

E-Filing

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

No. CR 05-00611 WHA

v.

SPECIAL VERDICT FORM

KURT F. JOHNSON and DALE SCOTT
HEINEMAN,
Defendants.

YOU MAY APPROACH THE FOLLOWING QUESTION IN ANY ORDER YOU
WISH, BUT YOUR ANSWERS MUST BE UNANIMOUS.

1(a). Has the government proven beyond a
reasonable doubt that defendant Dale
Scott Heineman is guilty of
conspiracy, in violation of 18 U.S.C.
§1349, as charged in Count One of
the indictment?

1(b). Has the government proven beyond a
reasonable doubt that defendant Kurt
F. Johnson is guilty of conspiracy, in
violation of 18 U.S.C. §1349, as
charged in Count One of the
indictment?

Yes, Guilty

Yes, Guilty

No, Not Guilty

No, Not Guilty

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2(a). Has the government proven beyond a reasonable doubt that defendant Dale Scott Heineman is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Two of the indictment?

Yes, Guilty _____
No, Not Guilty _____

2(b). Has the government proven beyond a reasonable doubt that defendant Kurt F. Johnson is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Two of the indictment?

Yes, Guilty _____
No, Not Guilty _____

3(a). Has the government proven beyond a reasonable doubt that defendant Dale Scott Heineman is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Three of the indictment?

Yes, Guilty _____
No, Not Guilty _____

3(b). Has the government proven beyond a reasonable doubt that defendant Kurt F. Johnson is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Three of the indictment?

Yes, Guilty _____
No, Not Guilty _____

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4(a). Has the government proven beyond a reasonable doubt that defendant Dale Scott Heineman is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Four of the indictment?

Yes, Guilty _____
No, Not Guilty _____

4(b). Has the government proven beyond a reasonable doubt that defendant Kurt F. Johnson is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Four of the indictment?

Yes, Guilty _____
No, Not Guilty _____

5(a). Has the government proven beyond a reasonable doubt that defendant Dale Scott Heineman is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Five of the indictment?

Yes, Guilty _____
No, Not Guilty _____

5(b). Has the government proven beyond a reasonable doubt that defendant Kurt F. Johnson is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Five of the indictment?

Yes, Guilty _____
No, Not Guilty _____

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6(a). Has the government proven beyond a reasonable doubt that defendant Dale Scott Heineman is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Nine of the indictment?

Yes, Guilty _____
No, Not Guilty _____

6(b). Has the government proven beyond a reasonable doubt that defendant Kurt F. Johnson is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Nine of the indictment?

Yes, Guilty _____
No, Not Guilty _____

7(a). Has the government proven beyond a reasonable doubt that defendant Dale Scott Heineman is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Ten of the indictment?

Yes, Guilty _____
No, Not Guilty _____

7(b). Has the government proven beyond a reasonable doubt that defendant Kurt F. Johnson is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Ten of the indictment?

Yes, Guilty _____
No, Not Guilty _____

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8(a). Has the government proven beyond a reasonable doubt that defendant Dale Scott Heineman is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Eleven of the indictment?

Yes, Guilty _____
No, Not Guilty _____

8(b). Has the government proven beyond a reasonable doubt that defendant Kurt F. Johnson is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Eleven of the indictment?

Yes, Guilty _____
No, Not Guilty _____

9(a). Has the government proven beyond a reasonable doubt that defendant Dale Scott Heineman is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Twelve of the indictment?

Yes, Guilty _____
No, Not Guilty _____

9(b). Has the government proven beyond a reasonable doubt that defendant Kurt F. Johnson is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Twelve of the indictment?

Yes, Guilty _____
No, Not Guilty _____

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10(a). Has the government proven beyond a reasonable doubt that defendant Dale Scott Heineman is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Thirteen of the indictment?

Yes, Guilty _____
No, Not Guilty _____

10(b). Has the government proven beyond a reasonable doubt that defendant Kurt F. Johnson is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Thirteen of the indictment?

Yes, Guilty _____
No, Not Guilty _____

11(a). Has the government proven beyond a reasonable doubt that defendant Dale Scott Heineman is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Fourteen of the indictment?

Yes, Guilty _____
No, Not Guilty _____

11(b). Has the government proven beyond a reasonable doubt that defendant Kurt F. Johnson is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Fourteen of the indictment?

Yes, Guilty _____
No, Not Guilty _____

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12(a). Has the government proven beyond a reasonable doubt that defendant Dale Scott Heineman is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Nineteen of the indictment?

Yes, Guilty

No, Not Guilty

12(b). Has the government proven beyond a reasonable doubt that defendant Kurt F. Johnson is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Nineteen of the indictment?

Yes, Guilty

No, Not Guilty

13(a). Has the government proven beyond a reasonable doubt that defendant Dale Scott Heineman is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Twenty of the indictment?

Yes, Guilty

No, Not Guilty

13(b). Has the government proven beyond a reasonable doubt that defendant Kurt F. Johnson is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Twenty of the indictment?

Yes, Guilty

No, Not Guilty

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14(a). Has the government proven beyond a reasonable doubt that defendant Dale Scott Heineman is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Twenty-One of the indictment?

Yes, Guilty _____
No, Not Guilty _____

14(b). Has the government proven beyond a reasonable doubt that defendant Kurt F. Johnson is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Twenty-One of the indictment?

Yes, Guilty _____
No, Not Guilty _____

15(a). Has the government proven beyond a reasonable doubt that defendant Dale Scott Heineman is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Twenty-Two of the indictment?

Yes, Guilty _____
No, Not Guilty _____

15(b). Has the government proven beyond a reasonable doubt that defendant Kurt F. Johnson is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Twenty-Two of the indictment?

Yes, Guilty _____
No, Not Guilty _____

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16(a). Has the government proven beyond a reasonable doubt that defendant Dale Scott Heineman is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Twenty-Three of the indictment?

Yes, Guilty _____
No, Not Guilty _____

16(b). Has the government proven beyond a reasonable doubt that defendant Kurt F. Johnson is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Twenty-Three of the indictment?

Yes, Guilty _____
No, Not Guilty _____

17(a). Has the government proven beyond a reasonable doubt that defendant Dale Scott Heineman is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Twenty-Four of the indictment?

Yes, Guilty _____
No, Not Guilty _____

17(b). Has the government proven beyond a reasonable doubt that defendant Kurt F. Johnson is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Twenty-Four of the indictment?

Yes, Guilty _____
No, Not Guilty _____

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20(a). Has the government proven beyond a reasonable doubt that defendant Dale Scott Heineman is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Thirty-Four of the indictment?

Yes, Guilty

No, Not Guilty

20(b). Has the government proven beyond a reasonable doubt that defendant Kurt F. Johnson is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Thirty-Four of the indictment?

Yes, Guilty

No, Not Guilty

21(a). Has the government proven beyond a reasonable doubt that defendant Dale Scott Heineman is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Thirty-Eight of the indictment?

Yes, Guilty

No, Not Guilty

21(b). Has the government proven beyond a reasonable doubt that defendant Kurt F. Johnson is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Thirty-Eight of the indictment?

Yes, Guilty

No, Not Guilty

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22(a). Has the government proven beyond a reasonable doubt that defendant Dale Scott Heineman is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Thirty-Nine of the indictment?

Yes, Guilty _____
No, Not Guilty _____

22(b). Has the government proven beyond a reasonable doubt that defendant Kurt F. Johnson is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Thirty-Nine of the indictment?

Yes, Guilty _____
No, Not Guilty _____

23(a). Has the government proven beyond a reasonable doubt that defendant Dale Scott Heineman is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Forty of the indictment?

Yes, Guilty _____
No, Not Guilty _____

23(b). Has the government proven beyond a reasonable doubt that defendant Kurt F. Johnson is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Forty of the indictment?

Yes, Guilty _____
No, Not Guilty _____

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24(a). Has the government proven beyond a reasonable doubt that defendant Dale Scott Heineman is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Forty-One of the indictment?

Yes, Guilty _____
No, Not Guilty _____

24(b). Has the government proven beyond a reasonable doubt that defendant Kurt F. Johnson is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Forty-One of the indictment?

Yes, Guilty _____
No, Not Guilty _____

25(a). Has the government proven beyond a reasonable doubt that defendant Dale Scott Heineman is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Forty-Two of the indictment?

Yes, Guilty _____
No, Not Guilty _____

25(b). Has the government proven beyond a reasonable doubt that defendant Kurt F. Johnson is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Forty-Two of the indictment?

Yes, Guilty _____
No, Not Guilty _____

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28(a). Has the government proven beyond a reasonable doubt that defendant Dale Scott Heineman is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Forty-Five of the indictment?

Yes, Guilty _____
No, Not Guilty _____

28(b). Has the government proven beyond a reasonable doubt that defendant Kurt F. Johnson is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Forty-Five of the indictment?

Yes, Guilty _____
No, Not Guilty _____

29(a). Has the government proven beyond a reasonable doubt that defendant Dale Scott Heineman is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Forty-Six of the indictment?

Yes, Guilty _____
No, Not Guilty _____

29(b). Has the government proven beyond a reasonable doubt that defendant Kurt F. Johnson is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Forty-Six of the indictment?

Yes, Guilty _____
No, Not Guilty _____

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30(a). Has the government proven beyond a reasonable doubt that defendant Dale Scott Heineman is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Forty-Seven of the indictment?

Yes, Guilty

No, Not Guilty

30(b). Has the government proven beyond a reasonable doubt that defendant Kurt F. Johnson is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Forty-Seven of the indictment?

Yes, Guilty

No, Not Guilty

31(a). Has the government proven beyond a reasonable doubt that defendant Dale Scott Heineman is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Forty-Eight of the indictment?

Yes, Guilty

No, Not Guilty

31(b). Has the government proven beyond a reasonable doubt that defendant Kurt F. Johnson is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Forty-Eight of the indictment?

Yes, Guilty

No, Not Guilty

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32(a). Has the government proven beyond a reasonable doubt that defendant Dale Scott Heineman is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Forty-Nine of the indictment?

Yes, Guilty

No, Not Guilty

32(b). Has the government proven beyond a reasonable doubt that defendant Kurt F. Johnson is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Forty-Nine of the indictment?

Yes, Guilty

No, Not Guilty

33(a). Has the government proven beyond a reasonable doubt that defendant Dale Scott Heineman is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Fifty of the indictment?

Yes, Guilty

No, Not Guilty

33(b). Has the government proven beyond a reasonable doubt that defendant Kurt F. Johnson is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Fifty of the indictment?

Yes, Guilty

No, Not Guilty

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34(a). Has the government proven beyond a reasonable doubt that defendant Dale Scott Heineman is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Fifty-One of the indictment?

Yes, Guilty

No, Not Guilty

34(b). Has the government proven beyond a reasonable doubt that defendant Kurt F. Johnson is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Fifty-One of the indictment?

Yes, Guilty

No, Not Guilty

35(a). Has the government proven beyond a reasonable doubt that defendant Dale Scott Heineman is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Fifty-Two of the indictment?

Yes, Guilty

No, Not Guilty

35(b). Has the government proven beyond a reasonable doubt that defendant Kurt F. Johnson is guilty of mail fraud, in violation of 18 U.S.C. §1341, as charged in Count Fifty-Two of the indictment?

Yes, Guilty

No, Not Guilty

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CONCLUSION

ONCE YOU HAVE FINISHED ANSWERING ALL QUESTIONS UNANIMOUSLY,
PLEASE HAVE THE FOREPERSON SIGN AND DATE THIS FORM, THEN CONTACT
THE DEPUTY OR MARSHAL TO INFORM HIM OR HER THAT YOU HAVE
COMPLETED YOUR DELIBERATIONS.

Dated: 11-14-07

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Foreperson