

1 Paul D. Stockler
2 ABA No. 8606032
3 Law Office of Paul D. Stockler
4 1309 West 16th Avenue
5 Anchorage, Alaska 99501
6 (907) 277-8564
7 (907) 272-4877/Facsimile
8 E-mail: paulstockler@aol.com

9 Counsel for Thomas T. Anderson

10 **IN THE UNITED STATES DISTRICT COURT**
11 **FOR THE DISTRICT OF ALASKA**

12 **UNITED STATES OF AMERICA,**)
13) **NO.: 3:06-cr-00099 JWS**
14 **Plaintiff,**)
15)
16 **v.**)
17) **DEFENDANT'S MOTION IN LIMINE**
18 **THOMAS T. ANDERSON,**) **REGARDING BILL BOBRICK'S**
19) **STATEMENTS REGARDING VECO**
20 **Defendant.**)
21)

22 COMES NOW Defendant, THOMAS T. ANDERSON, by and through
23 counsel of record, Paul D. Stockler, and files this motion in
24 limine to exclude certain comments Bill Bobrick made about Tom
25 Anderson and VECO.

26 The United States plans to play a recording of a July 21,
2004 in person meeting between government informant "CS-1" who
is Frank Prewitt and "Lobbyist A" who is Bill Bobrick. Prewitt
was working as an informant for the government and wore a
recording device during his lunch with Bobrick. The defendant,
Tom Anderson was not present at any time during this meeting.

Attached as Exhibit A is a portion of the transcript. The
full transcript was provided to the court yesterday by defense

1 counsel and is located behind tab 2. Bobrick and Prewitt had
2 the following conversation about VECO at pages 19-20:

3 BILL: ...and he's also a lawyer and does (UI).
4 It's actually far more real work than what
5 VECO does. VECO...

6 PREWITT: Yeah, I've never figured out what VECO does.

7 BILL: ...well yeah, they just pay him to do
8 nothing.

9 PREWITT: Who? TOM?

10 BILL: Yeah.

11 PREWITT: Does he still have his consulting firm? See
12 I thought maybe he lost his contract with
13 VECO.

14 BILL: No, he's rather independent, well in my
15 opinion. I mean if you really put him on the
16 spot and said what do you do, I think he'd
17 say well I review documents for them. Well
18 they have their own lawyers to do that
19 (laughing), so (UI).

20 PREWITT: So VECO, VECO just pays him. How much are
21 they paying him?

22 BILL: Oh about twenty-five hundred bucks a month.

23 PREWITT: Geez. So.

24 The statements by Bobrick and Prewitt are hearsay. They do
25 not fall within any recognized hearsay exception. There is also
26 no foundation for their statements. Character evidence is also
not admissible under Fed. R. Evid. 404(b). This portion of the
recording is merely an attempt to introduce other bad acts or
character evidence and the court has already seen during jury
selection the animosity towards VECO and the other cases.

Law Office of Paul D. Stockler
1309 W. 16th Avenue
Anchorage, Alaska 99501
(907) 277-8564 fax (907) 272-4877

1 The government also admitted yesterday in open court that
2 Mr. Anderson was not charged with doing anything wrong regarding
3 VECO. This evidence has no tendency to make the existence of
4 any fact that is of consequence to the determination of the
5 action any more or less probable. See, Fed. R. Evid. 401.
6 Finally, any miniscule relevance of this type of evidence is
7 substantially outweighed by the danger of unfair prejudice and
8 confusion of the issues. See, Fed. R. Evid. 403.

9 For the reasons stated above, the government should be
10 prohibited from playing portions of Exhibit A listed above.

11 DATED this 26th day of June, 2007 at Anchorage, Alaska.

12 LAW OFFICE OF PAUL D. STOCKLER
13 Counsel for Thomas T. Anderson
14 By: s/ Paul D. Stockler
15 1309 W. 16th Avenue
16 Anchorage, Alaska 99501
17 Phone: (907) 277-8564
18 Fax: (907) 272-4877
19 E-mail: paulstockler@aol.com
20 Alaska Bar No.: 8606032

21 //

Law Office of Paul D. Stockler
1309 W. 16th Avenue
Anchorage, Alaska 99501
(907) 277-8564 fax (907) 272-4877

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of June, 2007, a true and correct copy of the foregoing document was served electronically on the following:

Joseph W. Bottini, Assistant U.S. Attorney
James A. Goeke, Assistant U.S. Attorney
William M. Welch II, Chief, Public Integrity Section
Nicholas A. Marsh, Trial Attorney, Public Integrity Section
Edward P. Sullivan, Trial Attorney, Public Integrity Section

s/ Paul D. Stockler