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BARRY BONDS

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

| | |
|---|---|
| UNITED STATES OF AMERICA,<br><br>Plaintiffs,<br><br>vs.<br><br>BARRY LAMAR BONDS,<br><br>Defendant. | Case No.: CR 07-0732 SI<br><br>DEFENDANT'S AMENDED EXHIBIT LIST<br><br>Trial Date: March 21, 2011<br>Hon: Susan Illston |

Pursuant to the Court's Order for Pretrial Preparation, Defendant Barry L. Bonds respectfully submits a partial list of exhibits, all or parts of which Defendant may seek to admit at trial. This list is the same as the list previously submitted on October 15, 2010, except (1) exhibit numbers have been substituted for exhibit letters, and (2) Bates numbers have been supplied for ease of reference on pages 4-8 and (3) exhibits 1106 and 1107 have been added.

1. All or parts of Grand Jury Transcripts as listed below:

| Exhibit No. | Document Description | Bates No. | Date |
|---|---|---|---|
| 1001 | Jeff Novitzky Grand Jury Transcript | | 10/16/03 |
| 1002 | Jeff Novitzky Grand Jury Transcript | | 02/05/04 |
| 1003 | Jeff Novitzky Grand Jury Transcript | | 02/12/04 |
| 1004 | Jeff Novitzky Grand Jury Transcript | | 03/10/05 |
| 1005 | Jeff Novitzky Grand Jury Transcript | | 08/18/05 |
| 1006 | Jeff Novitzky Grand Jury Transcript | | 09/08/05 |
| 1007 | Jeff Novitzky Grand Jury Transcript | | 11/03/05 |
| 1008 | Jeff Novitzky Grand Jury Transcript | | 06/29/06 |
| 1009 | Jeff Novitzky Grand Jury Transcript | | 07/13/06 |
| 1010 | Jeff Novitzky Grand Jury Transcript | | 07/27/06 |
| 1011 | Jeff Novitzky Grand Jury Transcript | | 08/17/06 |
| 1012 | Jeff Novitzky Grand Jury Transcript | | 09/07/06 |
| 1013 | Jeff Novitzky Grand Jury Transcript | | 09/28/06 |
| 1014 | Jeff Novitzky Grand Jury Transcript | | 11/02/06 |
| 1015 | Jeff Novitzky Grand Jury Transcript | | 01/11/07 |
| 1016 | Jeff Novitzky Grand Jury Transcript | | 10/11/07 |
| 1017 | Jeff Novitzky Grand Jury Transcript | | 10/25/07 |
| 1018 | Jeff Novitzky Grand Jury Transcript | | 11/08/07 |
| 1019 | Jeff Novitzky Grand Jury Transcript | | 11/15/07 |
| 1020 | Jeff Novitzky Transcript (U.S. vs. Tammy Thomas) | | 03/27/08 |
| 1021 | Jeff Novitzky Transcript (U.S. vs. Tammy Thomas) | | 03/31/08 |
| 1022 | Jeff Novitzky Transcript (U.S. vs. Tammy Thomas) | | 04/01/08 |
| 1023 | Jeff Novitzky Grand Jury Transcript | | 04/29/08 |
| 1024 | Jeff Novitzky Grand Jury Transcript | | 05/13/08 |

| Exhibit No. | Document Description | Bates No. | Date |
|---|---|---|---|
| 1025 | Jeff Novitzky Grand Jury Transcript | | 11/13/08 |
| 1026 | Jeff Novitzky Grand Jury Transcript | | 11/20/08 |
| 1027 | Jeff Novitzky Grand Jury Transcript | | 12/04/08 |
| 1028 | Dr. Don Catlin Grand Jury Transcript | | 10/23/03 |
| 1029 | Dr. Don Catlin Grand Jury Transcript | | 06/29/06 |
| 1030 | Armando Rios Grand Jury Transcript | | 11/20/03 |
| 1031 | Bobby Estalella Grand Jury Transcript | | 11/20/03 |
| 1032 | Bobby Estalella Grand Jury Transcript | | 10/18/07 |
| 1033 | Barry Bonds Grand Jury Transcript [Redacted] | | 12/04/03 |
| 1034 | Benito Santiago Grand Jury Transcript | | 12/04/03 |
| 1035 | Benito Santiago Grand Jury Transcript | | 06/22/06 |
| 1036 | Bill Romanowski Grand Jury Transcript | | 12/11/03 |
| 1037 | Gary Sheffield Grand Jury Transcript | | 12/11/03 |
| 1038 | Jason Giambi & Jeremy Giambi Grand Jury Transcripts | | 12/11/03 |
| 1039 | Larry Izzo Grand Jury Transcript | | 12/11/03 |
| 1040 | Thomas Craig Grand Jury Transcript | | 01/22/04 |
| 1041 | Kimberly Bell Grand Jury Transcript | | 03/17/06 |
| 1042 | Steve Hoskins Grand Jury Transcript | | 03/16/06 |
| 1043 | Kathy Hoskins Grand Jury Transcript | | 03/16/06 |
| 1044 | Stan Conte Grand Jury Transcript | | 04/27/06 |
| 1045 | Dr. Arthur Ting Grand Jury Transcript | | 05/11/06 |
| 1046 | James Valente Grand Jury Transcript | | 05/25/06 |
| 1047 | Miguel Murphy Grand Jury Transcript | | 06/08/06 |
| 1048 | Harvey Shields Grand Jury Transcript | | 06/29/06 |
| 1049 | Dr. Larry Bowers Grand Jury Transcript | | 06/29/06 |

| Exhibit No. | Document Description | Bates No. | Date |
|---|---|---|---|
| 1050 | Marvin Bernard Grand Jury Transcript | | 07/06/06 |
| 1051 | Brian Sabean Grand Jury Transcript | | 09/21/06 |
| 1052 | Patrick Arnold Grand Jury Transcript | | 10/05/06 |
| 1053 | Kelcey Dalton Grand Jury Transcript | | 11/30/06 |
| 1054 | Mark Letendre Grand Jury Transcript | | 02/15/07 |
| 1055 | Piret Aava Grand Jury Transcript | | 02/22/07 |
| 1056 | Dave Groeschner Grand Jury Transcript | | 03/29/07 |

Because the Government already has these transcripts, the defense is not providing additional copies at this time but will do so prior to trial.

2. All or parts of witness interviews listed below:

| Exhibit No. | Description | Bates No. | Date |
|---|---|---|---|
| 1057 | Armando Rios Federal Agent Report | BB 010863 | 09/30/03 |
| 1058 | Bobby Estalella Federal Agent Report | BB 010930 – BB 010931 | 10/12/07 |
| 1059 | Barry Bonds Federal Agent Report | BB 016863 – BB 016868 | 07/24/03 |
| 1060 | Barry Bonds Federal Agent Report | BB 016874 – BB 016881 | 08/13/03 |
| 1061 | Barry Bonds Federal Agent Report | BB 016934 – BB 016936 | 02/17/04 |
| 1062 | Kimberly Bell Federal Agent Report | BB 010878 – BB 010883 | 02/14/05 |
| 1063 | Kimberly Bell Federal Agent Report | BB 010884 | 02/14/05 |
| 1064 | Kimberly Bell Federal Agent Report | BB 010885 | 02/15/05 |
| 1065 | Kimberly Bell Federal Agent Report | BB 010886 | 04/07/06 |

| Exhibit No. | Document Description | Bates No. | Date |
|---|---|---|---|
| 1066 | Steve Hoskins Federal Agent Report | BB 016947 | 10/28/04 |
| 1067 | Steve Hoskins Federal Agent Report | BB 010934 – BB 010956 | 04/26/05 |
| 1068 | Steve Hoskins Federal Agent Report | BB 010899 – BB 010902 | 01/19/06 |
| 1069 | Steve Hoskins Federal Agent Report | BB 010903 – BB 010905 | 02/22/06 |
| 1070 | Steve Hoskins Federal Agent Report | BB 010912 – BB 010913 | 03/17/06 |
| 1071 | Steve Hoskins Federal Agent Report | BB 010914 – BB 010915 | 07/16/06 |
| 1072 | Steve Hoskins Federal Agent Report | BB 010916 | 07/17/06 |
| 1073 | Steve Hoskins Federal Agent Report | BB 010932 – BB 010933 | 12/10/07 |
| 1074 | Kathy Hoskins Federal Agent Report | BB 010906 – BB 010911 | 02/22/06 |
| 1075 | James Valente Federal Agent Report | BB 010854 – BB 010856 | 09/03/03 |
| 1076 | Harvey Shields Federal Agent Report | BB 010864 – BB 010865 | 11/06/03 & 11/07/03 |
| 1077 | Piret Aava Federal Agent Report | BB 010893 – BB 010898 | 08/15/05 |
| 1078 | Laura Enos Federal Agent Report | BB 016846 – BB 016851 | 06/10/03 |
| 1079 | Jerry Rice Federal Agent Report | BB 016852 – BB 016853 | 06/20/03 |

| Exhibit No. | Document Description | Bates No. | Date |
|---|---|---|---|
| 1080 | Terrell Owens Federal Agent Report | BB 016854 – BB 016855 | 06/27/03 |
| 1081 | Shawn Rogers Federal Agent Report | BB 016860 – BB 016862 | 07/01/03 |
| 1082 | Jeff Kranz Federal Agent Report | BB 016869 | 08/13/03 |
| 1083 | Jeff Kranz Federal Agent Report | BB 016870 – BB 016873 | 08/13/03 |
| 1084 | Jeff Kranz Federal Agent Report | BB 016940 – BB 016945 | 04/07/04 |
| 1085 | Victor Conte, Jr. Federal Agent Report | BB 010849 – BB 010853 | 09/03/03 |
| 1086 | Greg Anderson Federal Agent Report | BB 010857 – BB 010860 | 09/03/03 |
| 1087 | Nicole Gestas Federal Agent Report | BB 010861 – BB 010862 | 09/03/03 |
| 1088 | Mead Chasky Federal Agent Report | BB 016882 – BB 016885 | 09/03/03 |
| 1089 | Dr. Brian Halevie-Goldman Federal Agent Report | BB 016593 – BB 016595 | 09/19/03 |
| 1090 | Gregory Scharver Federal Agent Report | BB 016886 – BB 016890 | 12/05/03 |
| 1091 | Gregory Scharver Federal Agent Report | BB 016946 | 10/13/04 |
| 1092 | Ken Goldin Federal Agent Report | BB 016899 – BB 016909 | 12/16/03 |
| 1093 | Ken Goldin Federal Agent Report | BB 016928 – | 01/22/04 |

| | | | |
|---|---|---|---|
| | | BB 016933 | |
| **Exhibit No.** | **Document Description** | **Bates No.** | **Date** |
| 1094 | Jeffrey Idelson Federal Agent Report | BB 016937 – BB 016939 | 04/06/04 |
| 1095 | Dan Lee Flores Federal Agent Report | BB 016948 | 11/17/04 |
| 1096 | Robert McKercher Federal Agent Report | BB 010867 – BB 010870 | 12/08/04 |
| 1097 | Randy Velarde Federal Agent Report | BB 010871 – BB 010874 | 12/16/04 |
| 1098 | Kevin Beirne Federal Agent Report | BB 010875 – BB 010877 | 12/17/04 |
| 1099 | Robert Armstrong Federal Agent Report | BB 010887 – BB 010892 | 05/24/05 |
| 1100 | Linda Van Housen Federal Agent Report | BB 010917 – BB 010918 | 04/17/06 |
| 1101 | John Colombet Federal Agent Report | BB 010957 – BB 010964 | 09/11/07 |
| 1102 | Jeff Kearnan Federal Agent Report | BB 010965 – BB 010970 | 10/17/07 |
| 1103 | Ed Barberini Federal Agent Report | BB 010971 – BB 010981 | 11/02/07 |
| 1104 | Chris Hutchens Federal Agent Report | BB 010924 – BB 010929 | 10/10/07 |
| 1105 | Gina Estalella Federal Agent Report | BB 010919 – BB 010923 | 10/10/07 |
| 1106 | Steve Hoskins Federal Agent Report | | 2/25/09 |
| 1107 | Dale Kennedy Federal Agent Report | BB 016964 – | 8/30/10 |

| | | | |
|---|---|---|---|
| | | BB 016966 | |

Because the Government already has these interview reports, the defense is not providing additional copies at this time but will do so prior to trial.

3. Communications between the Government and Michael Rains pertaining to promises and representations made by the Government to Mr. Bonds before his Grand Jury testimony, and events subsequent to the promises and representations but before he testified.

Because the Government already has these communications, the defense is not providing additional copies at this time but will do so upon request.

4. Documents listed below:

| Exhibit No. | Document Description | Bates No. | Date |
|---|---|---|---|
| 1108 | Memorandums with attachments from Stan Conte to Jack Blair | BB 003263 – BB 003269 | 5/2/06 |
| 1109 | Medication Report for Barry Bonds | BB 003465 – BB 003473 | 2/1/03 – 5/1/06 |

Because the Government already has these documents, the defense is not providing additional copies at this time but will do so prior to trial.

5. The Indictment against the BALCO defendants: Greg Anderson, Victor Conte, Jr., James Valente and Remi Korchemny:

| Exhibit No. | Document Description | Bates No. | Date |
|---|---|---|---|
| 1110 | BALCO Indictment | CDTSEAL 000033 – CDTSEAL 000062 | 2/12/04 |

Because the Government already has this document, the defense is not providing an additional copy at this time but will do so prior to trial.

6. In light of the Court's Order Re: Defendant's Motions *in Limine* on February 19, 2009, Defendant has not listed documents relating to evidence which the Court has excluded.

Additional exhibits may be offered in evidence by the defense. Defense counsel believe that listing additional documents, for example impeachment documents, would be inconsistent with the Defendant's right to an effective defense. It could inform the Government of the defense assessment of weaknesses in the Government's case. It would alert Government witnesses to likely areas of cross-examination, and could provide untruthful Government witnesses – if there are any – with advance notification of impeaching evidence, so that they could tailor their testimony accordingly.

Respectfully submitted,

DATED: March 14, 2011

Skadden, Arps, Slate, Meagher & Flom LLP

Allen Ruby, Attorney for
Defendant Bonds