

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal No.: 08-364 (RHK/AJB)

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	GOVERNMENT'S MOTION FOR
)	DISCOVERY PURSUANT TO
v.)	FEDERAL RULES OF CRIMINAL
)	PROCEDURE 16(b), 12.1
(1) THOMAS JOSEPH PETTERS,)	AND 26.2
(2) PETTERS COMPANY, INC.,)	
and)	
(3) PETTERS GROUP)	
WORLDWIDE, LLC.)	
)	
Defendants.)	

The United States of America, by and through its attorneys Frank J. Magill, United States Attorney for the District of Minnesota, Joseph T. Dixon, III, John F. Docherty, John R. Marti and Timothy C. Rank, Assistant United States Attorneys, hereby moves the Court:

A. For its order requiring Thomas Joseph Petters, Petters Company, Inc., and Petters Group Worldwide, LLC., the above-named defendants (hereinafter defendants), pursuant to Rule 16(b) of the Federal Rules of Criminal Procedure to disclose and to permit inspection and copying of the following:

1. Documents and Tangible Objects: All books, papers, documents, photographs, tangible objects, or copies or portions thereof, which are within the possession, custody, or control of defendant and which such defendant intends to introduce as evidence in chief at the trial of the above captioned matter.

2. Reports of Examinations and Tests: All results and reports of physical or mental examinations and of scientific tests or experiments made in connection with the above captioned matter, or copies thereof, within the possession or control of any defendant, which such defendant intends to introduce as evidence in chief at the trial of the above captioned matter or which were prepared by a witness whom such defendant intends to call at trial.

3. Expert Testimony: A written summary of testimony either defendant intends to use under Rules 702, 703 and 705 of the Federal Rules of Evidence as evidence at trial. This summary must describe the opinions of the witnesses, the bases and reasons therefore, and the witnesses' qualifications.

B. Insanity Defense/Mental Illness: For its order pursuant to Rule 12.2 of the Federal Rules of Criminal Procedure requiring defendant Petters to give notice to the government no later than the date of the first hearing on pretrial motions if he intends to rely upon the defense of insanity or introduce expert testimony relating to a mental disease or defect or any other mental condition of the defendant bearing upon the issue of guilt.

C. Witness Statements: For its order pursuant to Rule 26.2 of the Federal Rules of Criminal Procedure requiring the defendants to produce all statements in any of their possession or control of

any witness that such defendant calls in connection with a suppression hearing, detention hearing, trial, or sentencing.

Dated: December 2, 2008

Respectfully Submitted,

FRANK J. MAGILL, JR.
United States Attorney

s/ Joseph Dixon

BY: JOSEPH T. DIXON, III
Attorney ID No. 0283903
JOHN F. DOCHERTY
JOHN R. MARTI
TIMOTHY C. RANK
Assistant U.S. Attorneys