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12 Attorneys for Defendant  
13 BARRY BONDS

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15  
16 UNITED STATES DISTRICT COURT  
17 NORTHERN DISTRICT OF CALIFORNIA  
18 SAN FRANCISCO DIVISION  
19

20 UNITED STATES OF AMERICA, ) Case No.: CR 07-0732 SI  
21 Plaintiffs, ) DEFENDANT'S WITNESS LIST  
22 vs. ) Trial Date: March 2, 2009  
23 BARRY LAMAR BONDS, ) Hon: Susan Illston  
24 Defendants )

25  
26 Pursuant to the Court's Order for Pretrial Preparation filed June 19, 2008, Defendant  
27 Barry I. Bonds respectfully submits a partial list of witnesses who may be called by the  
28 defense at trial.

1           1.     Brian Goldman, M.D. Dr. Goldman is a medical doctor. Depending upon  
2 which, if any, purported laboratory evidence is offered by the Government, Dr. Goldman  
3 may be called to testify to the circumstances under which he was identified as the physician  
4 who ordered and authorized laboratory procedures.

5           2.     Harvey Shields. Mr. Shields was a trainer for Mr. Bonds. If called as a  
6 witness, Mr. Shields may testify to his personal interactions with Mr. Bonds, Greg  
7 Anderson, and other potential Government witnesses.

8           3.     Mark Letendre. Mr. Letendre was a trainer for the San Francisco Giants. If  
9 called as a witness, Mr. Letendre may be asked about his personal interactions with Mr.  
10 Bonds, Greg Anderson, and other potential Government witnesses.

11          4.     Michael Rains. Mr. Raines is an attorney. If called as a witness he may  
12 testify to promises and representations made by the Government prior to Mr. Bonds' Grand  
13 Jury testimony, as well as interactions between the Government and Mr. Bonds after the  
14 promises and representations were made, but before he testified.

15          5.     Dr. David Black. Dr. Black is an expert witness who may or may not be  
16 called to testify, depending in part upon (1) the admissibility of purported laboratory  
17 evidence which is the subject of pending motions *in limine*, and (2) under *Daubert*, the  
18 admissibility of opinion evidence by Government experts. Dr. Black is the director and  
19 C.E.O. of Aegis Sciences Corporation, a licensed clinical laboratory that performs urine and  
20 blood testing for athletic associations and others. Dr. Black has a Ph.D. in Forensic  
21 Toxicology Legal Medicine with a minor in Medicinal Chemistry and Pharmacology. He is  
22 a Clinical Associate Professor at the Meharry Medical College in the Department of  
23 Pharmacology. Dr. Black has testified as an expert on testing issues in numerous court  
24 matters. A copy of his *curriculum vitae* is attached. Dr. Black will evaluate any urine or  
25 blood test results that the Government introduces into evidence, together with any  
26 associated laboratory documentation, and will offer opinions concerning the tests' validity.  
27 Dr. Black will address the Government experts' opinions that the tests "reflect steroid use"  
28 and that the indicated steroid "is usually administered by injection." Govt. Opp. to

1 Defendant's *In Limine* Motion at 47.

2           6.       Dr. Ronald Swerdloff. Dr. Swerdloff is an expert witness who may or may  
3 not be called to testify, depending in part upon (1) the admissibility of purported laboratory  
4 evidence which is the subject of pending motions *in limine*, and (2) under *Daubert*, the  
5 admissibility of opinion evidence by Government experts. Dr. Swerdloff is a medical  
6 doctor specializing in endocrinology, internal medicine and andrology. As the Director,  
7 Harbor-UCLA Reproductive Program – World Health Organization Collaborative Center  
8 for Reproduction, he has extensive experience in the study and treatment of pituitary gland,  
9 including human growth hormone replacement therapy. He is a renowned expert in fields of  
10 research regarding effects of exogenous consumption of testosterone and other androgens  
11 (steroids), as well as of grown hormone. He has testified as a medical expert in numerous  
12 court matters. A copy of his *curriculum vitae* is attached. Dr. Swerdloff will testify to his  
13 opinions concerning the likely effects of anabolic steroids and human growth hormone, as  
14 established by peer review studies and reliable scientific methods and procedures.

15           7.       The individual listed below are all Federal Agents who, among other things,  
16 conducted interviews of individuals who may be Government witnesses. If such persons  
17 give testimony which is subject to impeachment by their prior statements, the individuals  
18 listed below may be called to testify to the prior statements:

- 19                           Jeff Novitzky
- 20                           Ken Bonano
- 21                           Erwin Rogers
- 22                           Jon Colombet
- 23                           Ed Barberini
- 24                           Christopher Fuelling
- 25                           Brian Cook
- 26                           Heather Young
- 27                           Anthony Montero
- 28                           Douglass Doss

1 John Posusney  
2 Steve Coffin  
3 Vincent Browning  
4 Gregory Jenkins  
5

6 Defense counsel believe that listing additional witnesses, who are potential  
7 impeachment witnesses, would be inconsistent with the Defendant's right to an effective  
8 defense.<sup>1</sup> It would provide untruthful Government witnesses – if any there be – with  
9 advance warning of conversations, relationships and transactions as to which impeaching  
10 evidence is – and importantly, is not – available for presentation at trial.  
11

12 Respectfully submitted,

13  
14 DATED: February 13, 2009

LAW OFFICES OF ALLEN RUBY

15  
16 /s/  
17 Allen Ruby, Attorney for  
18 Defendant Bonds,

19 DATED: February 13, 2009

ARGUEDAS, CASSMAN & HEADLEY, LLP

20  
21 /s/  
22 Cristina A. Arguedas, Attorney for  
23 Defendant Bonds,  
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28 <sup>1</sup> A number of impeaching witnesses unavoidably had to be identified on this attached Witness List because they are Government agents subpoenaed through the prosecution.