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Subject: Re: Verdict Form and Jury Question about Counts One and Four

Date: Wed, May 3, 2023 7:27 am

Judge Kelly,

On behalf of Mr. Rehl, I am hereby requesting that the Court take up the Verdict Form (pp3-4) with respect to Count 4. In addition to the point I raised yesterday that it does not include the element of "force intimidation, or threat", the Verdict Form also refers back to "Count One", which I believe is a mistake.

In retrospect, this error may be the basis for the jury's questions yesterday about the objectives and goals in Counts One and Four.

So that we also need to revisit the answer that was provided to the Jury yesterday.

It also may require a mistrial.

Count Four: Conspiracy to Prevent Members of Congress or federal officers from Discharging Their Duties

A. Do you find that the government has proved beyond a reasonable doubt the existence of the conspiracy charged in Count Four?

No _____ Yes _____

If your answer is "No," you must enter a verdict of Not Guilty as to Count Four for each defendant listed in C below.

If your answer is "Yes," answer parts B and C below.

B. Did the conspiracy charged in Count One include one or both of the following goals?

Goal One: To prevent a Member of Congress or federal officer from discharging a duty as a Member of Congress or federal officer?

No _____ Yes _____

Goal Two: To induce a Member of Congress or federal officer to leave the place where the Member of Congress or federal officer's

duties are required to be performed?

No _____ Yes _____

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-----Original Message-----

From: Kelly Chambers <Kelly_Chambers@dcd.uscourts.gov>

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Sent: Fri, Apr 21, 2023 6:01 pm

Subject: Verdict Form

Good evening all,

Attached please find the Court's revised verdict form, which resolves the disputes in the parties' original joint proposal on grounds set out during the charging conferences. It also adds a lesser-included theft offense for Count 10, consistent with the jury instructions.

Thank you,

Chambers of the Hon. Timothy J. Kelly
U.S. District Court for the District of Columbia
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