

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
WESTERN DIVISION

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UNITED STATES OF AMERICA

Plaintiff,

vs.

JOHN GRAHAM, a/k/a  
JOHN BOY PATTON and  
VINE RICHARD MARSHALL a/k/a  
RICHARD VINE MARSHALL a/k/a  
DICK MARSHALL,

Defendants.

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CR 08-50079

UNITED STATES' RESPONSE TO  
DEFENDANT MARSHALL'S MOTION  
FOR SEQUESTRATION ORDER

COMES NOW the United States of America, through its attorneys, United States Attorney Brendan V. Johnson, and Assistant United States Attorney Robert A. Mandel, and responds to Defendant Marshall's motion for sequestration order (DE #570) as follows:

1. The United States notes that the motion seeks only the sequestration of witnesses of the United States, not those of the defense. The United States seeks that any order for sequestration applies to both the United States and the defense.
2. The United States seeks that an exception to the sequestration order be made for its case agent, Michael McRoden (FBI).

3. The United States also seeks that an exception be made for counsel for Fritz Arlo Looking Cloud, Barry Bachrach. Mr. Bachrach wishes to be present during the testimony of Mr. Looking Cloud. The United States anticipates that it may also call Mr. Bachrach as a witness.

Accordingly, the United States asks the Court to issue a sequestration order as specified above.

Respectfully submitted this 29th day of January, 2010.

/s/ Robert A. Mandel

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CERTIFICATE OF SERVICE

I hereby certify that on the 29<sup>th</sup> day of January, 2010, I served by electronic transmission a true and correct copy of the foregoing United States' Response to Defendant Marshall's Motion for Sequestration Order on:

Dana Hanna  
Attorney at Law

John Murphy  
Attorney at law

/s/ Robert A. Mandel

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Robert A. Mandel