

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

Criminal Action No. 05-cr-00545-EWN

UNITED STATES OF AMERICA

Plaintiff,

v.

JOSEPH P. NACCHIO,

Defendant.

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**STATEMENT ATTACHING ATTACHMENT TO DOCUMENT #349**

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Defendant Joseph P. Nacchio filed a Motion to Reconsider Order Requiring The Defense To Call A Witness In Order For Exhibit A-1031 To Be Admissible, And For The Admission Of The Exhibit without being Forced to Call a Hostile Witness on April 8, 2007, Doc. #349. Attached is the unpublished opinion referenced in footnote 1 of said Motion.

Respectfully submitted this 8th day of April, 2007.

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 8<sup>th</sup> day of April 2007, a true and correct copy of the foregoing **Statement Attaching Attachment to Document #349**, was served on the following through the CM/ECF system which will send notification of such filing to the following e-mail addresses:

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