

FILED

JUN 24 2005

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,)
)
)
 Plaintiff,)
)
 vs.)
)
 JOSEPH BANISTER, et al.,)
)
)
 Defendants.)
)
 _____)

CR. No. S-04-435

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY _____
DEPUTY CLERK

VERDICT FORM

We, the jury, find the Defendant, Joseph Banister, as follows:

AS TO COUNT ONE OF THE INDICTMENT

NOT GUILTY
GUILTY/NOT GUILTY

of a violation of Title 18 U.S.C. § 371

Conspiracy to Defraud the United States by Impairing and Impeding the Internal Revenue Service in the Ascertainment, Computation, Assessment and Collection of Taxes

If you find the defendant guilty of count one, do you find unanimously beyond a reasonable doubt that the objective of the conspiracy was to impair, impede, obstruct and defeat the Internal Revenue Service in the ascertainment, computation, assessment and collection of income, social security and Medicare taxes which were due and owing from the employees of Cencal Sales for the period July 1, 2000, through December 31, 2002.

YES / NO

If you find the defendant guilty of count one, do you find unanimously beyond a reasonable doubt that the objective of the conspiracy was to impair, impede, obstruct and defeat the Internal Revenue Service in the ascertainment, computation, assessment and collection of income, social security and Medicare taxes which were due and owing from the operator of Cencal, to wit, defendant Walter A. Thompson for the tax years ending December 31, 1996, 1997 and 1998.

YES / NO

AS TO COUNT FIVE OF THE INDICTMENT

NOT GUILTY
GUILTY/NOT GUILTY

of a violation of Title 26 U.S.C. § 7206(2)

Willfully Aiding, Assisting, Counseling and Procuring
the Filing an Amended Income Tax Return which
Was False with regard to a Material Matter.

AS TO COUNT SIX OF THE INDICTMENT

NOT GUILTY
GUILTY/NOT GUILTY

of a violation of Title 26 U.S.C. § 7206(2)

Willfully Aiding, Assisting, Counseling and Procuring
the Filing an Amended Income Tax Return which
Was False with regard to a Material Matter.

AS TO COUNT SEVEN OF THE INDICTMENT

NOT GUILTY
GUILTY/NOT GUILTY

of a violation of Title 26 U.S.C. § 7206(2)

Willfully Aiding, Assisting, Counseling and Procuring
the Filing an Amended Income Tax Return which
Was False with regard to a Material Matter.

Dated: June 23, 2005

Rohi Morquel
FOREPERSON