

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN (Green Bay)

---

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 19-CR-00151-WCG-NJ-11

STEPHANIE M. ORTIZ,

Defendant.

---

**DEFENDANT'S REQUEST FOR EXPERT WITNESS SUMMARY  
PURSUANT TO FED. R. CRIM. P. 16(a)(1)(G)**

---

The defendant Stephanie M. Ortiz, by attorney Thomas G. Wilmouth, pursuant to Fed. R. Crim. P. 16(a)(1)(G), requests that the government provide the defendant 15 days in advance of the May 29, 2020 final pretrial conference a written summary of any testimony that the government intends to use under Rules 702 [Testimony by Expert Witnesses], 703 [Bases of an Expert's Opinion Testimony], and 705 [Disclosing the Facts or Data Underlying an Expert's Opinion]. The summary provided must describe the witness's opinions, the basis and reasons for those opinions, and the witness's qualifications. Fed. R. Crim. P. 16(a)(1)(G).

This request is particularly made with regards to law enforcement witnesses who intend to testify as expert witnesses. *United States v. Jett*, 908 F.3d 252, 269 (7th Cir. 2018) [When a district judge learns that the government intends to put on dual-role testimony from a case agent, it should first encourage the government to

present the expert and lay testimony separately; juries must parse what they should evaluate based on the witness's personal knowledge from what they should evaluate based on the witness's qualifications, training, and methods].

Rule 16(a)(1)(G) is "intended to minimize surprise that often results from unexpected expert testimony, reduce the need for continuances, and to provide the opponent with a fair opportunity to test the merit of the expert's testimony through focused cross-examination." Fed. R. Crim. P. 16 Advisory Committee Notes (1993 Amendment).

Dated at Green Bay, Wisconsin on February 28, 2019.

Respectfully submitted,

/s/ Thomas G. Wilmouth  
Thomas G. Wilmouth  
WI Bar No. 1011746  
P.O. Box 787  
Green Bay, Wisconsin 54305  
[715] 525-1685 [Telephone]  
[715] 598-6208 [Facsimile]  
[tom.wilmouth@gmail.com](mailto:tom.wilmouth@gmail.com)