C.J.  
Hon. Gary L. Lancaster,  
Chief United States District Judge

Dated: April 2, 2013