



United States v. Jensen

2007 | Cited 0 times | N.D. California | November 14, 2007

JURY SELECTION QUESTIONNAIRE

To the JUROR:

The case for which you have been summoned for jury selection is a criminal case entitled United States v. Jensen. The defendant, Ms. Stephanie Jensen, is the former Director of Human Resources of Brocade Communications Systems, Inc. Ms. Jensen has been charged with keeping false books and records and conspiracy to keep false books and records. Ms. Jensen denies all of these charges and has pled not guilty to each and every allegation.

The purpose of this questionnaire is to provide information about your background and experience to assist the Court and to save time in jury selection. This questionnaire is confidential and will not be used for any purpose other than to assist the Court and the attorneys with the jury selection process.

Please answer each question below as completely and accurately as you reasonably can. Your complete written answers will save a great deal of time for the judge, for the lawyers, and for you. If there is not sufficient space provided for you to complete your answers, please continue your answers on the last page, indicating the question number. Do not write on the reverse side of any page. Please write legibly and use a black pen.

You are expected to sign your questionnaire, and your answers will have the effect of a statement given to the court under oath. We need your very best, honest effort to answer all of the questions. The intention of the questionnaire is to encourage your full expression and candor. Your full cooperation is of vital importance.

If there are any questions that you would feel more comfortable answering in private, simply write "private" in the space provided for your answer. The follow-up questions on that topic will be given out of the presence of the other prospective jurors.

Thank you in advance for your careful and honest response to the questionnaire.

JUROR QUESTIONNAIRE

JUROR NO: _____



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PART ONE

1. FULL NAME: Mr. Mrs. Miss Ms. (circle one)

2. Age: _____

3. Residence: County: City/Town:

How long have you lived at that location?

In the past ten years, what other communities have you lived in?

4. What is your marital status:

Single and never married Currently married and have been for years Single, but married in the past for years Living with partner for years Widowed/widower, married in the past for years Other:

5. If you have children, please state:

Name Sex Age Education Occupation live w/ you?

Does child

6. What is your current job status?

Working full-time Unemployed Working part-time Homemaker Retired Full-time student

7. Occupation: [PLEASE NOTE: If you are currently not employed, retired, disabled or a homemaker, please describe your prior employment.]

a. What is your current occupation and please describe what you do (or what was it, if retired or unemployed)?

b. By whom are you employed?

c. How long have you worked there?

d. Do you supervise other people?

Yes No _____ If so, how many?



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8. Please list any other jobs you have had in the past ten years and describe what you did at each job:

9. What is the last level of education you completed?

Grade school or less Some college Some high school College graduate High school graduate
Post-graduate work Technical or business school Attend law school

Please describe your educational background, including vocational school(s) and/or college(s) attended:

Areas of study Degrees received

Please complete questions 10 and 11 regarding your present spouse or partner. If you are widowed, divorced or separated, please answer all the following questions regarding your former spouse/partner.

10. Current employment status:

Working full-time Unemployed Working part-time Homemaker Retired Full-time student

a. What is his/her occupation (or what was it, if retired or unemployed or disabled)?

b. By whom is s/he employed?

How long has s/he worked there?

c. Please describe the nature of his/her job?

d. What other types of jobs has s/he had in the past?

11. What is the last level of education s/he completed?

Grade school or less Some college Some high school College graduate High school graduate



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Post-graduate work Technical or business school Attend law school

Please name the degrees and major areas of study:

12. Have you, your current spouse/partner or your child ever served in the military?

Yes_____ No_____

If Yes, please list for: You Present Spouse, Partner or Child Branch of service: _____

Combat: Yes_____ No_____ Yes_____ No_____

(Please continue to Part Two.)

PART TWO

13. How often do you get your news from:

Newspapers Daily Weekly Monthly Never

Magazines Daily Weekly Monthly Never

Radio Daily Weekly Monthly Never

Television Daily Weekly Monthly Never

Internet Daily Weekly Monthly Never

Other _____ Daily Weekly Monthly Never

please specify

14. Have you heard, read or seen anything about this case?

Yes _____ No _____ If Yes, please describe:

15. Have you ever discussed this case, or have you heard anyone else say anything about this case?

Yes No If Yes, please explain:



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16. Have you heard or read or seen anything concerning any other case that appears to you to be like this case?

Yes ____ No ____

If Yes, please describe:

17. Have you heard or read or seen anything concerning any other case involving any of the people whose names you have heard today? Yes No If Yes, please discuss what you have heard, read or seen:

18. Have you heard, read or seen anything about the "backdating" of stock options?

Yes No If Yes, please discuss what you have heard, read or seen:

19. How closely have you followed press reports of allegations of wrongdoing by corporations and executives?

Very closely ____ Somewhat closely ____ Not too closely ____ Not at all ____

20. Some corporations and their financial problems have been reported in the news over the past few years. Do you have strong feelings concerning these corporations and their executives?

Yes ____ No ____

If Yes, please describe your strong feelings:

21. Do you think that you, any relative, or anyone close to you, have been negatively impacted by any corporate financial problems or fraud?

Yes ____ No ____ If Yes, please explain:

22. Have you, any relative, or anyone close to you, ever worked for an accounting firm or held a job that involved accounting, auditing, bookkeeping or finance?

Yes ____ No ____ If Yes, please explain:

23. Have you ever worked at a job where part of your job responsibilities involved working with company auditors or auditors from outside accounting firms?

Yes ____ No ____ If Yes, please describe:



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24. Do you hold any opinions about women working in supervisory roles that would prevent you from being fair and impartial in this case? Yes ___ No ___ If Yes, please explain:

25. Have you, any family members or close friends ever had any education, training or employment in any aspect of human resources (HR)?

Yes ___ No ___ If Yes, please explain:

26. Have you, any family members or close friends ever had any experience in the workplace with an employer's human resources department that would prevent you from being fair and impartial in this case?

Yes ___ No ___ If Yes, please explain:

27. Have you taken any courses or had any training in business, finance, investment, accounting, bookkeeping, or any similar area?

Yes ___ No ___

If Yes, please explain how many courses and/or how much training you have had and identify the areas in which you have had courses and/or training.

28. Do you have any training or experience in accounting or auditing?

Yes ___ No ___

29. Do you receive annual reports from corporations or mutual funds?

Yes ___ No ___ If Yes, do you read them? Yes ___ No ___

30. Do you have any specific problems of a serious nature that might make it difficult for you to sit as a juror on a criminal case?

Yes No If Yes, please describe:

31. Have you previously served as a trial juror or as a grand juror?

Yes No If Yes, please complete for each case on which you served:

Was a verdict



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Civil Nature of case (i.e., reached? or Criminal robbery or personal injury) When/Where? (please answer yes or no)

a. Have you ever served as a jury foreperson?

Yes No

b. Was there anything about your experience as a juror which would make you not want to serve again?

32. Please read the following list of law enforcement agencies: Attorney General Military Police County Jail Police Department Department of Corrections District Attorney Sheriff's Department FBI Highway Patrol US Marshall Internal Revenue Service United States Attorney Have you or any close friends or relatives ever been employed by or otherwise been affiliated with any of the law enforcement agencies listed above or any other law enforcement organization (as an employee or volunteer)?

Yes_____ No_____ If Yes, please list: NAME RELATIONSHIP TO YOU POSITION AGENCY

33. Have you or any of your relatives or close friends had any involvement with any law enforcement agency?

Yes No

If Yes, does this experience cause you to have any feelings or opinions for or against the United States in this case? Yes No

34. Have you or anyone close to you ever been the victim of any kind of crime (including fraud, burglary, robbery, assault, identity theft, etc., whether it was reported to law enforcement authorities or not)?

Yes No If Yes, please explain:

35. Have you or any of your relatives or close friends been involved in any dispute, whether or not it involved a legal action or proceeding, against or involving the United States, any United States agency, or any of their agents or employees?

Yes No If Yes:

a. What was the nature of the dispute?



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b. Was the matter resolved satisfactorily, in your opinion?

Yes No

c. Do you feel the United States representatives acted fairly in resolving the matter?

Yes No

d. Does this experience cause you to have any feelings or opinions for or against the United States in this case?

Yes No

36. Have you or any of your relatives or close friends had any adverse experiences with the Federal Bureau of Investigations or the Securities & Exchange Commission?

Yes No

If Yes, do any of these experiences cause you to have any feelings or opinions for or against the United States in this case? Yes No

37. Have you ever been a party to a lawsuit, whether civil or criminal?

Yes No If Yes, what was the nature of the case?

38. Have you or a member of your family or close friends had any experience with a "Start up" business?

Yes No If Yes, please explain:

39. Have you or someone you know had any involvement with an IPO ("initial public offering" on the stock market) in any capacity (as an employee, investor, or other capacity)?

Yes No If Yes, please explain:

40. This case relates to conduct that occurred at Brocade Communications Systems. Have any of you ever done business with or owned any securities, including stocks, in Brocade Communications System? Yes No

41. This case involves stock options issued by Brocade Communications Systems to its employees. Have you or any members of your family received stock options in connection with your



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employment? Yes No

42. Have you or a family member or close friend ever been employed by a company which granted "stock options" to employees?

Yes No

If yes, were you (or the person you know) granted options?

Yes No

If Yes, were the grants ever exercised?

Yes No

43. What have you read or heard about how stock options to employees are priced and granted by companies?

44. Have you, anyone in your immediate family, or a close friend, ever been employed by or had regular contact with the Securities and Exchange Commission (SEC) or with any other financial regulatory or licensing agency?

Yes No___ If Yes, please explain:

45. Have you, anyone close to you or any company you have worked for ever been involved in a dispute involving stock options? Yes No If Yes, please explain:

46. Have you or anyone close to you ever been accused of fraud, misrepresentation, or fraudulently concealing information? Yes No If Yes, please explain:

47. Has any business, agency, or employer you have worked for or with ever been investigated for or charged with wrongdoing? Yes No If Yes, please explain:

48. Have you or anyone close to you ever suffered a substantial monetary loss as a result of any type of financial investment (including stocks, real estate or business)?

Yes No If Yes, please explain:

49. Will you follow the instructions of law that the Court will give you at the close of the case regardless of whether you agree with these instructions or not?



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Yes No

50. Do you have any moral, religious, or philosophical principles that make you reluctant to serve on a criminal jury?

Yes No

51. Have you, any family members, or anyone close to you had any experiences with or opinions about alleged corporate fraud, whether as an investor or in some other capacity, that might interfere with your ability to consider the evidence impartially and decide a case that includes such charges?

Yes No

52. Is there any matter not covered by this questionnaire that should be brought to the attention of the court because it would affect your ability to be a fair and impartial juror?

Yes No If Yes, please explain:

53. Is there any matter you would prefer to discuss privately with the court?

Yes No If Yes, please explain:

54. Have you ever had any experience with, or do you have any connection with, any of the individuals/entities named below? If so, put a check in front of the name or the entity, and please provide details after the name of the entity. INDIVIDUAL OR ENTITY PLEASE PROVIDE DETAILS

Stephen Beyer

James Bidzos

Robert Bossi

Board Members, past and present, of Brocade Communications Systems

Michael Byrd

California Public Employees

Retirement System



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Mary Hartman Morris

Tony Canova

Daniel Cudgma

Colleen Devine

Fidelity Investments

Robert McCormick

John Garvey

David House

Patricia Kada

INDIVIDUAL OR ENTITY PLEASE PROVIDE DETAILS

The Accounting Firm of

KPMG

Neil Miotto

Margie Lee

Robert Morris

Elizabeth Moore

National Association of

Securities Dealers

Deborah Ormland

Oak Associates

Robert Stimson



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Heidi Rado

Lee Seidler

Theresa Uchida

Grace Ward

Robert Comment

Christopher Crespi

Steven Stanton

Jonathan Macey

William Simson

Joe Anastasi

David Gulley

Brocade Communications

Systems

Gregory L. Reyes

Stephanie Jensen

INDIVIDUAL OR ENTITY PLEASE PROVIDE DETAILS

Rich Marmaro

Brocade Communication

Systems

Tyler Wall

Morgan Stanley



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PricewaterhouseCoopers

Arthur Andersen

The law firm of Howard

Rice

Pam Phillips

Diane Doolittle

John Potter

The law firm of Quinn

Emanuel Urquhart Oliver & Hedges

The law firm of Sidley

Austin

Mike Kelley

The law firm of Orrick

Herrington & Sutcliffe

Mike Torpey

Walt Brown

Amy Ross

Mark Beck

The law firm of Heller

Ehrman

Norman Blears



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Robert Buehler

INDIVIDUAL OR ENTITY PLEASE PROVIDE DETAILS

Alexander Lyon

The law firm of Morrison & Foerster

Paul Friedman

Craig Martin

The law firm of Farella Braun

William P. Keane

Douglas R. Young

United States District Court

The US Department of Justice

Office of the United States Attorney

Christopher James Steskal

Timothy P. Crudo

Adam Reeves

Scott N. Schools

Kevin Ryan

The Federal Bureau of Investigation

Securities and Exchange Commission

The law firm of Skadden Arps Slate Meagher & Flom

Jack DiCanio



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Ronda McKaig

Garrett Waltzer

INDIVIDUAL OR ENTITY PLEASE PROVIDE DETAILS

Matt Sloan

Ryan Weinstein

Chris Gunther

Nicole Argentieri

Elizabeth Harlan

Sean Coutain

Josh Ellis

Arvin Lugay

Jonah Van Zandt

Sheryl Wu

The law firm of Munger, Tolles & Olson

Brad D. Brian

Jerry Roth

The law firm of Wilson Sonsini Goodrich & Rosati

Nina (Nicki) Locker,

Caz Hashemi

Steven D. Guggenheim

Cameron Hoffman



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Robert Leach, Esq.

Navigant Consulting

William Salzman

John Yun

Patrick T. Murphy

INDIVIDUAL OR ENTITY PLEASE PROVIDE DETAILS

Jennifer Scafe,

Susan F. LaMarca

Susan Fleischmann

The law firm ofKeker & Van Nest

Jan Nielsen Little

Michael D. Celio

Laurie Carr Mims

Eric MacMichael

Cathleen Crane

Steven Ragland

Susan Woodward

I declare under penalty of perjury that the foregoing information is true and correct.

