

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CREG WILLIAMS DANCE, and
LIBERATO ALESSANDRO IANNONE,

Defendants.

CRIMINAL NO. 02-200

VERDICT FORMS RE: IANNONE

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SOUTHERN DISTRICT OF IOWA

COUNT 1

We, the jury, find the defendant, LIBERATO ALESSANDRO IANNONE,

NOT GUILTY, of conspiracy as charged in Count 1 of the indictment.

[guilty/not guilty]

Note: If you find defendant guilty under this count, you must answer the following question:

We find unanimously that the object of the conspiracy proved under this count is:

___ conspiracy to engage in illegal insider trading;

___ conspiracy to commit wire fraud; or

___ **both** conspiracy to engage in illegal insider trading **and** conspiracy to commit wire fraud.

COUNT 2

We, the jury, find the defendant, LIBERATO ALESSANDRO IANNONE,

NOT GUILTY, of the crime of illegal insider trading with respect to the

[guilty/not guilty]

purchase on the Chicago Board Options Exchange (via E*TRADE) of 20 January/35 call options

on the account of Liberato Iannone on or about November 19, 1998, at approximately 1:23 p.m.

(Central Time) as charged in Count 2 of the indictment.

COUNT 3

We, the jury, find the defendant, LIBERATO ALESSANDRO IANNONE, NOT GUILTY, of the crime of illegal insider trading with respect to the [guilty/not guilty] purchase on the Chicago Board Options Exchange (via Ameritrade) of 50 January/35 call options on the account of Liberato Iannone on or about November 19, 1998, at approximately 1:42 p.m. (Central Time) as charged in Count 3 of the indictment.

COUNT 4

We, the jury, find the defendant, LIBERATO ALESSANDRO IANNONE, NOT GUILTY, of the crime of illegal insider trading with respect to the [guilty/not guilty] purchase on the Chicago Board Options Exchange (via E*TRADE) of 20 January/35 call options on the account of Liberato Iannone on or about November 19, 1998, at approximately 3:00 p.m. (Central Time) as charged in Count 4 of the indictment.

COUNT 5

We, the jury, find the defendant, LIBERATO ALESSANDRO IANNONE, NOT GUILTY, of the crime of illegal insider trading with respect to the [guilty/not guilty] purchase on the Chicago Board Options Exchange (via Ameritrade) of 10 December/35 call options on the account of Liberato Iannone on or about November 19, 1998, at approximately 3:53 p.m. (Central Time) as charged in Count 5 of the indictment.

COUNT 6

We, the jury, find the defendant, LIBERATO ALESSANDRO IANNONE, NOT GUILTY, of the crime of illegal insider trading with respect to the [guilty/not guilty] purchase on the Chicago Board Options Exchange (via Ameritrade) of 50 January/40 call options on the account of Liberato Iannone on or about November 20, 1998, at approximately 8:10 a.m. (Central Time) as charged in Count 6 of the indictment.

COUNT 7

We, the jury, find the defendant, LIBERATO ALESSANDRO IANNONE, NOT GUILTY, of the crime of illegal insider trading with respect to the [guilty/not guilty] purchase on the Chicago Board Options Exchange (via Ameritrade) of 40 December/35 call options on the account of Liberato Iannone on or about November 20, 1998, at approximately 9:39 a.m. (Central Time) as charged in Count 7 of the indictment.

COUNT 8

We, the jury, find the defendant, LIBERATO ALESSANDRO IANNONE, NOT GUILTY, of the crime of illegal insider trading with respect to the [guilty/not guilty] purchase on the Chicago Board Options Exchange (via E*TRADE) of 30 January/40 call options on the account of Liberato Iannone on or about November 21, 1998, at approximately 4:23 p.m. (Central Time) as charged in Count 8 of the indictment.

COUNT 9

We, the jury, find the defendant, LIBERATO ALESSANDRO IANNONE, NOT GUILTY, of the crime of illegal insider trading with respect to the [guilty/not guilty] purchase on the Chicago Board Options Exchange (via Ameritrade) of 30 January/40 call options on the account of Liberato Iannone on or about November 24, 1998, at approximately 12:01 p.m. (Central Time) as charged in Count 9 of the indictment.

COUNT 10

We, the jury, find the defendant, LIBERATO ALESSANDRO IANNONE, NOT GUILTY, of the crime of illegal insider trading with respect to the [guilty/not guilty] purchase on the Chicago Board Options Exchange (via Ameritrade) of 100 January/40 call options on the account of Liberato Iannone on or about November 25, 1998, at approximately 12:52 p.m. (Central Time) as charged in Count 10 of the indictment.

COUNT 11

We, the jury, find the defendant, LIBERATO ALESSANDRO IANNONE, NOT GUILTY, of the crime of illegal insider trading with respect to the [guilty/not guilty] purchase on the Chicago Board Options Exchange (via Ameritrade) of 100 January/40 call options on the account of Liberato Iannone on or about November 25, 1998, at approximately 12:59 p.m. (Central Time) as charged in Count 11 of the indictment.

COUNT 12

We, the jury, find the defendant, LIBERATO ALESSANDRO IANNONE, NOT GUILTY, of the crime of illegal insider trading with respect to the [guilty/not guilty] purchase on the Chicago Board Options Exchange (via E*TRADE) of 30 January/40 call options on the account of Liberato Iannone on or about November 25, 1998, at approximately 1:03 p.m. (Central Time) as charged in Count 12 of the indictment.

COUNT 13

We, the jury, find the defendant, LIBERATO ALESSANDRO IANNONE, NOT GUILTY, of the crime of illegal insider trading with respect to the [guilty/not guilty] purchase on the Chicago Board Options Exchange (via Fidelity) of 30 January/40 call options on the account of Liberato Iannone on or about November 25, 1998, at approximately 3:55 p.m. (Central Time) as charged in Count 13 of the indictment.

COUNT 14

We, the jury, find the defendant, LIBERATO ALESSANDRO IANNONE, NOT GUILTY, of the crime of illegal insider trading with respect to the [guilty/not guilty] purchase on the Chicago Board Options Exchange (via Charles Schwab) of 200 December/40 call options on the account of Liberato Iannone on or about November 26, 1998, at approximately 8:42 p.m. (Central Time) as charged in Count 14 of the indictment.

COUNT 15

We, the jury, find the defendant, LIBERATO ALESSANDRO IANNONE,
NOT GUILTY, of the crime of illegal insider trading with respect to the
[guilty/not guilty]
purchase on the Chicago Board Options Exchange (via E*TRADE) of 50 December/40 call
options on the account of Liberato Iannone on or about November 26, 1998, at approximately
10:40 p.m. (Central Time) as charged in Count 15 of the indictment.

COUNT 16

We, the jury, find the defendant, LIBERATO ALESSANDRO IANNONE,
NOT GUILTY, of the crime of illegal insider trading with respect to the
[guilty/not guilty]
purchase on the Chicago Board Options Exchange (via Fidelity) of 200 December/40 call options
on the account of Liberato Iannone on or about November 27, 1998, at approximately 11:13 p.m.
(Central Time) as charged in Count 16 of the indictment.

COUNT 17

We, the jury, find the defendant, LIBERATO ALESSANDRO IANNONE,
NOT GUILTY, of the crime of illegal insider trading with respect to the
[guilty/not guilty]
purchase on the Chicago Board Options Exchange (via Ameritrade) of 90 December/40 call
options on the account of Liberato Iannone on or about November 27, 1998, at approximately
9:31 p.m. (Central Time) as charged in Count 17 of the indictment.

COUNT 18

We, the jury, find the defendant, LIBERATO ALESSANDRO IANNONE,

NOT GUILTY, of the crime of wire fraud with respect to a telephone call
[guilty/not guilty]

routed through AVEL, Santa Rosa, California to Mercy Hospital, Des Moines, Iowa on or about November 19, 1998, at approximately 10:26 a.m. (Central Time) as charged in Count 18 of the indictment.

Note: If you find defendant guilty under this count, you must answer the following question:

We find unanimously that the object of the wire fraud proved under this count was:

- to obtain property (including confidential business information);
- deprivation of the intangible right of honest services: or
- both** of the above.

COUNT 19

We, the jury, find the defendant, LIBERATO ALESSANDRO IANNONE,

NOT GUILTY, of the crime of wire fraud with respect to a telephone call
[guilty/not guilty]

routed through AVEL, Santa Rosa, California to Mercy Hospital, Des Moines, Iowa on or about November 19, 1998, at approximately 1:35 p.m. (Central Time) as charged in Count 19 of the indictment.

Note: If you find defendant guilty under this count, you must answer the following question:

We find unanimously that the object of the wire fraud proved under this count was:

- to obtain property (including confidential business information);
- deprivation of the intangible right of honest services: or
- both** of the above.

COUNT 20

We, the jury, find the defendant, LIBERATO ALESSANDRO IANNONE,

NOT GUILTY, of the crime of wire fraud with respect to a telephone call
[guilty/not guilty]

from the Iowa Heart Center, Des Moines, Iowa to AVEL, Vancouver, British Columbia on or about November 24, 1998, at approximately 10:43 a.m. (Central Time) as charged in Count 20 of the indictment.

Note: If you find defendant guilty under this count, you must answer the following question:

We find unanimously that the object of the wire fraud proved under this count was:

- to obtain property (including confidential business information);
- deprivation of the intangible right of honest services: or
- both** of the above.

COUNT 21

We, the jury, find the defendant, LIBERATO ALESSANDRO IANNONE,

NOT GUILTY, of the crime of wire fraud with respect to a telephone call
[guilty/not guilty]

from the Iowa Heart Center, Des Moines, Iowa to defendant DANCE's mobile telephone, in or near Lynden, Washington on or about November 24, 1998, at approximately 10:44 a.m. (Central Time) as charged in Count 21 of the indictment.

Note: If you find defendant guilty under this count, you must answer the following question:

We find unanimously that the object of the wire fraud proved under this count was:

- to obtain property (including confidential business information);
- deprivation of the intangible right of honest services: or
- both** of the above.

COUNT 22

We, the jury, find the defendant, LIBERATO ALESSANDRO IANNONE,

NOT GUILTY, of the crime of wire fraud with respect to a telephone call
[guilty/not guilty]

from the Iowa Heart Center, Des Moines, Iowa to AVEI, Vancouver, British Columbia on or
about November 24, 1998, at approximately 5:21 p.m. (Central Time) as charged in Count 22 of
the indictment.

Note: If you find defendant guilty under this count, you must answer the following
question:

We find unanimously that the object of the wire fraud proved under this count was:

___ to obtain property (including confidential business information);

___ deprivation of the intangible right of honest services: or

___ **both** of the above.

COUNT 23

We, the jury, find the defendant, LIBERATO ALESSANDRO IANNONE,

NOT GUILTY, of the crime of wire fraud with respect to a telephone call
[guilty/not guilty]

from the Iowa Heart Center, Des Moines, Iowa to AVEI, Vancouver, British Columbia on or
about November 24, 1998, at approximately 5:23 p.m. (Central Time) as charged in Count 23 of
the indictment.

Note: If you find defendant guilty under this count, you must answer the following
question:

We find unanimously that the object of the wire fraud proved under this count was:

___ to obtain property (including confidential business information);

___ deprivation of the intangible right of honest services: or

___ **both** of the above.

COUNT 24

We, the jury, find the defendant, LIBERATO ALESSANDRO IANNONE,

NOT GUILTY, of the crime of wire fraud with respect to a telephone call
[guilty/not guilty]

from defendant DANCE's residence in Lynden, Washington to defendant IANNONE's mobile phone in or near Des Moines, Iowa on or about November 25, 1998, at approximately 12:39 p.m. (Central Time) as charged in Count 24 of the indictment.

Note: If you find defendant guilty under this count, you must answer the following question:

We find unanimously that the object of the wire fraud proved under this count was:

- to obtain property (including confidential business information);
- deprivation of the intangible right of honest services: or
- both** of the above.

COUNT 25

We, the jury, find the defendant, LIBERATO ALESSANDRO IANNONE,

NOT GUILTY, of the crime of wire fraud with respect to a telephone call
[guilty/not guilty]

from defendant DANCE's residence in Lynden, Washington to the Iowa Heart Center, Des Moines, Iowa on or about November 25, 1998, at approximately 12:39 p.m. (Central Time) as charged in Count 25 of the indictment.

Note: If you find defendant guilty under this count, you must answer the following question:

We find unanimously that the object of the wire fraud proved under this count was:

- to obtain property (including confidential business information);
- deprivation of the intangible right of honest services: or
- both** of the above.

COUNT 26

We, the jury, find the defendant, LIBERATO ALESSANDRO IANNONE,

NOT GUILTY, of the crime of wire fraud with respect to a telephone call
[guilty/not guilty]

from defendant DANCE's residence in Lynden, Washington to the Iowa Heart Center, Des Moines, Iowa on or about November 25, 1998, at approximately 12:54 p.m. (Central Time) as charged in Count 26 of the indictment.

Note: If you find defendant guilty under this count, you must answer the following question:

We find unanimously that the object of the wire fraud proved under this count was:

- to obtain property (including confidential business information);
- deprivation of the intangible right of honest services: or
- both** of the above.

COUNT 27

We, the jury, find the defendant, LIBERATO ALESSANDRO IANNONE,

NOT GUILTY, of the crime of wire fraud with respect to a telephone call
[guilty/not guilty]

from defendant DANCE's residence in Lynden, Washington to the Iowa Heart Center, Des Moines, Iowa on or about November 25, 1998, at approximately 3:40 p.m. (Central Time) as charged in Count 27 of the indictment.

Note: If you find defendant guilty under this count, you must answer the following question:

We find unanimously that the object of the wire fraud proved under this count was:

- to obtain property (including confidential business information);
- deprivation of the intangible right of honest services: or
- both** of the above.

COUNT 28

We, the jury, find the defendant, LIBERATO ALESSANDRO IANNONE,

NOT GUILTY, of the crime of wire fraud with respect to a telephone call
[guilty/not guilty]

from defendant DANCE's mobile telephone in or near Lynden, Washington to defendant IANNONE's residence, West Des Moines, Iowa on or about November 28, 1998, at approximately 11:21 a.m. (Central Time) as charged in Count 28 of the indictment.

Note: If you find defendant guilty under this count, you must answer the following question:

We find unanimously that the object of the wire fraud proved under this count was:

___ to obtain property (including confidential business information);

___ deprivation of the intangible right of honest services; or

___ **both** of the above.

3/7/03

(Date)

Roger A. Austerlind

Foreperson