

with Prejudice Certain Counts of the Superseding Indictment Pursuant to Fed. R. Crim. P. 48(a) and to Submit a Redacted Indictment to the Jury (Doc. No. 1828).

Defendant Forbes also argues that the redacted indictment should not be provided to the jury during deliberations. Defendant Forbes correctly notes that this issue was addressed during the first trial. The court denied the Motion of Walter A. Forbes to Exclude a Written Copy of the Indictment From Jury Deliberations (Forbes' Trial Motion No. 15) (Doc. No. 840)¹ on October 4, 2004 (see Trial Tr. 14456.) Defendant Forbes' motion was denied for substantially the reasons set forth by the government in the Memorandum of the United States in Opposition to Forbes' Motion to Exclude a Written Copy of the Indictment from Jury Deliberations (Doc. No. 860).

As the court informed the parties today, it will review the proposed redacted indictment submitted by the government today. After that review, the court will resolve any disagreements as to what redactions are appropriate.

It is so ordered.

Dated this 16th day of November 2005, in Hartford, Connecticut.

/s/
Alvin W. Thompson
United States District Judge

¹ Defendant Forbes inadvertently refers to this as Forbes' Pretrial Motion No. 15.