

U.S. District Court

Northern District of Illinois (Chicago)

CRIMINAL DOCKET FOR CASE #: 95-CR-214-1

USA v. Kim, et al

Filed: 04/11/95

Case Assigned to: Hon. James F. Holderman

Dkt# in other court: None

JOHN C KIM  
defendant

Charles M. Meadows, Jr.  
[COR LD NTC]  
Joel Crouch  
[COR ret]  
Meadows & Owens  
3700 Nations Bank  
901 Main Street  
Dallas, TX  
(214) 744-3700

Pending Counts:  
18:371.F CONSPIRACY TO DEFRAUD  
THE UNITED STATES  
(1)

Disposition  
The defendant is hereby  
committed to the custody of the  
United States Bureau of Prisons  
to be imprisoned for a  
total term of sixty (60) months  
on Count 1. Upon release  
from imprisonment, the  
defendant shall be on  
supervised release for a  
term of three (3) years.  
Additional conditions  
of supervised release.  
Criminal Monetary  
Penalties. Schedule of  
Payments. Statement of  
Reasons. (1)

Offense Level (opening): 4

Terminated Counts:

NONE

Complaints:

NONE

U. S. Attorneys:

Helene B. Greenwald  
[COR LD NTC]  
Cheryl A. Bell  
[COR LD NTC]  
United States Attorney's Office  
219 South Dearborn Street  
Suite 500  
Chicago, IL 60604  
(312) 353-5300  
Pretrial Services  
[NTC]

Probation Department  
Room 1100  
[NTC]

DOCKET PROCEEDINGS

DATE	#	DOCKET	ENTRY
4/11/95	1	INDICTMENT	Counts filed against John C Kim (1) count(s) 1, Thomas Martin Hnat (2) count(s) 1, Thomas NMI White (3) count(s) 1, Kenneth Krisciunas (4) count(s) 1, John Liska (5) count(s) 1, Frank Kucia (6) count(s) 1, Joselito Jakosalem (7) count(s) 1, Nicholas Gallo (8) count(s) 1, Thomas NMI McGee (9) count(s) 1, Sante Furio (10) count(s) 1, Scott Gigliotti (11) count(s) 1, Thomas Condon (12) count(s) 1, Michael D McKay (13) count(s) 1, Robert Sawinski (14) count(s) 1 (sn) [Entry date 04/18/95]
4/11/95	2	DESIGNATION SHEET	Felony Category 1 (sn) [Entry date 04/18/95]
4/11/95	3	MOTION	by USA to seal indictment as to defendant John C Kim, Thomas Martin Hnat, Thomas NMI White, Kenneth Krisciunas, John Liska, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas NMI McGee, Sante Furio, Scott Gigliotti, Thomas Condon, Michael D McKay, Robert Sawinski ; (sn) [Entry date 04/18/95]
4/11/95	4	MINUTE ORDER	of 4/11/95 by Hon. Charles P. Kocoras as to John C Kim, Thomas Martin Hnat, Thomas NMI White, Kenneth Krisciunas, John Liska, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas NMI McGee, Sante Furio, Scott Gigliotti, Thomas Condon, Michael D McKay, Robert Sawinski : Granting motion to seal indictment as to defendant John C Kim, Thomas Martin Hnat, Thomas NMI White, Kenneth Krisciunas, John Liska, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas NMI McGee, Sante Furio, Scott Gigliotti, Thomas Condon, Michael D McKay, Robert Sawinski [3-1] No notice (sn) [Entry date 04/18/95]
4/11/95	5	MINUTE ORDER	of 4/11/95 by Hon. Charles P. Kocoras as to John C Kim, Thomas Martin Hnat, Thomas NMI White, Kenneth Krisciunas, John Liska, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas NMI McGee, Sante Furio, Scott Gigliotti, Thomas Condon, Michael D McKay, Robert Sawinski : To issue bench warrant and set preliminary bail at \$750,000(10per cent secured) as to John C. Kim. To set preliminary bail at \$4,500.00 and that defendants be allowed to sign own recognizance bond as to all other defendants. Suppressed until 4/17/95 at 12:00 p.m. or until the arrest of defendant John C. Kim. Whichever

occurs first. The district court clerk's office is directed to disclose to the assistant U.S. attorney assigned to this case for the government, the name of the Judge, Magistrate Judge, docket number assigned to this case and arrest warrants, in order to expedite arraignment of arrested defendants. This information is not to be disclosed to any other party, and the indictment is to remain sealed until the defendant is arrested. No notice (sn) [Entry date 04/18/95]

- 4/11/95 -- BENCH Warrant issued for John C Kim by Hon. Charles P. Kocoras (sn) [Entry date 04/18/95]
- 4/12/95 6 MINUTE ORDER of 4/12/95 by Hon. James F. Holderman as to John C Kim, Thomas Martin Hnat, Thomas NMI White, Kenneth Krisciunas, John Liska, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas NMI McGee, Sante Furio, Scott Gigliotti, Thomas Condon, Michael D McKay, Robert Sawinski : Seal previously imposed is lifted. No notice (sn) [Entry date 04/18/95] [Edit date 04/18/95]
- 4/12/95 7 ARRAIGNMENT NOTICE: as to John C Kim, Thomas Martin Hnat, Thomas NMI White, Kenneth Krisciunas, John Liska, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas NMI McGee, Sante Furio, Scott Gigliotti, Thomas Condon, Michael D McKay, Robert Sawinski : Arraignment set for 4/20/95 at 11:00 a.m. Mailed notice (sn) [Entry date 04/18/95] [Edit date 04/18/95]
- 4/12/95 -- DEFENDANT John C Kim arrested (sn) [Entry date 04/18/95]
- 4/14/95 9 ARREST Warrant returned executed as to John C Kim 4/12/95 (sn) [Entry date 04/18/95]
- 4/14/95 10 REFERRAL ORDER of 4/12/95 : Case referred to Hon. Martin C. Ashman pursuant to General Rule 2.41(b) to hear and enter order(s) on the following non-dispositive motion/matter: Arraignment and bail/detention hearing . Mailed notice (sn) [Entry date 04/18/95]
- 4/20/95 11 MOTION by John C Kim for attorney Charles Meadows, Jr. to appear pro hac vice (sn) [Entry date 04/21/95]
- 4/20/95 12 MINUTE ORDER of 4/20/95 by Hon. Martin C. Ashman as to John C Kim : Defendant John C Kim arraigned; not guilty plea entered to count one. Pretrial motions to be filed by or on 5/30/95. Response due 6/13/95. Reply briefs due 6/27/95. 2.04 conference to be held by or on 5/15/95. Status hearing set for 6/2/95 at 1:30 p.m. Excludable time entered under 18.3161(h)(1)(F) and 18:3161(h)(8)(B)(ii). (XE)(XT) Granting motion for attorney Charles Meadows, Jr. to pro hac vice [11-1] Attorney for John C Kim proceeding Pro Hac Vice Mailed notice (sn) [Entry date 04/21/95]

4/20/95 13 ORDER by Hon. Martin C. Ashman setting conditions of release for John C Kim in the amount of \$750,000 Secured. (See order for details) (sn) [Entry date 04/21/95]  
[Edit date 04/21/95]

4/20/95 90 ATTORNEY APPEARANCE for John C Kim by Charles M. Meadows Jr. (cjpg) [Entry date 04/25/95]

4/28/95 98 RULE 40 Documents received from Southern District of California, San Diego as to John C Kim (sn)  
[Entry date 05/01/95]

4/28/95 99 BOND ( \$750,000 Secured) by John C Kim received from S/D of California, San Diego. (sn) [Entry date 05/01/95]

5/10/95 104 AGREED MOTION by USA for a protective order as to defendant John C Kim, Thomas Martin Hnat, Thomas NMI White, Kenneth Krisciunas, John Liska, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas McGee, Sante Furio, Scott Gigliotti, Thomas Condon, Michael D McKay, Robert Sawinski (sn) [Entry date 05/12/95]

5/10/95 107 APPLICATION by USA for order to disclose to defendants and their counsel sealed affidavits containing taxpayer information and tax return information as to defendant John C Kim, Thomas Martin Hnat, Thomas White, Kenneth Krisciunas, John Liska, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas McGee, Sante Furio, Scott Gigliotti, Thomas Condon, Michael D McKay, Robert Sawinski (sn)  
[Entry date 05/12/95]

5/10/95 110 MOTION by USA for early return of trial subpoenas as to defendant John C Kim, Thomas Martin Hnat, Thomas White, Kenneth Krisciunas, John Liska, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas McGee, Sante Furio, Scott Gigliotti, Thomas Condon, Michael D McKay, Robert Sawinski (Attachment); Notice of filing (sn) [Entry date 05/12/95]

5/11/95 105 PROTECTIVE ORDER as to defendants (sn) [Entry date 05/12/95]

5/11/95 106 MINUTE ORDER of 5/11/95 by Hon. James F. Holderman as to defendant: Granting motion for a protective order as to defendant John C Kim, Thomas Martin Hnat, Thomas White, Kenneth Krisciunas, John Liska, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas McGee, Sante Furio, Scott Gigliotti, Thomas Condon, Michael D McKay, Robert Sawinski [104-1]. Enter protective order. Mailed notice (sn) [Entry date 05/12/95]

5/11/95 108 AGREED ORDER to disclose to defendants and their counsel sealed affidavits containing taxpayer information and tax return information as to defendants (sn)

[Entry date 05/12/95]

5/11/95 109 MINUTE ORDER of 5/11/95 by Hon. James F. Holderman as to John C Kim, Thomas Martin Hnat, Thomas White, Kenneth Krisciunas, John Liska, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas McGee, Sante Furio, Scott Gigliotti, Thomas Condon, Michael D McKay, Robert Sawinski : Granting government's application for order to disclose to defendants and their counsel sealed affidavits containing taxpayer information and tax return information. [107-1]. Enter agreed order to disclose. Mailed notice (sn) [Entry date 05/12/95]

5/11/95 111 MINUTE ORDER of 5/11/95 by Hon. James F. Holderman as to John C Kim, Thomas Martin Hnat, Thomas White, Kenneth Krisciunas, John Liska, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas McGee, Sante Furio, Scott Gigliotti, Thomas Condon, Michael D McKay, Robert Sawinski : Granting motion for early return of trial subpoenas as to defendants [110-1] Mailed notice (sn) [Entry date 05/12/95]

5/12/95 114 LETTER from Kaarina Salovaara to Judge Holderman dated 5/11/95. (Attachment) (sn) [Entry date 05/15/95]

5/15/95 115 SEALED document (sn) [Entry date 05/15/95]

5/19/95 119 MOTION by USA to file under seal the supplement to the government's report to the court on the rule 2.04 conference as to defendants (sn) [Entry date 05/24/95]

5/19/95 120 GOVERNMENT'S report to court on rule 2.04 conference (sn) [Entry date 05/24/95]

5/19/95 121 NOTICE of filing by USA [120-1], [119-1] (sn) [Entry date 05/24/95]

5/19/95 122 MINUTE ORDER of 5/19/95 by Hon. James F. Holderman as to defendants: Granting motion to file under seal the supplement to the government's report to the court on the rule 2.04 conference as to defendants [119-1] Mailed notice (sn) [Entry date 05/24/95]

5/19/95 123 SEALED document (sn) [Entry date 05/24/95]

5/26/95 126 AGREED MOTION to extend time to file pretrial motions (dmk) [Entry date 05/31/95]

5/26/95 127 ORDER regarding motion to extend time to file pretrial motions [126-1] (dmk) [Entry date 05/31/95]

5/26/95 128 MINUTE ORDER of 5/26/95 by Hon. James F. Holderman as to John C Kim, Thomas Martin Hnat, Thomas NMI White, Kenneth Krisciunas, John Liska, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas NMI McGee, Sante Furio, Scott Gigliotti, Thomas Condon, Michael D McKay, Robert Sawinski : At status hearing on 06/02/95 at 1:30 p.m. counsel should be prepared to discuss the setting of a trial date. Granting agreed motion to extend time to file pretrial motions [126-1]. Ordered that pretrial motions are due 06/19/95; responses are due 007/17/95; replies are due 08/01/95. Excludable delay due to filing of pre-trial motions continues in effect. Mailed notice (dmk) [Entry date 05/31/95]

5/30/95 124 SUBMISSION by USA relating to certain defendants' financial affidavits (Attachments) (hp) [Entry date 05/31/95]

5/30/95 125 NOTICE of filing by USA [124-1] (hp) [Entry date 05/31/95]

6/2/95 134 MINUTE ORDER of 6/2/95 by Hon. James F. Holderman as to John C Kim, Thomas Martin Hnat, Thomas White, Kenneth Krisciunas, John Liska, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas McGee, Sante Furio, Scott Gigliotti, Thomas Condon, Michael D McKay, Robert Sawinski : Pretrial motions are due 7/17/95; government's response due 8/14/95; replies due 8/28/95. Government shall turn over 3500 material; 404(b) material and Santiago proffer four weeks before trial and may supplement as necessary. Status hearing held; continued to 8/16/96 at 2:00 p.m. Jury trial set for 9/3/96 at 9:00 a.m. Excludable delay due to filing of pre-trial motions (X-E), and for complexity (X-T2) continue in effect. Excludable delay due to continuity of counsel (X-T4) begins. Mailed notice (sn) [Entry date 06/06/95]

6/5/95 138 GOVERNMENT'S notice to court of additional discovery provided to the defense and motion to seal supplementary materials filed in support of this notice as to defendants (sn) [Entry date 06/07/95]

6/5/95 139 NOTICE of filing by USA [138-1] (sn) [Entry date 06/07/95]

6/5/95 140 MINUTE ORDER of 6/5/95 by Hon. James F. Holderman as to defendant:Government's motion to seal supplementary materials filed in support of "notice of additional discovery provided to the defense" is granted. [138-1] Mailed notice (sn) [Entry date 06/07/95]

6/5/95 141 SEALED document (sn) [Entry date 06/07/95]

6/23/95 169 LETTER from Helene B. Greenwald and Kaarina Salovaara, to Ms. Zekman, dated 06/21/95. (pp) [Entry date 06/28/95]

6/27/95 168 OBJECTIONS by USA to defendant McGee's motion to move trial date to October of 1995 [166-1]; Notice of filing (pp) [Entry date 06/28/95]

7/17/95 190 MOTION by John C Kim for early release of jury infomation, with memorandum (dmk) [Entry date 07/18/95]

7/17/95 190 MEMORANDUM by John C Kim in support of motion for early release of jury infomation, with motion [190-1] (dmk) [Entry date 07/18/95]

7/17/95 191 MOTION by John C Kim for disclosure of all evidence the Government intends to offer pursuant to Rule 405, with incorporated memorandum (dmk) [Entry date 07/18/95]

7/17/95 191 MEMORANDUM by John C Kim in support of motion for disclosure of all evidence the Government intends to offer pursuant to Rule 405, with motion [191-1] (dmk) [Entry date 07/18/95] [Edit date 07/18/95]

7/17/95 192 MOTION by John C Kim for notice by Government of intent to use evidence, with incorporated memorandum (dmk) [Entry date 07/18/95]

7/17/95 192 MEMORANDUM by John C Kim in support of motion for notice by Government of intent to use evidence, with motion [192-1] (dmk) [Entry date 07/18/95] [Edit date 07/18/95]

7/17/95 193 MOTION by John C Kim under Rule 201 of the Federal rules of evidence, for advance notice of any matter which either the court or the government may contend is appropriate for judicial notice, with incorporated memorandum (dmk) [Entry date 07/18/95]

7/17/95 193 MEMORANDUM by John C Kim in support of motion under Rule 201 of the Federal rules of evidence, for advance notice of any matter which either the court or the government may contend is appropriate for judicial notice, with motion [193-1] (dmk) [Entry date 07/18/95]

7/17/95 194 MOTION by John C Kim for disclosure of agreement between the Government and Government witnesses, with incorporated memorandum (Exhibit) (dmk) [Entry date 07/18/95]

7/17/95 194 MEMORANDUM by John C Kim in support of motion for disclosure of agreement between the Government and Government witnesses, with motion [194-1]; (Exhibit) (dmk) [Entry date 07/18/95]

7/17/95 195 MOTION by John C Kim for statements of alleged indicted or unindicted co-conspirators, with memorandum (dmk)

[Entry date 07/18/95]

- 7/17/95 195 MEMORANDUM by John C Kim in support of motion for statements of alleged indicted or unindicted co-conspirators, with motion [195-1] (dmk) [Entry date 07/18/95]
- 7/17/95 196 MOTION by John C Kim for production and inspection of grand jury minutes, with incorporated memorandum (dmk) [Entry date 07/18/95]
- 7/17/95 196 MEMORANDUM by John C Kim in support of motion for production and inspection of grand jury minutes, with motion [196-1] (dmk) [Entry date 07/18/95]
- 7/17/95 197 MOTION by John C Kim to amend motions or file new motions upon receipt of material from the government, with incorporated memorandum (dmk) [Entry date 07/18/95]
- 7/17/95 197 MEMORANDUM by John C Kim in support of motion to amend motions or file new motions upon receipt of material from the government, with motion [197-1] (dmk) [Entry date 07/18/95]
- 7/17/95 198 MOTION by John C Kim to require the Government to index documents, with incorporated memorandum (dmk) [Entry date 07/18/95]
- 7/17/95 198 MEMORANDUM by John C Kim in support of motion to require the Government to index documents, with motion [198-1] (dmk) [Entry date 07/18/95]
- 7/17/95 199 MOTION by John C Kim for production and inspection of evidence and/or information which may lead to evidence, with memorandum (Exhibit) (dmk) [Entry date 07/18/95]
- 7/17/95 199 MEMORANDUM by John C Kim in support of motion for production and inspection of evidence and/or information which may lead to evidence, with motion [199-1] (dmk) [Entry date 07/18/95]
- 7/17/95 200 MOTION by John C Kim for severance, with incorporated memorandum (dmk) [Entry date 07/18/95]
- 7/17/95 200 MEMORANDUM by John C Kim in support of motion for severance, with motion [200-1] (dmk) [Entry date 07/18/95]
- 7/17/95 201 MOTION by John C Kim to dismiss, with incorporated memorandum (dmk) [Entry date 07/18/95]



7/17/95 201 MEMORANDUM by John C Kim in support of motion to dismiss, with motion [201-1] (dmk) [Entry date 07/18/95]

7/17/95 202 MOTION by John C Kim for a bill of particulars, with incorporated memorandum (dmk) [Entry date 07/18/95]

7/17/95 202 MEMORANDUM by John C Kim in support of motion for a bill of particulars, with motion [202-1] (dmk) [Entry date 07/18/95]

7/17/95 203 MOTION by John C Kim to adopt motions filed by other defendants (dmk) [Entry date 07/18/95]

7/17/95 204 NOTICE of filing by John C Kim [203-1], [202-1], [202-1], [201-1], [201-1], [200-1], [200-1], [199-1], [199-1], [198-1], [198-1], [197-1], [197-1], [196-1], [196-1], [195-1], [195-1], [194-1], [194-1], [193-1], [193-1], [192-1], [192-1], [191-1], [191-1], [190-1], [190-1] (dmk) [Entry date 07/18/95]

7/27/95 903 APPLICATION by USA with order dated 7/31/95 (RESTRICTED) (Temporarily unavailable for docketing.) (kk) [Entry date 08/13/97]

8/8/95 227 UNOPPOSED MOTION by USA for a two week extension of time to file its response to defendants' pretrial motions ; notice of filing. (ch) [Entry date 08/10/95]

8/8/95 228 ORDER regarding motion for a two week extension of time to file its response to defendants' pretrial motions [227-1] (ch) [Entry date 08/10/95]

8/8/95 229 MINUTE ORDER of 8/8/95 by Hon. James F. Holderman as to defendants: Government's unopposed motion for a two week extension of time to file its response to defendants' pretrial motions [227-1] is granted. Ordered that government's response to pretrial motions is due 8/28/95. Replies are due 9/11/95. Mailed notice (ch) [Entry date 08/10/95] [Edit date 08/10/95]

8/21/95 237 APPEARANCE of Attorney for CBS Inc and Pam Zekman by Linda Listrom and Debbie L. Moeckler (dmk) [Entry date 08/22/95]

8/21/95 238 RULE 39 Affidavit of Linda Listrom as to CBS Inc and Pam Zekman (dmk) [Entry date 08/22/95]

8/21/95 239 RULE 39 Affidavit Debbie Moeckler as to CBS Inc and Pam Zekman (dmk) [Entry date 08/22/95]

8/25/95 241 MOTION by CBS Inc, Pam Zekman, non-party witnesses to quash subpoenas ; notice of motion. (ch) [Entry date 08/28/95]

8/25/95 242 MEMORANDUM of law of non-party witnesses CBS Inc, Pam Zekman in support of motion to quash subpoenas [241-1] (ch) [Entry date 08/28/95]

8/25/95 243 AFFIDAVIT of Pam Zekman re [242-1] (Exhibits) (ch) [Entry date 08/28/95]

8/25/95 244 AFFIDAVIT of Anthony M Bongiorno re [242-1], re [243-1] (Attachments) (ch) [Entry date 08/28/95]

8/25/95 245 MINUTE ORDER of 8/25/95 by Hon. James F. Holderman as to CBS Inc, Pam Zekman, John C Kim, Thomas Martin Hnat, Kenneth Krisciunas, John Liska, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas NMI McGee, Sante Furio, Scott Gigliotti, Thomas Condon : Government's response is due 9/12/95. Defendants granted to 9/22/95 to file response to motion to quash subpoenas [241-1]. Reply of CBS and Zekman is due 10/16/95. Court will rule by mail. Mailed notice (ch) [Entry date 08/30/95]

8/28/95 248 MOTION by USA to file consolidated response in excess of fifteen pages as to John C Kim, Thomas Martin Hnat, Thomas White, Kenneth Krisciunas, Frank Kucia, Joselito Jakosalem, Nicholas Thomas NMI McGee, Sante Furio, Scott Gigliotti, Thomas Condon, Michael D McKay, Robert Sawinski ; notice of filing. (ch) [Entry date 09/01/95]

8/28/95 249 MINUTE ORDER of 8/28/95 by Hon. James F. Holderman as to plaintiff USA : Government's motion to file consolidated response in excess of fifteen pages as to John C Kim, Martin Hnat, Thomas White, Kenneth Krisciunas, Frank Kucia, Joselito Jakosalem, Nicholas Thomas NMI McGee, Sante Furio, Scott Gigliotti, Thomas Condon, Michael D McKay, Robert Sawinski [248-1] is granted. Mailed notice (ch) [Entry date 09/01/95]

8/28/95 250 CONSOLIDATED RESPONSE by plaintiff USA to defendants pretrial motions to adopt pretrial motions of co-defendants [218-1], motion for disclosure of exculpatory evidence [206-1], motion to require the Government to index documents, with incorporated memorandum [198-1], motion for disclosure of all evidence the Government intends to offer pursuant to Rule 405, with incorporated memorandum [191-1], motion for notice by Government of intent to use evidence, with incorporated memorandum [192-1], motion for statements of alleged indicted or unindicted co-conspirators, with memorandum [195-1], motion for production and inspection of grand jury minutes, with incorporated memorandum [196-1], motion for disclosure of expert testimony and facts or data upon which expert testimony will be based [181-1], motion for a bill particulars [184-1], motion for early release of jury information, with memorandum [190-1], motion to dismiss

indictment [182-1], motion for pretrial production of Jencks Act material [156-1], motion that the government be required to make a Santiago proffer statement [155-1], motion for early return on trial subpoenas [161-1], motion to dismiss charges due to vindictive and/or selective prosecution [160-1], motion for discovery [154-1], motion for pretrial list of witnesses [153-1], motion for a bill of particulars [149-1], motion for production of informants [148-1], motion for severance [147-1], motion for advance notice of any matter appropriate for judicial notice, government's motion for reciprocal discovery, government's motion for reciprocal discovery, government's motion for reciprocal discovery, motion for production of informants, motions to dismiss indictment based on alleged defects in the indictment, motion to dismiss based on alleged failure to plead the elements, motions to dismiss based on allegations of multiple conspiracies, duplicity, variance, motions to dismiss the indictment based on the statute of limitations, motions to dismiss indictment on the basis of prosecutorial delay, proper joinder under Rule 8(b), lack of prejudicial joinder, and motions reserving rights to file additional motions; notice of filing. (ch) [Entry date 09/01/95]

- 9/5/95 256 SEALED document (pp) [Entry date 09/11/95]
- 9/8/95 252 MOTION by USA for revised briefing schedule regarding the motion to quash subpoenas filed by CBS Incorporated and Pam Zekman as to defendant John C Kim, Thomas Martin Hnat, Thomas White, Kenneth Krisciunas, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas NMI McGee, Sante Furio, Scott Gigliotti, Thomas Condon, Michael D McKay and Robert Sawinski; Notice of motion (pp) [Entry date 09/11/95]
- 9/8/95 253 MINUTE ORDER of 9/8/95 by Hon. James F. Holderman as to CBS Inc, Pam Zekman, John C Kim, Thomas Martin Hnat, Kenneth Krisciunas, John Liska, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas NMI McGee, Sante Furio, Scott Gigliotti, Thomas Condon : Granting government's motion for revised briefing schedule regarding the motion to quash subpoenas filed by CBS Incorporated and Pam Zekman as to defendant John C Kim, Thomas Martin Hnat, Thomas White, Kenneth Krisciunas, Frank Kucia, Joselito Jakosalem, Nicholas Thomas NMI McGee, Sante Furio, Scott Gigliotti, Thomas Condon, Michael D McKay and Robert Sawinski [252-1] Government's response is due 10/23/95; defendant's responses are due 11/13/95 and CBS and Pam Zekman's reply is due 12/04/95. [241-1] Mailed notice (pp) [Entry date 09/11/95]
- 9/20/95 260 REPLY by defendant John C Kim to government's response to defendants' pretrial motion for a bill of particulars, with incorporated memorandum [202-1], motion to require the Government to index documents, with incorporated memorandum [198-1] (Exhibits); Notice of filing. (ch) [Entry date 09/21/95]
- 9/21/95 261 REPLY by defendant John C Kim to the government's response

to defendant Gigliotti's motion to quash search warrant  
[188-1] ; notice of filing. (ch) [Entry date 09/21/95]

9/25/95 267 SUBSTITUTION of Attorneys (ch) [Entry date 09/26/95]

10/11/95 271 LETTER from Debbie L. Moeckler, to Counsel, dated 10/11/95;  
(Attachments) (pp) [Entry date 10/16/95]

10/20/95 278 SEALED document (ch) [Entry date 10/24/95]

10/23/95 277 RESPONSE by USA to court's inquiry in connection with  
motion of CBS, Inc. and Pam Zekman to quash subpoenas  
[241-1] and also motion for and notice of Ex Parte filing  
under seal in connection with the response; (Exhibits);  
Notice of filing (pp) [Entry date 10/24/95]

10/23/95 280 MINUTE ORDER of 10/23/95 by Hon. James F. Holderman as to  
defendants : Government's motion for ex parte filing under  
seal in connection with its response to the court's inquiry  
regarding motion of CBS and Pam Zekman to quash subpoena is  
granted. Mailed notice (ch) [Entry date 10/26/95]

11/14/95 290 TRANSCRIPT of proceeding as to defendants CBS Inc, Pam  
Zekman, John C Kim, Thomas Martin Hnat, Thomas White,  
Kenneth Krisciunas, John Liska, Frank Kucia, Joselito  
Jakosalem, Nicholas Thomas NMI McGee, Sante Furio, Scott  
Gigliotti, Thomas Condon, Michael D McKay and Robert  
Sawinski held before Hon. James F. Holderman on 08/25/95  
(One volume) (nl) [Entry date 11/15/95]

11/21/95 294 CONSOLIDATED MOTION by defendant for approval of expenses  
for investigative services ; Notice of motion. (ch)  
[Entry date 11/22/95]

11/21/95 295 ORDER regarding motion for approval of expenses for  
investigative services [294-1] (ch) [Entry date 11/22/95]

11/21/95 296 MINUTE ORDER of 11/21/95 by Hon. James F. Holderman as to  
defendant: Defendants' consolidated application for  
approval of expenses for investigative services [294-1] is  
granted. Enter order. Mailed notice (ch)  
[Entry date 11/22/95]

12/4/95 300 REPLY MEMORANDUM of law by CBS Inc, Pam Zekman in support  
of non-party witnesses CBS Inc. and Pam Zekman's motion to  
quash subpoenas [241-1] (ch) [Entry date 12/05/95]

12/13/95 302 SEALED document (ch) [Entry date 12/18/95]

12/15/95 301 SEALED document (ch) [Entry date 12/15/95]

1/25/96 314 CJA Form 20 (Attorney Payment Voucher) by John C Kim (pp)  
[Entry date 01/26/96]

3/6/96 326 MOTION by USA for inquiry regarding potential conflict of  
intest as to defendant John C Kim ; Notice of motion. (ch)  
[Entry date 03/07/96]

3/6/96 327 MINUTE ORDER of 3/6/96 by Hon. James F. Holderman as to  
John C Kim : Attorney for defendant Kim is granted to  
3/20/96 to respond to motion for inquiry regarding  
potential conflict of intest as to defendant John C Kim  
[326-1]. Government's reply and questions of inquiry are  
due 3/27/96. Attorney for Kim granted to 4/10/96 to answer  
questions. Government's reply is due 4/15/96. Court will  
rule by mail. Mailed notice (ch) [Entry date 03/07/96]

3/20/96 328 RESPONSE by John C Kim to the government's motion for  
inquiry regarding potential conflict of intest as to  
defendant John C Kim [326-1] (ch) [Entry date 03/21/96]

3/26/96 329 MINUTE ORDER of 3/26/96 by Hon. James F. Holderman as to  
unknown, defendant: Sentencing set for 4/12/96 at 1:30  
pm. Mailed notice (ch) [Entry date 03/26/96]

3/26/96 330 ORDER as to defendants (Attachments) (ch)  
[Entry date 03/26/96]

3/27/96 331 REPLY by plaintiff to defendant Kim's response to  
government's motion for inquiry regarding potential  
conflict of intest, and government's proposed questions for  
court to ask during inquiry [326-1] ; Notice of filing. (ch)  
[Entry date 04/01/96]

4/8/96 333 Ruling on defendants John C Kim and Scott Gigliotti's  
motion to quash search warrant (dmk) [Entry date 04/09/96]

4/8/96 334 MINUTE ORDER of 4/8/96 by Hon. James F. Holderman as to  
John C Kim and Scott Gigliotti : Enter ruling on  
defendants Kim and Gigliotti's motion to quash search  
warrant. At the status hearing on 04/12/96 at 1:30 p.m.,  
the court will set a hearing date on motion to quash.  
Mailed notice (dmk) [Entry date 04/09/96]

4/10/96 338 RESPONSE to the government's reply and government's  
proposed questions by John C Kim (ch) [Entry date 04/11/96]

4/12/96 340 RULING ON NON-PARTY witnesses CBS, Inc. and Pam Zekman's  
motion to quash subpoenas [241-1] (ch) [Entry date 04/16/96]

4/12/96 341 MINUTE ORDER of 4/12/96 by Hon. James F. Holderman as to CBS Inc, Pam Zekman, John C Kim, Thomas Martin Hnat, Kenneth Krisciunas, John Liska, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas NMI McGee, Sante Furio, Scott Gigliotti, Thomas Condon : Enter ruling on non-party witnesses CBS, Inc. and Pam Zekman's motion to quash subpoenas [241-1]. Said motion is denied. No notice (ch) [Entry date 04/16/96]

4/12/96 342 RULING as to CBS Inc, Pam Zekman, John C Kim, Thomas Martin Hnat, Kenneth Krisciunas, John Liska, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas NMI McGee, Sante Furio, Scott Gigliotti, Thomas Condon on government's request for reciprocal discovery (ch) [Entry date 04/16/96]

4/12/96 343 MINUTE ORDER of 4/12/96 by Hon. James F. Holderman as to CBS Inc, Pam Zekman, John C Kim, Thomas Martin Hnat, Kenneth Krisciunas, John Liska, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas NMI McGee, Sante Furio, Scott Gigliotti, Thomas Condon : Enter ruling on Government's request for reciprocal discovery. Motion is granted. Government has agreed to provide the Section 3500 material four weeks before trial and the time for such disclosure should be reciprocal. No notice (ch) [Entry date 04/16/96]

4/12/96 366 RULING on defendant Kim's pretrial motions; regarding motion to adopt motions filed by other defendants [203-1], motion for a bill of particulars, with incorporated memorandum [202-1], motion to dismiss, with incorporated memorandum [201-1], motion for severance, with incorporated memorandum [200-1], motion for production and inspection of evidence and/or information which may lead to evidence, with memorandum [199-1], motion to require the Government to index documents, with incorporated memorandum [198-1], motion to amend motions or file new motions upon receipt of material from the government, with incorporated memorandum [197-1], motion for production and inspection of grand jury minutes, with incorporated memorandum [196-1], motion for disclosure of agreement between the Government and Government witnesses, with incorporated memorandum [194-1], motion under Rule 201 of the Federal rules of evidence, for advance notice of any matter which either the court or the government may contend is appropriate for judicial notice, with incorporated memorandum [193-1], motion for notice by Government of intent to use evidence, with incorporated memorandum [192-1], motion for disclosure of all evidence the Government intends to offer pursuant to Rule 405, with incorporated memorandum [191-1], motion for early release of jury information, with memorandum [190-1] (ch) [Entry date 04/16/96]

4/12/96 367 MINUTE ORDER of 4/12/96 by Hon. James F. Holderman as to John C Kim : Ruling on motions; for early release of jury information, with memorandum [190-1] is denied, "necessary" basis to be sought by 5/15/96; for disclosure Rule 405 is granted, to be provided with 3500 material [191-1]; Government shall state what discovery information it does

not intend to use by 5/11/96 [192-1], [193-1]. For disclosure of agreement [194-1] and for production of grand jury minutes are granted to be turned over with 3500 material [196-1]; to amend/file new motions granted to 5/15/96 [197-1]; to index documents... denied; [198-1]; to produce evidence, granted [199-1]; for severance, denied [200-1]; to dismiss, denied [201-1], for bill of particulars denied [202-1]; motion to adopt motions filed by other defendants [203-1], granted. Further motions are due by 5/15/96 re motion for notice of intention to use evidence; under Rule 201 is granted, all parties shall disclose by 5/15/96. No notice (ch) [Entry date 04/16/96]

- 4/12/96 370 MOTION by USA for clarification regarding scope of evidentiary hearing on motion to suppress as to defendant John C Kim, Scott Gigliotti ; Notice of motion. (ch) [Entry date 04/17/96]
- 4/12/96 371 MINUTE ORDER of 4/12/96 by Hon. James F. Holderman as to CBS Inc, Pam Zekman, John C Kim, Thomas Martin Hnat, Kenneth Krisciunas, John Liska, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas NMI McGee, Sante Furio, Scott Gigliotti, Thomas Condon : Government's motion motion for clarification regarding scope of evidentiary hearing on motion to suppress is clarified as moot [370-1]. Hearing on motion to suppress is set for 5/17/96 at 10:30 am. Defendants shall notify the Government 2 weeks before hearing of who will present evidence. Lists of witness shall be exchanged by 5/10/96. Government shall turn over charts on or before 5/15/96. Last day to file pre-trial motions is extended to 5/17/96. Mailed notice (ch) [Entry date 04/17/96]
- 4/15/96 339 REPLY by plaintiff to defendant Kim's response to government's proposed questions for inquiry regarding potential conflict of interest [338-1] ; Notice of filing. (ch) [Entry date 04/16/96]
- 5/10/96 382 LIST OF PROSPECTIVE WITNESS for suppression hearing by plaintiff ; Notice of filing. (ch) [Entry date 05/13/96]
- 5/10/96 383 STATEMENT OF EVIDENCE by USA it does not intend to utilize in its case-in-chief (ch) [Entry date 05/13/96]
- 5/14/96 384 SUBMISSION FOR IN CAMERA REVIEW of Government attorney's working copy of index by plaintiff (Exhibit) ; Notice of filing (ch) [Entry date 05/15/96]
- 5/16/96 387 MEMORANDUM of law by plaintiff in opposition to motions to suppress [385-1] ; Notice of filing. (ch) [Entry date 05/16/96]
- 5/17/96 388 MINUTE ORDER of 5/17/96 by Hon. James F. Holderman as to

CBS Inc, Pam Zekman, John C Kim, Thomas Martin Hnat, Kenneth Krisciunas, John Liska, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas NMI McGee, Sante Furio, Scott Gigliotti, Thomas Condon : Status hearing held; continued to 7/12/96 at 1:30 pm. Mailed notice (ch) [Entry date 05/20/96]

5/20/96 391 MINUTE ORDER of 5/20/96 by Hon. James F. Holderman as to CBS Inc, John C Kim, Thomas Martin Hnat, Thomas NMI McGee : Hearing held 5/17/96 as to Standing to Assert 4th Amendment Protection. Defendant Kim, Gigliotti and Krisciunas have standing as to the search of the 315 House. Defendants Gigliotti, White and Krisciunas have standing as to the search of the 311 House. Mailed notice (ch) [Entry date 05/21/96]

5/20/96 392 MINUTE ORDER of 5/20/96 by Hon. James F. Holderman as to CBS Inc, John C Kim, Thomas Martin Hnat, Thomas NMI McGee : Magistrate Judge Ashman will conduct further hearings commencing 11:00 am on 5/24/96 on defendants' motion to quash and to suppress [385-1] evidence seized pursuant to the search warrant executed at the Texas property in August 1990. Counsel are to provide Judge Ashman copies of the pertinent filings and documents. Mailed notice (ch) [Entry date 05/21/96]

5/21/96 390 SEALED document (ch) [Entry date 05/21/96]

5/24/96 396 SUPPRESSION HEARING --STIPULATIONS (ch) [Entry date 05/28/96]

5/24/96 397 MINUTE ORDER of 5/24/96 by Hon. Martin C. Ashman as to CBS Inc, John C Kim, Thomas Martin Hnat, Thomas NMI McGee : Evidentiary hearing held on defendants' motion to quash and to suppress [385-1] evidence seized pursuant to the search warrant executed at the Texas property in August 1990. The motion to suppress [385-1] is taken under advisement. No notice (ch) [Entry date 05/28/96]

5/24/96 398 REFERRAL ORDER of 5/17/96 : Referring John C Kim, Thomas White, Kenneth Krisciunas, Scott Gigliotti to Hon. Martin C. Ashman pursuant to General Rule 2.41(b). Conduct necessary proceedings and issue Report and Recommendation on Motion(s) to suppress evidence. (For further detail see reverse of minute order). Mailed notice (ch) [Entry date 05/28/96]

5/28/96 404 DESIGNATION OF ATTORNEY Cheryl A. Bell as US Attorney (ch) [Entry date 05/30/96]

6/5/96 405 REPORT and Recommendation (ksl) [Entry date 06/06/96]

6/5/96 406 MINUTE ORDER of 6/5/96 by Hon. Martin C. Ashman as to



defendants John Kim, Thomas White, Kenneth Krisciunas, Scott Gigliotti : Report and recommendation regarding defendants' motion to quash the warrant and to suppress [385-1] evidence seized during the search of the Tomball, Texas property on August 30-31, 1990 is hereby submitted to Judge Holderman. All matters relating to the referral of this action having been resolved, the case is returned to the assigned judge. terminating case referral Mailed notice (ksl) [Entry date 06/06/96]

- 6/17/96 410 OBJECTIONS by Scott Gigliotti, John C Kim, Thomas White, Kenneth Krisciunas to report and recommendation of the Magistrate Judge regarding defendants' motion to quash search and suppress evidence [405-1] (Exhibit); Notice of filing. (ch) [Entry date 06/17/96]
- 6/17/96 413 MINUTE ORDER of 6/17/96 by Hon. James F. Holderman as to CBS Inc, Pam Zekman, John C Kim, Thomas Martin Hnat, Kenneth Krisciunas, John Liska, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas NMI McGee, Sante Furio, Scott Gigliotti, Thomas Condon : The court has reviewed the objections filed to the report and recommendation of Magistrate Judge Ashman and the objections are overruled. The report and recommendation is adopted. Defendants Kim, White's Krisciunas and Gigliotti's motion to quash search warrant and suppress evidence is denied [385-1]. Status hearing dates of 7/12/96 at 1:30 pm and 8/14/96 at 11:00 am. (Note change of time) shall stand. Mailed notice (ch) [Entry date 06/18/96]
- 6/18/96 414 OBJECTIONS by John C Kim to the report and recommendation of the Magistrate Judge regarding defendant's motion to quash search and suppress evidence [405-1] ;Notice of filing. (ch) [Entry date 06/18/96]
- 6/25/96 420 MINUTE ORDER of 6/25/96 by Hon. James F. Holderman as to CBS Inc, Pam Zekman, John C Kim, Thomas Martin Hnat, Kenneth Krisciunas, John Liska, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas NMI McGee, Sante Furio, Scott Gigliotti, Thomas Condon : To clarify the last minute order resetting the time of a status hearing, the time is 11:00 am. The date should not have been changed. The date remains Friday 8/16/96 at 11:00 am. Mailed notice (ch) [Entry date 06/26/96]
- 7/1/96 425 CJA Form 20 (Attorney Payment Voucher) by John C Kim (ch) [Entry date 07/02/96]
- 7/2/96 428 MOTION by John C Kim to suppress government charts ; Notice of motion. (ch) [Entry date 07/10/96]
- 7/3/96 426 SEALED document (ch) [Entry date 07/08/96]
- 7/10/96 429 RESPONSE by plaintiff to defendant Kim's motion to suppress

government charts [428-1] ; Notice of filing. (ch)  
[Entry date 07/10/96]

- 7/11/96 431 REPLY by John C Kim to Government's response to defendant, Michael McKay's motion to suppress and motion for hearing [416-1] ; Notice of filing. (ch) [Entry date 07/11/96]
- 7/12/96 433 MINUTE ORDER of 7/12/96 by Hon. James F. Holderman as to CBS Inc, Pam Zekman, John C Kim, Thomas Martin Hnat, Kenneth Krisciunas, John Liska, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas NMI McGee, Sante Furio, Scott Gigliotti, Thomas Condon : Status hearing held; continued to 8/16/96 at 11:00 am. Defendant John C. Kim's motion to suppress government charts [428-1] is denied. Defendant McKay's motion to suppress is referred to Magistrate Judge Ashman. The court request a hearing/report and recommendation as soon as possible and no later than 8/1/96. No notice (ch) [Entry date 07/16/96]
- 8/5/96 438 MOTION by USA for leave to seal Santiago Proffer as to defendants' ; Notice of filing. (ch) [Entry date 08/07/96]
- 8/5/96 440 SEALED document ; Notice of filing (ch)  
[Entry date 08/07/96]
- 8/6/96 439 MINUTE ORDER of 8/6/96 by Hon. James F. Holderman as to Kenneth Krisciunas, John Liska, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas NMI McGee, Sante Furio, Scott Gigliotti, Thomas Condon : Granting motion for leave to seal Santiago Proffer [438-1]. Mailed notice (ch)  
[Entry date 08/07/96]
- 8/9/96 443 REPORT and Recommendation concerning motion to quash the search warrant and motion to suppress (dmk)  
[Entry date 08/12/96]
- 8/11/96 526 RESPONSE by John C Kim to Government motion concerning Nick Gallo and other pleading defendants [505-1] ; Notice of filing. (ch) [Entry date 09/16/96]
- 8/13/96 445 MOTION by John C Kim for disclosure of exculpatory and impeachment evidence (Attachments); Notice of filing (pp)  
[Entry date 08/14/96]
- 8/13/96 446 MOTION by John C Kim for leave to file motion out of time with incorporated memorandum ; Notice of fiilng (pp)  
[Entry date 08/14/96]
- 8/13/96 446 INCORPORATED memorandum by John C Kim with motion for leave to file motion out of time; Notice of filing (pp)  
[Entry date 08/14/96]

8/16/96 449 MINUTE ORDER of 8/16/96 by Hon. James F. Holderman as to John C Kim : Granting defendant's motion for leave to file motion out of time with incorporated memorandum [446-1]. Granting defendant's motion for disclosure of exculpatory [445-1] and Granting defendant's motion impeachment evidence [445-2]. Mailed notice (dmk) [Entry date 08/20/96]

8/16/96 451 MINUTE ORDER of 8/16/96 by Hon. James F. Holderman as to John C Kim, Thomas Martin Hnat, Thomas White, Kenneth Krisciunas, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas NMI McGee, Sante Furio, Scott Gigliotti, Thomas Condon, Michael D McKay and Robert Sawinski : Status hearing held; continued to 08/30/96 at 11:00 a.m. Government's response to defendant Hnat's motion in limine [450-1] is due 08/23/96; Reply to answer brief due 8/28/96. Any further motions in limine, disavowals and/or joinders are due 08/21/96; responses 08/27/96; replies 08/30/96. Government's list of exhibits are due 08/23/96 by 4:30 p.m. 4 copies of 12 boxes of "prime" exhibits are due 08/23/96 by 4:30 p.m. Defendants shall submit exhibits to government one week before witness testifies or it is being offered. Defendants granted to 08/30/96 to submit any defense exhibit it intends to introduce. Defendants' objections to government schedules are due 08/28/96. Mailed notice (dmk) [Entry date 08/20/96]

8/16/96 502 STATUS Conference Agenda 8/16/96 by CBS Inc, Pam Zekman, John C Kim, Thomas Martin Hnat, Kenneth Krisciunas, John Liska, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas NMI McGee, Sante Furio, Scott Gigliotti, Thomas Condon (ch) [Entry date 09/06/96]

8/20/96 456 CJA Form 21 (Expert Services) as to all defendants (pp) [Entry date 08/21/96]

8/21/96 458 CONSOLIDATED MOTION by USA in limine to preclude any defendant from offering evidence of charitable acts, community service, public commendations or other good works or awards of any defendant as to defendants ; Notice of filing. (ch) [Entry date 08/22/96] [Edit date 08/22/96]

8/21/96 459 MOTION by John C Kim in limine Government's use of defendant's suppression hearing testimony for impeachment ; Notice of filing. (ch) [Entry date 08/22/96]

8/21/96 461 SECOND MOTION by John C Kim in limine and incorporated memorandum to exclude evidence ; Notice of filing. (ch) [Entry date 08/22/96]

8/21/96 462 FIRST MOTION by John C Kim in limine and supporting memorandum ; Notice of filing. (ch) [Entry date 08/22/96]

8/21/96 462 SUPPORTING MEMORANDUM by John C Kim and first motion in limine [462-1] ; Notice of filing. (ch) [Entry date 08/22/96]

8/21/96 545 MOTION by John C Kim disavowal and in limine ; Notice of filing. (Temporarily unavailable for docketing). (ch) [Entry date 09/30/96] [Edit date 09/30/96]

8/23/96 473 RESPONSE by plaintiff to defendant Hnat's motion in limine [450-1] ; Notice of filing. (ch) [Entry date 08/28/96]

8/27/96 467 CONSOLIDATED RESPONSE by USA to motion in limine and supporting memorandum [462-1], motion in limine and incorporated memorandum to exclude evidence [461-1], motion in limine Government's use of defendant's suppression hearing testimony for impeachment [459-1] (dmk) [Entry date 08/27/96]

8/27/96 471 RESPONSE by John C Kim to government's consolidated motion in limine to preclude any defendant from offering evidence of charitable acts, community service, public commendations or other good works or awards of any defendant as to defendants ; Notice of filing (dmk) [Entry date 08/28/96]

8/27/96 481 MOTION by USA for as to defendant John C Kim, Thomas Martin Hnat, Thomas White, Kenneth Krisciunas, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas NMI McGee, Sante Furio, Scott Gigliotti, Thomas Condon, Michael D McKay, Robert Sawinski to inspect defense exhibit (ch) [Entry date 08/30/96]

8/27/96 512 NOTICE of motion by plaintiff regarding motion to inspect defese exhibit. (ch) [Entry date 09/11/96]

8/28/96 474 PROPOSED Voir Dire question by USA; Notice of filing (pp) [Entry date 08/28/96]

8/28/96 475 PROPOSED ADDITIONAL Voir Dire questions by John C Kim ; Notice of filing. (ch) [Entry date 08/29/96]

8/28/96 476 AGREED PROPOSED SUMMARY of the indictment by John C Kim; Notice of of filing. (ch) [Entry date 08/29/96]

8/28/96 477 OBJECTIONS by plaintiff to proposed voir dire questions filed by defendant McKay; Notice of filing. (ch) [Entry date 08/29/96]

8/29/96 479 MEMORANDUM REGARDING RECALL by John C Kim of summary witness ; Notice of filing. (ch) [Entry date 08/30/96]

8/29/96 480 AMENDED "AGREED PROPOSED SUMMARY of hte indictment: by John C Kim ; Notice of filing. (ch) [Entry date 08/30/96]

8/30/96 484 MINUTE ORDER of 8/30/96 by Hon. James F. Holderman as to John C Kim, Thomas Martin Hnat, Thomas White, Kenneth Krisciunas, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas NMI McGee, Sante Furio, Scott Gigliotti, Thomas Condon, Michael D McKay and Robert Sawinski : Status hearing held. Trial date stands. No notice (dmk) [Entry date 09/03/96]

8/30/96 486 REPLY by plaintiff to defendant Kim's response to government's consolidated motion in limine [458-1] (ch) [Entry date 09/05/96]

8/30/96 489 RESPONSE by USA to defendant's Kim's memorandum regarding recall of summary witness [479-1] (ch) [Entry date 09/05/96]

8/30/96 490 NOTICE of filing by plaintiff regarding [489-1], [488-1], [487-1], [486-1] (ch) [Entry date 09/05/96]

8/30/96 491 REPLY by John C Kim to government's response to defendant Kim's motions in limine [462-1], [461-1], [459-1], [195-1] (ch) [Entry date 09/05/96]

8/30/96 492 STATUS CONFERENCE 8/30/96 by CBS Inc, Pam Zekman, John C Kim, Thomas Martin Hnat, Kenneth Krisciunas, John Liska, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas NMI McGee, Sante Furio, Scott Gigliotti, Thomas Condon (ch) [Entry date 09/05/96]

8/30/96 493 MINUTE ORDER of 8/30/96 by Hon. James F. Holderman as to CBS Inc, Pam Zekman, John C Kim, Thomas Martin Hnat, Kenneth Krisciunas, John Liska, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas NMI McGee, Sante Furio, Scott Gigliotti, Thomas Condon : Granting government's motion to inspect defense exhibit [481-1]. No notice (ch) [Entry date 09/05/96]

8/30/96 494 MINUTE ORDER of 8/30/96 by Hon. James F. Holderman as to John C Kim : Defendant John C. Kim's second motion in limine and incorporated memorandum to exclude evidence [461-1] is denied. ( For further detail see reverse of minute order). No notice (ch) [Entry date 09/05/96]

8/30/96 495 MINUTE ORDER of 8/30/96 by Hon. James F. Holderman as to CBS Inc, Pam Zekman, John C Kim, Thomas Martin Hnat, Kenneth Krisciunas, John Liska, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas NMI McGee, Sante Furio, Scott Gigliotti, Thomas Condon : Government's consolidated motion in limine to preclude any defendant from offering evidence of charitable acts, community service, public commendations or other good works or awards of any

defendant as to defendants [458-1] is denied as to paragraphs 1,2,4,5 and 6 and granted as to paragraph 3. No notice (For further detail see reverse of minute order.)  
(ch) [Entry date 09/05/96] [Edit date 09/05/96]

- 8/30/96 496 MINUTE ORDER of 8/30/96 by Hon. James F. Holderman as to John C Kim : Defendant John C. Kim First motion in limine [462-1] is denied. (For further detail see reverse of minute order). No notice (ch) [Entry date 09/05/96]
- 9/3/96 504 MINUTE ORDER of 9/3/96 by Hon. James F. Holderman as to CBS Inc, John C Kim, Kenneth Krisciunas, John Liska, Sante Furio, Scott Gigliotti, Thomas Condon : Voir dire begins. Jury selected. Opening statements shall begin 9/9/96 at 9:00 am. No notice (ch) [Entry date 09/06/96]
- 9/3/96 513 MOTION by Pam Zekman non-party witness to modify the court's order excluding her from the courtroom during opening statements and the testimony of other witnesses (Exhibit) ; Notice of motion. (ch) [Entry date 09/11/96]
- 9/5/96 506 NOTICE OF INTENT by John C Kim to use portion of Magistrate Judge's report and recommendation in opening statement (Exhibits); Notice of filing. (ch) [Entry date 09/09/96]
- 9/5/96 514 MINUTE ORDER of 9/5/96 by Hon. James F. Holderman as to Pam Zekman, John C Kim, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski : Motion of non-party witness Pam Zekman to modify the court's order excluding her from the courtroom during opening statements and the testimony of other witnesses [513-1] is denied, with the exception of opening statements and closing statements. No notice (ch) [Entry date 09/11/96]
- 9/6/96 505 MOTION by USA to compel counsel for defendant Kim and defendant McKay to provide a good faith basis for reference to search warrant affidavit and gallo letter in opening statements (Attachment); Notice of filing. (ch) [Entry date 09/09/96]
- 9/9/96 516 LETTER from juror employer (Attachment) (ch) [Entry date 09/11/96]
- 9/9/96 517 MINUTE ORDER of 9/9/96 by Hon. James F. Holderman as to John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas NMI McGee, Sante Furio, Scott Gigliotti, Thomas Condon : Trial held. Evidence heard. Trial adjourned to 9/10/96 at 9:00 am. No notice (ch) [Entry date 09/11/96]
- 9/9/96 521 LETTER from Debbie L. Berman to Judge Holderman dated 9/9/96. (ch) [Entry date 09/12/96]

9/10/96 518 PETITION by USA for order granting immunity pursuant to Section 6002, Title 18, United States Code to compel testimony of Alex Gutierrez as to defendant John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski (Attachment) (ch) [Entry date 09/11/96]

9/10/96 519 ORDER regarding motion for order granting immunity pursuant to Section 6002, Title 18, United States Code to compel testimony of Alex Gutierrez as to defendant John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski [518-1] (ch) [Entry date 09/11/96]

9/10/96 520 MINUTE ORDER of 9/10/96 by Hon. James F. Holderman as to John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Sante Furio, Scott Gigliotti, Thomas Condon : Trial held. Evidence heard. Trial adjourned to 9/11/96 at 9:00 am. Government's petition for order granting immunity pursuant to Sec. 6002, T. 18, USC to compel testimony of Alex Gutierrez is granted [518-1] is granted. Enter order. No notice (ch) [Entry date 09/11/96]

9/11/96 522 PETITION by USA for order granting immunity pursuant to section 6002, Title 18, United States Code, to compel testimony of Kevin Bentley as to defendant John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski (Attachment) (ch) [Entry date 09/16/96]

9/11/96 523 ORDER regarding motion for order granting immunity pursuant to section 6002, Title 18, United States Code, to compel testimony of Kevin Bentley as to defendant John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski [522-1] (ch) [Entry date 09/16/96]

9/11/96 524 MINUTE ORDER of 9/11/96 by Hon. James F. Holderman as to CBS Inc, John C Kim, Kenneth Krisciunas, John Liska, Sante Furio, Scott Gigliotti, Thomas Condon : Government's petition for order granting immunity pursuant to section 6002, Title 18, United States Code, to compel testimony of Kevin Bentley is granted [522-1]. Enter order. Government's motion for inquiry is granted [326-1]. Inquiry held 8/30/96. No notice (ch) [Entry date 09/16/96]

9/11/96 527 MINUTE ORDER of 9/11/96 by Hon. James F. Holderman as to CBS Inc, John C Kim, Kenneth Krisciunas, John Liska, Sante Furio, Scott Gigliotti, Thomas Condon : Trial held. Evidence heard. Trial adjourned to 9/12/96 at 9:00 am. No notice (ch) [Entry date 09/16/96]

9/12/96 525 MINUTE ORDER of 9/12/96 by Hon. James F. Holderman as to

CBS Inc, John C Kim, Kenneth Krisciunas, John Liska, Sante Furio, Scott Gigliotti, Thomas Condon : Trial held. Evidence heard. Trial adjourned to 9/16/96 at 9:00 am. No notice (ch) [Entry date 09/16/96]

- 9/16/96 528 MINUTE ORDER of 9/16/96 by Hon. James F. Holderman as to John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski : Trial held. Evidence held. Trial adjourned to 9/17/96 at 9:00 am. No notice (ch) [Entry date 09/19/96]
- 9/17/96 529 MINUTE ORDER of 9/17/96 by Hon. James F. Holderman as to John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski : Trial held. Evidence heard. Trial adjourned to 9/18/96 at 9:00 am. No notice (ch) [Entry date 09/19/96]
- 9/17/96 544 MOTION by John C Kim in limine regarding John Maser ; Notice of filing. (ch) [Entry date 09/28/96]
- 9/17/96 546 PETITION by USA for order granting immunity pursuant to Section 6002, Title 18, United States Code, to compel testimony of John Maser as to defendant John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinsk (Attachment) (ch) [Entry date 09/30/96]
- 9/17/96 547 ORDER regarding motion for order granting immunity pursuant to Section 6002, Title 18, United States Code, to compel testimony of John Maser as to defendant John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinsk [546-1] (ch) [Entry date 09/30/96]
- 9/17/96 548 PETITION by USA for order granting immunity pursuant to Section 6002, Title 18, United States Code, to compel testimony of Larry Cuciarone as to defendant John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski (Attachment) (ch) [Entry date 09/30/96]
- 9/17/96 549 ORDER regarding motion for order granting immunity pursuant to Section 6002, Title 18, United States Code, to compel testimony of Larry Cuciarone as to defendant John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski [548-1] (ch) [Entry date 09/30/96]
- 9/17/96 550 MINUTE ORDER of 9/17/96 by Hon. James F. Holderman as to John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski : Granting government's petition for order granting immunity pursuant to Section 6002, Title 18, United States Code, to compel testimony of Larry Cuciarone as to defendant John C Kim,



Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski [548-1]. Enter order. No notice (ch) [Entry date 09/30/96]

- 9/18/96 552 MOTION by John C Kim in limine regarding the testimony of Larry Cuciarone ; Notice of filing. (ch) [Entry date 10/01/96]
- 9/18/96 553 MINUTE ORDER of 9/18/96 by Hon. James F. Holderman as to John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski : Trial held. Evidence heard. Trial adjourned to 9/19/96 at 9:00 am. No notice (ch) [Entry date 10/01/96]
- 9/19/96 536 MOTION by CBS Inc to quash subpoena ; Notice of motion. (ch) [Entry date 09/26/96]
- 9/19/96 537 MEMORANDUM of law by CBS Inc non party witness in support of motion to quash subpoena [536-1] (Exhibits) (ch) [Entry date 09/26/96]
- 9/19/96 554 AFFIDAVIT of as to John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski (ch) [Entry date 10/01/96]
- 9/19/96 555 MINUTE ORDER of 9/19/96 by Hon. James F. Holderman as to John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski : Trial held. Evidence heard. Trial adjourned to 9/24/96 at 9:00 am. No notice (ch) [Entry date 10/01/96]
- 9/20/96 557 CJA Form 20 Copy 4 (Appointment of Counsel) for defendants for witness. (ch) [Entry date 10/01/96]
- 9/24/96 535 MINUTE ORDER of 9/24/96 by Hon. James F. Holderman as to John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem : Trial held. Evidence heard. Trial adjourned to 9/25/96 at 9:00 am. No notice (ch) [Entry date 09/25/96] [Edit date 10/09/96]
- 9/24/96 538 RESPONSE by John C Kim to non-party witness CBS, Inc.'s motion to quash subpoena [536-1] (ch) [Entry date 09/26/96]
- 9/24/96 539 NOTICE of filing by John C Kim [536-1] (ch) [Entry date 09/26/96]
- 9/25/96 540 MINUTE ORDER of 9/25/96 by Hon. James F. Holderman as to John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski : Trial held. Evidence heard. Trial adjourned to 9/26/96 at 9:00 am. No notice (ch) [Entry date 09/26/96]

9/25/96 541 MINUTE ORDER of 9/25/96 by Hon. James F. Holderman as to John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski : CBS's motion to quash subpoena [536-1] filed 9/19/96 remains under advisement as stated in open court, to allow the court to review the issues. CBS is ordered to provide the court at 8:45 am on 9/26/96 for the court's in camera review an accurate copy of the video and audio out-takes of the "videotaped interview of the defendant, John C. Kim made on 9/3/96 by Pam Zekman". Mailed notice (ch) [Entry date 09/26/96]

9/26/96 -- ORAL MOTION by John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski for mistrial (ch) [Entry date 09/27/96]

9/26/96 542 MINUTE ORDER of 9/26/96 by Hon. James F. Holderman as to John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Kenneth Krisciunas : Defendant's oral motion for mistrial is denied for the reasons stated in open court [0-1]. Trial held. Evidence heard. Trial adjourned to 9/30/96 at 9:00 am. No notice (ch) [Entry date 09/27/96]

9/30/96 551 MINUTE ORDER of 9/30/96 by Hon. James F. Holderman as to CBS Inc, John C Kim, Kenneth Krisciunas, John Liska, Sante Furio, Scott Gigliotti and Thomas Condon : Trial Held. Evidence heard. Jury trial adjourned to 10/01/96 at 9:00 a.m. No notice (pp) [Entry date 10/01/96]

10/1/96 560 PETITION by USA for order granting immunity pursuant to Section 6002, Title 18, United States Code, to compel testimony of John Topper as to defendants (Attachment) (ksl) [Entry date 10/02/96]

10/1/96 561 ORDER as to defendants (ksl) [Entry date 10/02/96]

10/1/96 562 MINUTE ORDER of 10/1/96 by Hon. James F. Holderman as to defendants John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski : Granting government's petition for order granting immunity pursuant to Section 6002, Title 18, United States Code, to compel testimony of John Topper as to defendants [560-1]. Trial held. Evidence heard. Trial adjourned to 10/02/96 at 9:00 a.m. Enter order. No notice (ksl) [Entry date 10/02/96]

10/2/96 563 LETTER from Debbie L. Breman to Judge Holderman, dated 10/02/96;(Attachments) (pp) [Entry date 10/03/96] [Edit date 10/03/96]

10/2/96 564 MINUTE ORDER of 10/2/96 by Hon. James F. Holderman as to

John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski : Trial held. Evidence heard. Trial adjourned to 10/3/96 at 9:00 am. No notice (ch) [Entry date 10/04/96]

10/3/96 565 MINUTE ORDER of 10/3/96 by Hon. James F. Holderman as to John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski : Trial held. Evidence heard. Trial adjourned to 10/7/96 at 9:00 am. No notice (ch) [Entry date 10/04/96]

10/3/96 566 PETITION by USA for order granting immunity pursuant to Section 6002, Title 18, United States Code, to compel testimony of Tom Fowler as to defendants (Attachment) (ch) [Entry date 10/04/96]

10/3/96 567 ORDER regarding motion for order granting immunity pursuant to Section 6002, Title 18, United States Code, to compel testimony of Tom Fowler as to defendants [566-1] (ch) [Entry date 10/04/96]

10/3/96 568 MINUTE ORDER of 10/3/96 by Hon. James F. Holderman as to John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski : Government's petition motion for order granting immunity pursuant to Section 6002, Title 18, United States Code, to compel testimony of Tom Fowler is granted [566-1]. Enter order. No notice (ch) [Entry date 10/04/96]

10/7/96 571 MOTION by John C Kim in limine regarding affidavit ; Notice of filing. (ch) [Entry date 10/08/96]

10/7/96 572 MINUTE ORDER of 10/7/96 by Hon. James F. Holderman as to John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski : Trial held. Evidence heard. Trial adjourned to 10/8/96 at 9:00 am. No notice (ch) [Entry date 10/08/96]

10/8/96 574 PETITION by USA for order granting immunity pursuant to Section 6002, Title 18, United States Code, to compel testimony of Mark Ambrosio as to defendant John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski (Attachment) (ch) [Entry date 10/09/96]

10/8/96 575 ORDER regarding motion for order granting immunity pursuant to Section 6002, Title 18, United States Code, to compel testimony of Mark Ambrosio as to defendant John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski [574-1] (ch) [Entry date 10/09/96]

10/8/96 576 MINUTE ORDER of 10/8/96 by Hon. James F. Holderman as to

John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski : Trial held. Evidence heard. Trial adjourned to 10/9/96 at 9:00 am. Government's petition for order granting immunity pursuant to Section 6002, Title 18, United States Code, to compel testimony of Mark Ambrosio is granted. Enter order [574-1]. No notice (ch) [Entry date 10/09/96]

- 10/9/96 577 PETITION by USA for order granting immunity pursuant to Section 6002 Title 18 United States Code to compel testimony of Kark Buelow as to defendants John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay and Robert Sawinski; (Attachments) (pp) [Entry date 10/10/96]
- 10/9/96 578 ORDER regarding govnrment's petition for order granting immunity pursuant to Section 6002 Title 18 United States Code to compel testimony of Kark Buelow as to defendants John C Kim, White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay and Robert Sawinski [577-1] (pp) [Entry date 10/10/96]
- 10/9/96 579 MINUTE ORDER of 10/9/96 by Hon. James F. Holderman as to CBS Inc, John C Kim, Kenneth Krisciunas, John Liska, Sante Furio, Scott Gigliotti and Thomas Condon : Granting government's petition for order granting immunity pursuant to Section 6002 Title 18 United States Code to compel testimony of Kark Buelow as to defendants John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay and Robert Sawinski. [577-1] Enter order. No notice (pp) [Entry date 10/10/96]
- 10/9/96 580 MINUTE ORDER of 10/9/96 by Hon. James F. Holderman as to John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski : Trial held. Evidence heard. Trial adjourned to 10/10/96 at 9:00 am. No notice (ch) [Entry date 10/10/96]
- 10/10/96 582 MINUTE ORDER of 10/10/96 by Hon. James F. Holderman as to John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski : Trial held. Evidence heard. Trial adjourned to 10/21/96 at 9:00 am. No notice (ch) [Entry date 10/11/96]
- 10/11/96 700 SEALED document (Temporarily unavailable for docketing.) (kk) [Entry date 01/24/97]
- 10/21/96 586 PETITION by USA for order granting immunity pursuant to Section 6002, Title 18, United States Code, to compel testimony of Greg Grach as to defendant John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski (Attachment) (ch) [Entry date 10/23/96]

10/21/96 587 ORDER regarding motion for order granting immunity pursuant to Section 6002, Title 18, United States Code, to compel testimony of Greg Grach as to defendant John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski [586-1] (ch) [Entry date 10/23/96]

10/21/96 588 MINUTE ORDER of 10/21/96 by Hon. James F. Holderman as to John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski : Trial held. Evidence heard. Trial adjourned to 10/22/96 at 9:00 am. Government's petition for order granting immunity pursuant to Section 6002, Title 18, United States Code, to compel testimony of Greg Grach as to defendant C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski [586-1] is granted. Enter order. No notice (ch) [Entry date 10/23/96]

10/22/96 589 MINUTE ORDER of 10/22/96 by Hon. James F. Holderman as to John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski : Trial held. Evidence heard. Trial adjourned to 10/23/96 at 9:00 am. No notice (ch) [Entry date 10/23/96]

10/23/96 593 MOTION by defendant John C Kim in limine to exclude evidence of civil tax violations with memorandum; Notice of filing. (ksl) [Entry date 10/28/96]

10/23/96 593 INCORPORATED MEMORANDUM by defendant John C Kim in support of motion in limine to exclude evidence of civil tax violations [593-1]; Notice of filing. (ksl) [Entry date 10/28/96]

10/23/96 594 MOTION by defendant John C Kim to exclude testimony of expert witness (Attachment); Notice of filing. (ksl) [Entry date 10/28/96]

10/23/96 595 MINUTE ORDER of 10/23/96 by Hon. James F. Holderman as to defendants John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski : Trial held. Evidence heard. Trial adjourned to 10/24/96 at 9:00 a.m. No notice (ksl) [Entry date 10/28/96]

10/24/96 596 MINUTE ORDER of 10/24/96 by Hon. James F. Holderman as to defendants John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski : Trial held. Evidence heard. Trial adjourned to 10/28/96 at 9:00 a.m. No notice (ksl) [Entry date 10/28/96]

10/24/96 597 MOTION by defendant John C Kim to exclude the exhibits and schedules mailed to the defense on 10/16/96 (Exhibit); Notice of filing. (ksl) [Entry date 10/28/96]

10/25/96 601 MOTION by USA in limine regarding cross-examination of special agent Keith Hauth as to defendant John C Kim ; Notice of filing (kk) [Entry date 10/29/96]

10/28/96 602 CONSOLIDATED RESPONSE by plaintiff to defendant Kim's motions to exclude expert witness [594-1] and to exclude evidence of civil tax violations [597-1] (Attachment); Notice of filing (kk) [Entry date 10/29/96] [Edit date 10/29/96]

10/28/96 603 MINUTE ORDER of 10/28/96 by Hon. James F. Holderman as to defendants CBS Inc, John C Kim, Kenneth Krisciunas, John Liska, Sante Furio, Scott Gigliotti, Thomas Condon : Jury trial held. Evidence heard. Trial adjourned to 10/29/96 at 8:30 a.m. No notice (kk) [Entry date 10/29/96]

10/29/96 604 PETITION by USA for order granting immunity pursuant to section 6002, title 18, United States code, to compel testimony of Frank Hnat as to defendant John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Sante Furio, Scott Gigliotti, Thomas Condon (Attachment) (kk) [Entry date 11/01/96]

10/29/96 605 ORDER regarding motion for order granting immunity pursuant to section 6002, title 18, United States code, to compel testimony of Frank Hnat as to defendant John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Sante Furio, Scott Gigliotti, Thomas Condon [604-1] (kk) [Entry date 11/01/96]

10/29/96 606 MINUTE ORDER of 10/29/96 by Hon. James F. Holderman as to defendants John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Sante Furio, Scott Gigliotti, Thomas Condon : Granting government's motion for order granting immunity pursuant to section 6002, title 18, United States code, to compel testimony of Frank Hnat as to defendant John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Sante Furio, Scott Gigliotti, Thomas Condon [604-1]. Enter order. No notice (kk) [Entry date 11/01/96]

10/29/96 607 MINUTE ORDER of 10/29/96 by Hon. James F. Holderman as to defendants John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski : Jury trial held. Evidence heard. Trial adjourned to 10/30/96 at 9:00 a.m. No notice (kk) [Entry date 11/01/96]

10/30/96 608 MINUTE ORDER of 10/30/96 by Hon. James F. Holderman as to defendants John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski : Jury trial held. Evidence heard. Trial adjourned to 10/31/96 at 9:00 a.m. No notice (kk) [Entry date 11/01/96]

10/31/96 610 MINUTE ORDER of 10/31/96 by Hon. James F. Holderman as to defendants CBS Inc, John C Kim, Kenneth Krisciunas, John

Liska, Sante Furio, Scott Gigliotti and Thomas Condon :  
Trial held. Evidence heard. Trial adjourned to 11/04/96  
at 9:00 a.m. No notice (nl) [Entry date 11/04/96]

- 10/31/96 611 PETITION by USA for order granting immunity pursuant to Section 6002, Title 18, United States Code, to compel testimony of Philip Gigliotti as to defendants CBS Inc., John C Kim, Kenneth Krisciunas, John Liska, Frank Kucia, Thomas NMI McGhee and Sante Furio (Attachment) (nl) [Entry date 11/04/96] [Edit date 11/04/96]
- 10/31/96 612 ORDER as to defendant (nl) [Entry date 11/04/96]
- 10/31/96 613 MINUTE ORDER of 10/31/96 by Hon. James F. Holderman as to defendants CBS Inc, John C Kim, Kenneth Krisciunas, John Liska, Nicholas Gallo, Thomas NMI McGee and Sante Furio : Granting government's petition for order granting immunity pursuant to Section 6002, Title 18, United States Code, to compel testimony of Philip Gigliotti as to defendants CBS Inc., John C Kim, Kenneth Krisciunas, John Liska, Nicholas Gallo, Thomas NMI McGhee and Sante Furio [611-1]. Enter order. No notice (nl) [Entry date 11/04/96]
- 10/31/96 615 TRIAL Memorandum on "leads" issue by defendant John C Kim (ksl) [Entry date 11/05/96]
- 10/31/96 616 CONSOLIDATED MOTIONS by defendants John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski for mistrial, and to dismiss the indictment based on prosecutorial misconduct ; Notice of filing and certificate of service. (ksl) [Entry date 11/05/96]
- 11/4/96 609 CJA Form 21 (Expert Services) as to John C Kim (dmk) [Entry date 11/04/96]
- 11/4/96 617 MOTION by defendant John C Kim concerning admissibility of Gallo letter and Grach and Cuciarone grand jury statements (ksl) [Entry date 11/05/96]
- 11/4/96 618 OBJECTIONS by defendant John C Kim and additions to proposed plea statements (Attachments). (ksl) [Entry date 11/05/96]
- 11/4/96 621 MINUTE ORDER of 11/4/96 by Hon. James F. Holderman as to defendants John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski : Jury trial held. Evidence heard. Trial adjourned to 11/05/96 at 9:00 a.m. No notice (kk) [Entry date 11/08/96]
- 11/5/96 622 MINUTE ORDER of 11/5/96 by Hon. James F. Holderman as to defendants John C Kim, Thomas White, Frank Kucia, Joselito

Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski  
: Jury trial held. Evidence heard. Trial adjourned to  
11/06/96 at 9:00 a.m. No notice (kk) [Entry date 11/08/96]

11/6/96 623 MINUTE ORDER of 11/6/96 by Hon. James F. Holderman as to  
defendants John C Kim, Thomas White, Frank Kucia, Joselito  
Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski  
: Jury trial held. Evidence heard. Trial adjourned to  
11/07/96 at 9:00 a.m. No notice (kk) [Entry date 11/08/96]

11/7/96 624 MINUTE ORDER of 11/7/96 by Hon. James F. Holderman as to  
defendants John C Kim, Thomas White, Frank Kucia, Joselito  
Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski  
: Jury trial held. Evidence heard. Trial adjourned to  
11/12/96 at 9:00 a.m. No notice (kk) [Entry date 11/08/96]

11/7/96 631 MOTION by defendant John C Kim for entry of a judgment of  
acquittal pursuant to rule 29(a) Notice of filing (kk)  
[Entry date 11/13/96]

11/7/96 633 MINUTE ORDER of 11/7/96 by Hon. James F. Holderman as to  
defendants John C Kim, Thomas White, Frank Kucia, Joselito  
Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski  
: Evidence heard. Government rests. Denying defendants'  
motions for entry of a judgment of acquittal pursuant to  
rule 29(a) at the close of government's case [631-1],  
[630-1], [629-1], [628-1], [627-1], [626-1], [625-1].  
No notice (kk) [Entry date 11/13/96]

11/13/96 635 MINUTE ORDER of 11/13/96 by Hon. James F. Holderman as to  
defendants John C Kim, Thomas White, Frank Kucia, Joselito  
Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski  
: Jury trial held. Evidence heard. Defendants rest.  
Government rests. All defendants motions for judgment of  
acquittal are taken under advisement. Jury instruction  
conference set for 11/14/96 at 9:00 a.m. Closing arguments  
shall begin 11/08/96 at 9:00 a.m. No notice (kk)  
[Entry date 11/15/96]

11/14/96 636 SUPPLEMENTAL REQUESTED JURY Instructions by defendant John  
C Kim (kk) [Entry date 11/15/96]

11/15/96 638 PROFFERED JURY Instructions which were refused by defendant  
John C Kim (kk) [Entry date 11/18/96]

11/15/96 639 REQUESTED JURY Instructions by defendant John C Kim (kk)  
[Entry date 11/18/96]

11/15/96 644 MOTION by defendant John C Kim to strike unproven portion  
of indictment, and motion in limine to prohibit  
government from referring to said portions of indictment  
(Attachment) (kk) [Entry date 11/18/96]



11/15/96 645 MOTION by defendant John C Kim in limine regarding government arguments concerning birthday gifts and prayer envelopes with requested jury instructions regarding prayer and birthday envelopes (Attachment) (kk) [Entry date 11/18/96]

11/15/96 645 REQUESTED JURY Instructions regarding prayer and birthday envelopes with motion in limine regarding governments argument concerning birthday gifts and prayer envelopes by defendant John C Kim (Attachment) (kk) [Entry date 11/18/96]

11/18/96 646 MINUTE ORDER of 11/18/96 by Hon. James F. Holderman as to defendants John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski : Jury trial held. Closing statements heard. Trial adjourned to 11/19/96 at 9:00 a.m. No notice (kk) [Entry date 11/20/96]

11/19/96 647 MINUTE ORDER of 11/19/96 by Hon. James F. Holderman as to defendants John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski : Jury trial held. Closing statements heard. Trial adjourned to 11/20/96 at 9:00 a.m. No notice (kk) [Entry date 11/20/96]

11/20/96 648 MINUTE ORDER of 11/20/96 by Hon. James F. Holderman as to defendants John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski : Jury trial held. Closing statements heard. Trial adjourned to 11/21/96 at 9:00 a.m. No notice (kk) [Entry date 11/25/96]

11/21/96 649 MINUTE ORDER of 11/21/96 by Hon. James F. Holderman as to defendants John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski : Jury trial held. Closing statements concluded. Trial adjourned to 11/25/96 at 9:00 a.m. No notice (kk) [Entry date 11/25/96]

11/25/96 650 JURY note from deliberating jury as to defendant John C Kim (kk) [Entry date 11/26/96]

11/25/96 653 MINUTE ORDER of 11/25/96 by Hon. James F. Holderman as to John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski : Trial held. Jury instructed. Jury deliberations begin and are continued to 11/26/96 at 9:00 am. No notice (ch) [Entry date 12/03/96]

11/26/96 651 MOTION by defendant John C Kim for judgment of acquittal ; Notice of filing (kk) [Entry date 11/26/96]

11/26/96 654 MINUTE ORDER of 11/26/96 by Hon. James F. Holderman as to John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski : Jury deliberations resume and are continued to 11/27/96 at 9:00 am. No notice (ch) [Entry date 12/04/96]

11/27/96 652 COURT'S RESPONSE to note from deliberating jury as to defendants John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski (Attachments) (kk) [Entry date 12/03/96]

11/27/96 655 MINUTE ORDER of 11/27/96 by Hon. James F. Holderman as to John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski : Jury deliberations resume and are continued to 12/2/96 at 9:00 am. No notice (ch) [Entry date 12/04/96]

11/27/96 656 NOTES FROM DELIBERATING JURY as to John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski (ch) [Entry date 12/04/96]

12/3/96 657 NOTE from deliberating jury as to John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski (kk) [Entry date 12/05/96]

12/3/96 658 MINUTE ORDER of 12/3/96 by Hon. James F. Holderman as to defendants John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski : Jury deliberations resume and are continued to 12/04/96 at 9:00 a.m. No notice (kk) [Entry date 12/09/96]

12/4/96 659 MINUTE ORDER of 12/4/96 by Hon. James F. Holderman as to defendants John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski : Jury deliberations resume and are continued to 12/05/96 at 9:00 a.m. No notice (kk) [Entry date 12/09/96]

12/4/96 660 NOTE from deliberating jury as to defendants John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski (kk) [Entry date 12/09/96]

12/5/96 663 MINUTE ORDER of 12/5/96 by Hon. James F. Holderman as to defendants John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski : Jury deliberations resume and are continued to 12/09/96 at 9:00 a.m. Mailed notice (kk) [Entry date 12/09/96]

12/6/96 667 MINUTE ORDER of 12/6/96 by Hon. James F. Holderman as to defendants John C Kim, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay : Jury deliberations resume. Verdict - guilty as to count 1. Trial ends. Jury

discharged. Denying rule 29 motions [651-1], [645-1], [644-1], [644-2], [617-1], [601-1], [597-1], [594-1], [593-1], [571-1], [536-1], [552-1], [546-1], [544-1], [505-1], [545-1], [545-2], [459-1], [443-1], [416-1], [405-1], [218-1], [213-1], [195-1]. Post-trial motions are due 1/23/97; government's responses 2/13/97; replies 02/27/97. Cause referred to probation for PSI's. Versions to probation by 01/16/97; preliminary PSI due 02/27/97; position papers/objections due 3/13/97; meeting with probation officer 03/21/97; PSI and addendum by 03/31/97. Ruling on post-trial motions/sentencing set for 04/11/97 at 1:30 p.m. Mailed notice (kk) [Entry date 12/11/96]

12/9/96 664 NOTE from deliberating jury as to John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski (kk) [Entry date 12/11/96]

12/9/96 665 JURY Instructions as to defendants John C Kim, Thomas White, Frank Kucia, Joselito Jakosalem, Thomas Condon, Michael D McKay, Robert Sawinski (kk) [Entry date 12/11/96]

12/9/96 668 VERDICT as to defendant John C Kim (kk) [Entry date 12/11/96]

12/9/96 673 RESPONSE by defendant John C Kim to the government's motion to revoke bond; Notice of filing (kk) [Entry date 12/12/96]

12/11/96 677 MINUTE ORDER of 12/11/96 by Hon. James F. Holderman as to defendant John C Kim : Defendnat's motion to obtain release pursuant to USC section 3143 is denied. No notice (kk) [Entry date 12/17/96]

12/12/96 675 LETTER from CBS Inc. to U.S. Attorney (kk) [Entry date 12/16/96]

12/12/96 682 CJA Form 20 (Attorney Payment Voucher) for witness Jacquelyn Lacosta as to defendant John C Kim (kk) [Entry date 12/18/96]

12/20/96 687 MINUTE ORDER of 12/20/96 by Hon. James F. Holderman as to defendants John C Kim, Thomas Martin Hnat, Thomas White, Kenneth Krisciunas, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas NMI McGee, Sante Furio, Scott Gigliotti, Thomas Condon, Michael D McKay, Robert Sawinski : Schedule is amended. Versions of the offense are due 01/16/97; preliminary PSI is due 02/27/97; position papers/objections by 03/13/97; responses by 03/21/97; no meeting with probation officers ; final PSi is due 03/31/97. Status hearing held; continued to 01/17/97 at 1:30 p.m. Ruling on post-trial motions/sentencings set for 04/11/97 at 1:30 p.m. Mailed notice (kk) [Entry date 12/24/96]

1/15/97 696 CJA Form 20 (Attorney Payment Voucher) as to THomas Fowler (kk) [Entry date 01/21/97]

1/31/97 718 SUPPLEMENTAL POST TRIAL MOTION by John C Kim for new trial ; Notice of filing. (ch) [Entry date 02/03/97]

2/4/97 719 MEMORANDUM regarding tax loss by defendant John C Kim (Attachments); Notice of filing (kk) [Entry date 02/04/97]

2/4/97 722 MEMORANDUM concerning the estimated tax loss for sentencing purposes by USA (Attachments) (Exhibits) (kk) [Entry date 02/05/97]

2/13/97 730 RESPONSE by plaintiff to defendant Kim's supplemental motion for judgment of acquittal and for new trial [718-1]; Notice of filing (nln) [Entry date 02/14/97]

2/25/97 739 RESPONSE by plaintiff to defendant Kim's memorandum regarding tax loss; Notice of filing (kk) [Entry date 02/26/97]

2/26/97 743 RESPONSE by defendant John C Kim to the government's tax loss memorandum; Notice of filing (kk) [Entry date 02/27/97]

3/13/97 759 CONSOLIDATED OBJECTIONS by plaintiff to defendants' presentence reports; Notice of filing (kk) [Entry date 03/17/97]

3/14/97 763 MINUTE ORDER of 3/14/97 by Hon. James F. Holderman as to defendant John C Kim : The court finds preliminarily, based on the evidence adduced at the trial, that the "tax loss" for sentencing purposes that was reasonable foreseeable to defendant resulting from his knowing and willful participation in the conspiracy of which he stands convicted is \$2,172,800.00. (See reverse of minute order.) No notice (kk) [Entry date 03/17/97]

3/14/97 775 MINUTE ORDER of 3/14/97 by Hon. James F. Holderman as to defendants John C Kim, Thomas Martin Hnat, Kenneth Krisciunas, John Liska, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas NMI McGee, Sante Furio, Scott Gigliotti, Thomas Condon, Michael D McKay : Although individual final determinations must still be made, the courts suggests pursuant to USSG section 1B1.11(b) (1) of the 1995 sentencing guidelines manual that the 1989 guidelines manual be used to calculate the guidelines ranges of the defendants who stand convicted in this case because effective 11/01/93 USSG section 2T4.1 was amended and increased the offense levels for certain of the "tax loss" calculations for sentencing purposes that appear pertinent to the sentencing determinations regarding

defendants who stand convicted in this case. (See reverse of minute order.) No notice (kk) [Entry date 03/17/97]

- 3/14/97 776 MINUTE ORDER of 3/14/97 by Hon. James F. Holderman as to defendants John C Kim, Thomas Martin Hnat, Kenneth Krisciunas, John Liska, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas NMI McGee, Sante Furio, Scott Gigliotti, Thomas Condon, Michael D McKay : Applying the definition of "tax loss" set forth in USSG section 2T1.1 made applicable by USSG section 2T1.9(a)(1), the court finds by a preponderance of the evidence that "the total amount of tax that the [members of the conspiracy] evaded or attempted to evade" during and in furtherance of the conspiracy of which defendants stand convicted, was \$2,172,800.00. (See reverse of minute order.) No notice (kk) [Entry date 03/17/97]
- 3/14/97 778 DESIGNATION SHEET FELONY Category 2 (kk) [Entry date 03/17/97]
- 3/14/97 782 MINUTE ORDER of 3/14/97 by Hon. James F. Holderman as to defendants John C Kim, Thomas Martin Hnat, Kenneth Krisciunas, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas NMI McGee, Sante Furio, Scott Gigliotti, Thomas Condon, Michael D McKay : Objections to preliminary PSI for those who received PSI is two weeks after receipt. Those who did not receive PIS, the date to file objections will be set at status hearing on 03/21/97 at 1:30 p.m. Each lawyer shall contact the probation office to determine when the preliminary PSI will be completed. GOvernment granted to 03/21/97 to respond to objections to defendants who have PSI's. Defendants responses to government's objections are due 03/21/97. Mailed notice (kk) [Entry date 03/18/97]
- 3/19/97 783 NOTICE to the court by defendant John C Kim to adopt defendants Kucia's and Jakosalem's motion to strike ; Notice of filing (kk) [Entry date 03/20/97]
- 3/21/97 786 CONSOLIDATED RESPONSE by plaintiff to objections to presentence report by defendants Kim, Kucia, Furio, and McKay [756-1], [762-1] ; Notice of filing. (ch) [Entry date 03/25/97]
- 3/21/97 791 MINUTE ORDER of 3/21/97 by Hon. James F. Holderman as to John C Kim, Kenneth Krisciunas, Frank Kucia, Nicholas Gallo, Sante Furio, Scott Gigliotti, Michael D McKay : Status hearing is set for 4/11/97 at 1:30 pm to determine whether schedules have been complied with. If schedules are completed, counsel may have another counsel in this case stand in. Mailed notice (ch) [Entry date 03/25/97]
- 4/3/97 802 OBJECTIONS by plaintiff to defendant Jakosalem's presentence report; Notice of filing (kk)

[Entry date 04/04/97]

- 4/3/97 803 OBJECTIONS by plaintiff to defendant Hnat's presentence report; Notice of filing (kk) [Entry date 04/04/97]
- 4/10/97 810 OBJECTIONS by plaintiff to defendant Thomas McGee's presentence report; Notice of filing (kk) [Entry date 04/14/97]
- 4/10/97 811 OBJECTIONS by plaintiff to defendant Thomas Condon's presentence report; Notice of filing (kk) [Entry date 04/14/97]
- 4/11/97 814 MINUTE ORDER of 4/11/97 by Hon. James F. Holderman as to defendants John C Kim, Thomas Martin Hnat, Kenneth Krisciunas, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas NMI McGee, Sante Furio, Scott Gigliotti : Status hearing held; continued to 05/02/97 at 1:30 p.m. All dates for ruling on post trial motions and for sentencing are vacated. No notice (kk) [Entry date 04/15/97]
- 4/17/97 818 SUPPLEMENTAL OBJECTION by plaintiff to defendant Gallo's presentence report; Notice of filing (kk) [Entry date 04/18/97]
- 5/2/97 840 MINUTE ORDER of 5/2/97 by Hon. James F. Holderman as to John C Kim, Thomas Martin Hnat, Kenneth Krisciunas, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas NMI McGee, Sante Furio, Scott Gigliotti, Thomas Condon, Michael D McKay : Status hearing held; continued to 6/13/97 at 1:30 p.m. Objections to Magistrate Judge's report and recommendation are due 06/09/97. No notice (kk) [Entry date 05/07/97]
- 5/16/97 841 REPORT and Recommendation concerning defendant's Frank Kucia and Joselito Jakosalem's motion to strike the government's sentencing calculation regarding tax loss [758-1] and for discovery on vindictiveness claim [758-2] (pp) [Entry date 05/19/97]
- 5/30/97 844 STATUS MOTION by defendant John C Kim nforming court that counsel will be out of the country ; Notice of filing (kk) [Entry date 06/02/97]
- 6/13/97 854 MINUTE ORDER of 6/13/97 by Hon. James F. Holderman as to defendants John C Kim, Thomas Martin Hnat, Kenneth Krisciunas, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas NMI McGee, Sante Furio, Scott Gigliotti, Thomas Condon, Michael D McKay : Status hearing held; continued to 7/15/97 at 1:30 p.m. Government granted to 06/20/97 to file response to objections to magistrate/judge's report and recommendation. Replies are due 06/27/97. Mailed notice (kk) [Entry date 06/17/97]

7/3/97 864 MINUTE ORDER of 7/3/97 by Hon. James F. Holderman as to John C Kim and Thomas Condon : Status hearing held; continued to 07/21/97 at 10:30 a.m. No notice (pp) [Entry date 07/07/97]

7/15/97 866 MINUTE ORDER of 7/15/97 by Hon. James F. Holderman as to defendants John C Kim, Thomas Martin Hnat, Kenneth Krisciunas, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas NMI McGee, Sante Furio, Scott Gigliotti, Thomas Condon, Michael D McKay : This court adopts the report and recommendation of Magistrate Judge Ashman. For the reasons stated therein, defedants' objections thereto are overruled. Defendants' motion to strike the government's sentencing calculation regarding tax loss or for discovery on vindictiveness claim is denied [758-1]. No notice (kk) [Entry date 07/16/97]

7/15/97 867 MINUTE ORDER of 7/15/97 by Hon. James F. Holderman as to defendant John C Kim : Status hearing held. Sentencing set for 7/24/97 at 1:30 p.m. Status hearing regarding incompleteness of some PSI's set for 7/22/97 at 1:30 p.m. No notice (kk) [Entry date 07/16/97] [Edit date 07/16/97]

7/21/97 879 DESIGNATION SHEET FELONY Category 2 (kk) [Entry date 07/22/97]

7/21/97 880 MOTION by defendant John C Kim for downward departure ; Notice of filing (kk) [Entry date 07/22/97]

7/22/97 884 MINUTE ORDER of 7/22/97 by Hon. James F. Holderman as to defendants John C Kim, Kenneth Krisciunas, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas NMI McGee, Sante Furio, Scott Gigliotti, Michael D McKay : Status hearing held.Sentencing and ruling dates to stand. No notice (kk) [Entry date 07/24/97]

7/24/97 887 RESPONSE by USA in opposition to defendant's motion for downward departure [880-1]; Notice of filing (pp) [Entry date 07/25/97]

7/24/97 889 SENTENCING ORDER of 7/24/97 by Hon. James F. Holderman : Sentencing John C Kim (1) count(s) 1. The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of sixty (60) months on Count 1. Upon release from imprisonment, the defendant shall be on supervised release for a term of three (3) years. Additional conditions of supervised release. Criminal Monetary Penalties. Schedule of Payments. Statement of Reasons. Mailed notice (ch) [Entry date 07/28/97]

7/24/97 888 MINUTE ORDER of 7/24/97 by Hon. James F. Holderman as to John C Kim : Defendant's supplemental post trial motion for new trial is denied. [718-1] Defendant's motion for downward departure is denied. [880-1] All pending motions are denied. Mailed notice (pp) [Entry date 08/04/97]  
[Edit date 08/04/97]

7/28/97 -- JUDGMENT and Commitment issued to U.S. Marshal as to John C. Kim. (ch) [Entry date 07/28/97]

7/30/97 890 NOTICE OF APPEAL by defendant John C Kim from sentencing order [889-2] ( FEE NOT PAID); Notice of filing. (ps)  
[Entry date 07/31/97]

7/31/97 -- MAILED LETTER regarding docketing statement unacknowledged by defendant John C Kim . (ps) [Entry date 07/31/97]

7/31/97 -- TRANSMITTED to the 7th Circuit the short record on appeal [890-1] as to John C Kim . Mailed notice to all counsel. (ps) [Entry date 07/31/97]

8/4/97 893 ACKNOWLEDGEMENT of receipt of short record on appeal, as to John C Kim appeal [890-1] USCA #97-2927 (pp)  
[Entry date 08/04/97]

8/4/97 894 LETTER from United States Court of Appeals to Charles M Meadows dated 07/01/97 regarding filing fee for Notice of Appeal (pp) [Entry date 08/04/97]

8/5/97 890 OPPOSITION by USA to defendant McGee's motions for downward departure [829-1] and [828-1]; Notice of filing (pp)  
[Entry date 08/05/97]

8/5/97 891 PRESENTENCE Investigation Report - sealed on John C Kim (kk)  
[Entry date 08/05/97]

8/5/97 892 SENTENCING Recommendation - sealed on John C Kim (kk)  
[Entry date 08/05/97]

8/13/97 -- TRANSMITTED to the 7th Circuit the long record on appeal no. 97-2927 as to John C Kim consisting of four volumes of pleadings, five volumes of loose pleadings (Item Nos. 242, 250, 277, 618 & 722), nine vault items (Item Nos. 115, 123, 141, 301, 390, 426, 440, 891 & 892), one volume of transcripts (Item No. 290) and certificates re. appeal [890-1]. Mailed notice to all counsel. (ps)  
[Entry date 08/13/97]

8/21/97 932 LETTER from the 7th Circuit: Retaining the record on appeal no. 97-2927 to be returned at a later date. (kk)  
[Entry date 08/22/97]



8/21/97 933 CERTIFIED COPY of order from the 7th Circuit as to John C Kim appeal dismissed [890-1] ( 97-2927) (kk) [Entry date 08/22/97]

8/28/97 953 RECEIVED fee from John C Kim in amount of \$ 105.00 for notice of appeal filed on 7/30/97. (ps) [Entry date 08/28/97]

9/8/97 967 JUDGMENT and Commitment returned executed 8/28/97 John C Kim (1) count(s) 1 (kk) [Entry date 09/09/97]

9/17/97 -- TRANSMITTED to the 7th Circuit the short record on appeal . Mailed notice to all counsel. (cmf) [Entry date 09/17/97]

10/3/97 994 LETTER from the 7th Circuit returning the record on appeal 97-2927 as to John C Kim consisting of 3 volumes pleadings, 5 loose pleadings, 1 volume transcript and 9 In Camera material (dmk) [Entry date 10/06/97]

10/28/97 1020 TRANSCRIPT of proceeding as to John C Kim, Thomas Martin Hnat, Thomas White, Kenneth Krisciunas, Scott Gigliotti held before Hon. James F. Holderman on 05/17/97 (1 volume) (dmk) [Entry date 10/28/97]

10/28/97 1021 TRANSCRIPT of proceeding as to John C Kim, Thomas White, Kenneth Krisciunas, Nicholas Gallo, Scott Gigliotti held before Hon. Martin C. Ashman on 05/24/96 (1 volume) (dmk) [Entry date 10/28/97]

10/28/97 1022 TRANSCRIPT of proceeding as to John C Kim, Thomas Martin Hnat, Thomas White, Kenneth Krisciunas, Frank Kucia, Joselito Jakosalem, Nicholas Gallo, Thomas NMI McGee, Scott Gigliotti, Thomas Condon, Michael D McKay held before Hon. James F. Holderman on 08/16/96 (1 volume) (dmk) [Entry date 10/28/97]

10/28/97 1024 TRANSCRIPT of proceeding as to John C Kim held before Hon. James F. Holderman on 12/10/96 (1 volume) (dmk) [Entry date 10/28/97]

10/30/97 -- TRANSMITTED to the 7th Circuit supplement to the record on appeal no. 97-2927as to John C Kim consisting of 1 volume of transcripts. Mailed notice to all counsel. (dmk) [Entry date 10/30/97]

10/30/97 -- TRANSMITTED to the 7th Circuit supplement to the record on appeal no. 97-2927, 97-3083, 97-3128, 97-as to John C Kim, Kenneth Krisciunas, Nicholas Gallo, Thomas Condon consisting of 1 volume of transcripts. Mailed notice to all counsel. (dmk) [Entry date 10/30/97]

11/21/97 1041 LETTER from Thomas Condon, to Judge Holderman dated 11/18/97; (Attachments) (pp) [Entry date 11/24/97]

12/23/97 1053 UNOPPOSED MOTION by John C Kim to release deed of trust (Attachment); Notice of filing (dmk) [Entry date 12/29/97]

12/29/97 1054 MINUTE ORDER of 12/29/97 by Hon. James F. Holderman as to John C Kim : Defendant John C Kim's unopposed motion to release deed of trust is granted [1053-1]. The Clerk of the District Court in San Diego is directed to execute a release of the Deed of Trust to the defendant John C Kim. Mailed notice (dmk) [Entry date 12/30/97]

3/2/98 1063 LETTER from John Liska to Judge Holdreman, dated 02/22/98 (pp) [Entry date 03/04/98]

5/12/98 1072 TRANSCRIPT of proceeding as to John C Kim held before Hon. James F. Holderman on 07/24/97 (kk) [Entry date 05/13/98]

7/1/98 1080 SATISFACTION of fine by USA in the amount of \$ 2,550.00 (emd) [Entry date 07/06/98]

8/11/98 1082 TRANSCRIPT of proceeding as to John C Kim, Kenneth Krisciunas, Frank Kucia, Nicholas Gallo, Sante Furio, Scott Gigliotti, Michael D McKay held before Hon. James F. Holderman on 03/14/98 (kk) [Entry date 08/13/98]

9/24/98 1092 CJA Form 20 (Attorney Payment Voucher) for witness Troy Walzak (emd) [Entry date 09/29/98]

12/15/98 1101 EXHIBITS by plaintiff as to defendants Kim, Hnat, Krisciunas, Mcgee, Giglotti, Gallo, Condon (1 box) (kk) [Entry date 12/29/98]

3/31/99 1104 LETTER from the 7th Circuit: Retaining the record on appeal no. 97-3083, 97-3084, 97-3128, 97-3272, 97-3378, 97-3579 for use in 97-3272 consisting of 12 volumes of pleadings, 5 loose pleadings, 59 volumes of transcripts 1 box of exhibits and 26 in camera materials. (kk) [Entry date 04/02/99]

Case Flags:  
 TERMED  
 ASHMAN

END OF DOCKET: 1:95cr214-1