

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA)
)
v.) 08CR888
)
) Judge James B. Zagel
ROD BLAGOJEVICH)

DEFENDANT ROD BLAGOJEVICH'S
MOTION FOR MISTRIAL FOR VIOLATION UPON VIOLATIONS OF FEDERAL RULE
OF EVIDENCE 701

Now Comes Defendant Rod Blagojevich, by and through his counsel and hereby files his Motion for Mistrial, requesting a mistrial and dismissal of the indictment, along with other alternative relief. In support of said motion, defendant states the following:

1. Federal Rule of Evidence 701 prohibits opinion evidence by lay witnesses
2. This court permitted witness Doug Scofield to testify to his opinion as to what Bill Knapp meant after he had a conversation in which Defendant Rod Blagojevich told him what Bill Knapp said in a conversation in which Doug Scofield was not present

WHEREFORE, defendant Rod Blagojevich respectfully requests this Honorable Court

Respectfully submitted,

/s/ Sam Adam

Sheldon Sorosky
Sam Adam
Michael Gillespie
Samuel E. Adam
Aaron Goldstein
Lauren Kaeseberg
6133 S. Ellis

Chicago, IL 60637
(773) 752-6950

Attorneys for Rod Blagojevich, Defendant