

1 MELINDA HAAG (CABN 132612)
United States Attorney

2 J. DOUGLAS WILSON (DCBN 412811)
3 Chief, Criminal Division

4 MATTHEW A. PARRELLA (NYBN 2040855)
JEFFREY D. NEDROW (CABN 161299)
5 MERRY JEAN CHAN (CABN 229254)
Assistant United States Attorneys

6
7 150 Almaden Blvd., 9th floor
San Jose, CA 95113
8 Telephone: (408) 535-5042
Facsimile: (408) 535-5066
9 Email: matthew.parrella@usdoj.gov

10 Attorneys for Plaintiff

11
12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

15
16 UNITED STATES OF AMERICA,)
17 Plaintiff,)
18 v.)
19)
20 BARRY LAMAR BONDS,)
21 Defendant.)
22)

Criminal No. CR 07-0732 SI

PARTIES' JOINT PROPOSED JURY
INSTRUCTION RE ANDERSON'S
ABSENCE AT TRIAL

Trial: March 21, 2010
Time: 8:30 a.m.
Court: Hon. Susan Illston

23
24 The parties in this matter agree that the jury should be instructed as to the absence of live
25 testimony from Greg Anderson at trial. The parties have conferred and propose the attached jury
26 instruction. As the United States noted at the March 8, 2011 hearing, it reserves its right to seek a more
27 explicit instruction regarding Anderson's absence if defense counsel makes improper argument based on
28

Joint Proposed Jury Instruction re Greg Anderson's Absence at Trial

The name Greg Anderson may be referred to during the testimony of the individuals called as witnesses during this trial. Greg Anderson is unavailable to both parties to testify in this trial. You may not speculate as to the cause of his unavailability. You may not consider the absence of his live testimony as evidence in deciding the facts of this case, nor may you draw any inference from his failure to testify.