

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

USDC EDWI
FILED IN GREEN BAY DIV

OCT 29 2009

AT _____ O'CLOCK _____ M
JON W. SANFILIPPO

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 07-C-316

MARSHAL PECORE and CONRAD WANIGER,

Defendants.

SPECIAL VERDICT

We, the Jury, for our verdict in the above captioned matter, find as follows:

HAZARDOUS FUEL REDUCTION INVOICES

1. Did defendant Marshall Pecore violate the False Claims Act with respect to any of the following Hazardous Fuel Reduction invoices submitted to the Bureau of Indian Affairs?

- | | |
|--|----------------------------------|
| a. Invoice 200 for brushing? | Answer (Yes or <u>No</u>) _____ |
| b. Invoice 202 (grading, brushing and culverts)? | Answer (Yes or <u>No</u>) _____ |
| c. Invoice 212 for brushing? | Answer (Yes or <u>No</u>) _____ |
| d. Invoice 214 for brushing? | Answer (Yes or <u>No</u>) _____ |
| e. Invoice 217 for brushing? | Answer (Yes or <u>No</u>) _____ |
| f. Invoice 219 for brushing? | Answer (Yes or <u>No</u>) _____ |
| g. Invoice 224 for brushing? | Answer (Yes or <u>No</u>) _____ |
| h. Invoice 248 for brushing? | Answer (Yes or <u>No</u>) _____ |
| g. Invoice 220 (prescribed burn): | Answer (Yes or <u>No</u>) _____ |
| h. Invoice 222 (prescribed burn): | Answer (Yes or <u>No</u>) _____ |

2. Did defendant Conrad Waniger violate the False Claims Act with respect to any of the following Hazardous Fuel Reduction invoices submitted to the Bureau of Indian Affairs:

- | | |
|--|----------------------------------|
| a. Invoice 200 for brushing? | Answer (Yes or <u>No</u>) _____ |
| b. Invoice 202 (grading, brushing and culverts)? | Answer (Yes or <u>No</u>) _____ |
| c. Invoice 212 for brushing? | Answer (Yes or <u>No</u>) _____ |
| d. Invoice 214 for brushing? | Answer (Yes or <u>No</u>) _____ |
| e. Invoice 217 for brushing? | Answer (Yes or <u>No</u>) _____ |
| f. Invoice 219 for brushing? | Answer (Yes or <u>No</u>) _____ |
| g. Invoice 224 for brushing? | Answer (Yes or <u>No</u>) _____ |
| h. Invoice 248 for brushing? | Answer (Yes or <u>No</u>) _____ |
| g. Invoice 220 (prescribed burn)? | Answer (Yes or <u>No</u>) _____ |
| h. Invoice 222 (prescribed burn)? | Answer (Yes or <u>No</u>) _____ |

3. If you have answered either subparts (a) or (b) of Question 1 or 2 "Yes", then answer the following question: What, if any, damages did the United States sustain as a result of the violation concerning:

- | | |
|-----------------|-----------|
| a. Invoice 200? | \$ _____. |
| b. Invoice 202? | \$ _____. |

SUBSIDIARY BILLINGS

4. Did defendant Marshall Pecore violate the False Claims Act in connection with the following Financial Status Reports for subsidiary funds submitted to the Bureau of Indian Affairs:

a. the Financial Status Report dated August 24, 2001?

Answer (Yes or No) _____

b. the Financial Status report dated November 21, 2001?

Answer (Yes or No) _____

5. Did defendant Conrad Waniger violate the False Claims Act in connection with the following Financial Status Reports for subsidiary funds submitted to the Bureau of Indian Affairs:

a. the Financial Status Report dated August 24, 2001?

Answer (Yes or No) _____

b. the Financial Status report dated November 21, 2001?

Answer (Yes or No) _____

6. If you have answered either subpart of Question 4 or 5 "Yes", then answer this question: What, if any damages did the United States sustain in the loss of subsidiary funds as a result of such violation or violations?

ANSWER \$ _____

Dated this 29 day of October, 2009.



Foreperson