

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY

Eastern District of Kentucky
FILED

JUL 09 2002

AT LEXINGTON
LESLIE G. WHITMER
CLERK: U.S. DISTRICT COURT

**AMENDED AND RESTATED PLAN PROVIDING FOR JURY SELECTION AND
SERVICE SYSTEM IN ALL JURY DIVISIONS OF THE DISTRICT**

It appearing to the Court that a plan for the random selection of grand and petit jurors in this district is needed to be up-dated, it is hereby **ORDERED** that:

POLICY

1.1 It is the policy of this Court that all persons and entities entitled to consideration by a jury shall have the right to grand and petit juries selected at random from a fair cross-section of the community in the jury division of the district wherein the court convenes; and that all qualified citizens of the district shall have the opportunity to be considered for service on grand and petit juries, and shall have an obligation to serve as jurors when summoned for that purpose. The use of the word "Court" in this order shall contemplate the full Court, or any judge thereof.

DISCRIMINATION PROHIBITED

2.1 No citizen shall be excluded from service as a grand or petit juror on account of race, color, religion, sex, national origin or economic status.

MANAGEMENT OF JURY SELECTION PROCESS

3.1 The jury selection process shall be managed by the Clerk of the Court and no jury commission is to be established. The Clerk shall act under the supervision of the Chief Judge and such other judges of the court as may be designated. The Clerk shall establish procedures for the implementation of this plan and the operation of the Jury System.

3.2 Separate master and qualified juror wheels for each jury division, and all records relating thereto, shall be maintained at the headquarters office in Lexington.

SOURCES OF NAMES FOR JURY SERVICE

4.1 It is hereby determined that the voter registration lists represent a fair cross-section of the community in this district and in each of the jury divisions in this district. That such voter registration lists are available to the Court in an automated jury registration list maintained through the Secretary of State for the Commonwealth of Kentucky. Therefore, the names of grand and petit jurors shall be selected at random from voter registration lists of each county within the respective jury divisions as hereafter provided and placed in the master wheel for each division. (the "master wheel").

4.2 The Court may at the option of the Judges and the Clerk use electronic data processing equipment for any combination of the following tasks:

(1) Selecting and copying of names for the master wheel from the voter registration punched cards, magnetic tapes or magnetic discs maintained by the Secretary of State of the Commonwealth of Kentucky.

(2) Selecting and copying of names from the master wheel for the addressing of questionnaires and for other clerical tasks.

(3) Selecting and copying names from the qualified wheel for summoning persons to serve as grand or petit jurors, and for the creation of any papers and records, necessary to recruit, select, and pay jurors.

(4) Reading, collating and otherwise processing juror information forms.

RANDOM SELECTION FROM VOTER REGISTRATION LISTS

5.1 Random selection of names from the voter registration lists for each county in the districts shall be accomplished by drawing a starting number of 1 to 50, by lot, and commencing therewith on the voter registration lists, or other lists provided by this plan, selecting the names with the remaining names required to be selected in multiples to produce the number of names required for the master wheel. (For example, if the starting number drawn is 17 and the multiple required to produce the number of names for the master wheel is 50, the names selected in each county would be 17, 67, 117, 167, etc., throughout the lists of names.)

5.2 For the purpose of determining proportional representation in the master jury wheel, the number of registered voters in each county at the last general election for President of the United States and biennially thereafter, shall be used.

5.3 Jurors from any part of the district may be required to serve at any of the places where Court is held.

5.4 Jury divisions as used in this plan are divisions created by Order of the Court and are not statutory divisions created by law. The assignment of counties to jury divisions shall be by Order of the Court and may be changed as deemed necessary and appropriate.

MASTER JURY WHEELS

6.1 There shall be a master jury wheel for each division into which the names of persons selected as provided in paragraph 5.1, above, shall be placed for drawing for consideration for jury service.

6.2 Jury divisions shall bear the name of the places of holding court in this district and their names and the counties are assigned to each are:

ASHLAND:	Boyd, Carter, Elliott, Greenup, Lawrence, Lewis, Morgan, Rowan
COVINGTON:	Boone, Bracken, Campbell, Gallatin, Grant, Kenton, Mason, Pendleton, Robertson
FRANKFORT:	Anderson, Carroll, Franklin, Henry, Owen, Shelby, Trimble
LEXINGTON:	Bath, Bourbon, Boyle, Breathitt, Clark, Estill, Fayette, Fleming, Garrard, Harrison, Jessamine, Lee, Lincoln, Madison, Menifee, Mercer, Montgomery, Nicholas, Powell, Scott, Wolfe, Woodford
LONDON:	Bell, Clay, Harlan, Jackson, Knox, Laurel, Leslie, McCreary, Owsley, Perry, Pulaski, Rockcastle, Wayne, Whitley
PIKEVILLE:	Floyd, Johnson, Knott, Letcher, Magoffin, Martin, Pike

6.3 The Clerk shall determine the number of names to be placed in the master jury wheel for each jury division; provided, however, that the number of names shall not be less than the following:

ASHLAND	2,000
COVINGTON	2,000
FRANKFORT	1,000
LEXINGTON	3,000
LONDON	2,500
PIKEVILLE	2,500

6.4 When ordered by the Court, the Clerk shall place additional names with proportionate representation from each county of the jury division in the master wheel to maintain a sufficient number from which names may be selected for the qualified jury wheel.

6.5 The master jury wheel shall be emptied of all names between the dates of November 1 and December 30 on a biennial schedule beginning December 30, 1992, continuing thereafter, and shall be refilled with the minimum number of names as determined by the Clerk. The names shall be taken from the most recent automated jury registration lists. The master jury wheel shall be filled between November 1 of a year after, in which a biennial purging is held and April 1 of the year immediately following.

EXCUSES BY INDIVIDUAL REQUEST

7.1 On Individual request, any judge of the court may excuse a juror on finding that such service would entail undue hardship or extreme inconvenience if the juror resides at a distance more than 70 miles from the place of holding court.

7.2 The Clerk may grant a temporary excuse to jurors on grounds of undue hardship or extreme inconvenience.

EXEMPTIONS FROM JURY SERVICE

8.1 The following persons shall be barred from jury service on the ground that they are exempt and their exemptions are in the public interest and would be inconsistent with Sections 1861 and 1862 of Title 28, United States Code:

- (1) Members in active service in the Armed Forces of the United States;
- (2) Members of the fire, police departments of any state, district, territory, possession or subdivision thereof, and upon individual request, volunteer safety personnel;
- (3) Public officers in the executive, legislative or judicial branch of the Government of the United States, or any state, district, territory or subdivision thereof, who are actively engaged in the performance of official duties.

8.2 All persons are deemed qualified to serve on grand and petit juries except the following:

- (1) A person who is not a citizen of the United States 18 years of age who was resided for a period of one year within the judicial district;
- (2) A person who is unable to read, write, and understand the English language with a degree of proficiency to fill out satisfactorily the juror questionnaire form;
- (3) A person who is unable to speak the English language;

(4) A person who is not capable, by reason of mental or physical infirmity, to render satisfactory jury service; or

(5) A person who has a charge pending against him for the commission of, or has been convicted in a State or Federal Court of a crime punishable by imprisonment for more than one year and his civil rights have not been restored by pardon or amnesty.

The following persons shall not be barred from jury service, but may be excused from such service upon request, if jury service by such persons would entail undue hardship or extreme inconvenience and excusing them will not be inconsistent with Sections 1861 and 1862 of the Act:

(1) Persons through office, position or employment are either directly or indirectly connected with the administration of justice;

(2) Regularly licensed and practicing physicians, dentists and registered nurses;

(3) School personnel while their schools are in session.

AVAILABILITY OF NAMES OF JURORS SUMMONED

9.1 Within three days after jurors are summoned for service from the juror lists which were drawn from the qualified wheel, a list of names of those summoned shall be available to the parties and to the public unless otherwise ordered by the Court.

ASSIGNMENTS TO GRAND OR PETIT JURY PANELS

10.1 A grand jury shall be impaneled by calling for service as grand jurors the number of qualified jurors required for such service from the list of qualified jurors drawn for the jury division in which a grand jury is impaneled and continuing to call names until a sufficient number of jurors are qualified for grand jury duty. If additional grand jurors are needed to fill vacancies that may

occur or to enlarge the membership of a grand jury, additional names of qualified jurors shall be called until the grand jury panel is filled.

10.2 A petit jury shall be impaneled by calling for service as petit jurors the number of qualified jurors required for such service from the list of qualified jurors drawn for the jury division in which a petit jury is required and continuing to call names until a sufficient number of jurors are qualified for petit jury duty, If additional petit jurors are needed to fill vacancies that may occur or to enlarge the membership of a petit jury, additional names of qualified jurors shall be called until petit jury panel is filled.

ADDITIONAL QUALIFIED JURORS

11.1 The Clerk shall draw panels of jurors from the qualified juror wheel as the business of the court required upon order of the Court. The names drawn shall be placed on lists in the order drawn, to be summoned therefrom as needed.

JUROR QUESTIONNAIRES

12.1 Juror qualification forms shall be prepared and executed in conformity with the provisions of Section 1864, Title 28, United States Code.

12.2 Persons whose names are drawn under this plan and to whom juror qualification forms are addressed shall be subject to all provisions of Section 1864, Title 28, United States Code.

DRAWING OF JURY OF THE DISTRICT

13.1 The procedure for the selection of names when it is necessary that a jury panel of the district be summoned for the trial of a case or cases, will be:

(1) The Clerk will be directed by Order of the Court to draw not less than 50 names nor more than 90 names, from the qualified jury wheel of each jury division, the number from each wheel to be in proportion to the registered voters over age 18 years in each jury division so far as it is reasonable to do so;

(2) An alphabetical list of the names of the qualified jurors drawn from the qualified jury wheel for each jury division shall be made and filed by the Clerk;

(3) All names drawn from the several qualified jury wheels shall then be co-mingled and deposited in an empty jury wheel and shall be drawn for jury duty at the place and time provided by the order in numerical paragraph (1) above;

(4) A list of the jurors of the district so drawn shall be maintained by the Clerk for public inspection and such list shall indicate the numerical sequence in which the names were drawn after co-mingling.

PRESERVATION OF RECORDS

14.1 After the master jury wheel is emptied and refilled pursuant to provision of Title 28, United States Code 1863(b)(4) and after all persons selected to serve as jurors before the master wheel was emptied have completed such service, all records compiled and maintained by the Clerk before the master wheel was emptied shall be preserved in the custody of the Clerk for four years or for such longer period as may be ordered by the Court, and shall be available for public inspection for the purpose of determining the validity of the selection of any jury.

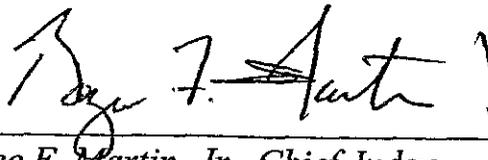
DELEGATION OF DUTIES TO NON-COURT PERSONNEL

15.1 The Clerk is authorized to delegate such duties as may be required from time to time to non-court personnel to assist the Clerk in the performance of his duties and responsibilities under this Plan.

CERTIFICATION OF APPROVAL

This is to certify that, in accordance with 28 U.S.C. §1863(a), the foregoing amended and restated Plan of the United States District Court for the Eastern District of Kentucky for the Random Selection of Grand and Petit Jurors, has been duly received and approved as complying with the law by a reviewing panel consisting of the members of the Judicial Council of the Sixth Circuit of the United States.

This the 29th day of May, 2002.



*Boyce F. Martin, Jr., Chief Judge
United States Court of Appeals
For the Sixth Circuit*

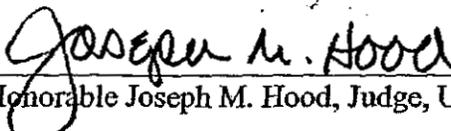
DELEGATION OF DUTIES TO NON-COURT PERSONNEL

15.1 The Clerk is authorized to delegate such duties as may be required from time to time to non-court personnel to assist the Clerk in the performance of his duties and responsibilities under this Plan.

June 11, 2002


Honorable Karl S. Forester, Chief Judge, U.S. District Court

June 12, 2002


Honorable Joseph M. Hood, Judge, U.S. District Court

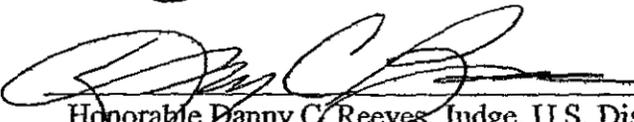
June 12, 2002


Honorable Jennifer B. Coffman, Judge, U.S. District Court

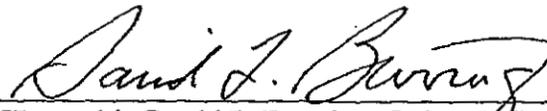
June 24, 2002


Honorable Karen K. Caldwell, Judge, U.S. District Court

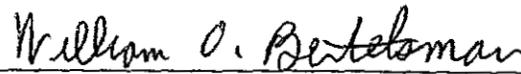
June 27, 2002


Honorable Danny C. Reeves, Judge, U.S. District Court

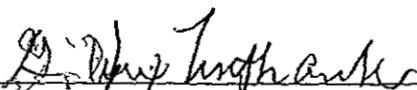
June 26, 2002


Honorable David L. Bunning, Judge, U.S. District Court

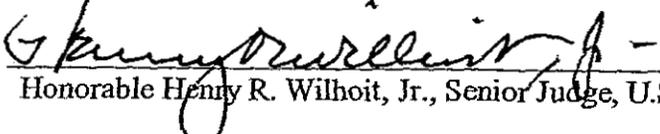
June 26, 2002


Honorable William O. Bertelsman, Senior Judge, U.S. District Court

June , 2002


Honorable G. Wix Unthank, Senior Judge, U.S. District Court

July 8, 2002


Honorable Henry R. Wilhoit, Jr., Senior Judge, U.S. District Court

CERTIFICATION

The undersigned certifies that a true and correct copy of the foregoing amended and restated Plan of the United States District Court for the Eastern District of Kentucky for the Random Selection of Grand and Petit Jurors was mailed by first class mail, postage prepaid to the Administrative Office of the United States Courts, Washington, D.C. 20544, to the Honorable John Ashcroft, Attorney General of the United States , Department of Justice, 950 Pennsylvania Avenue, NW, Washington, D.C., 20530-0001, and to the Honorable Greg Van Tatenhove, United States Attorney for the Eastern District of Kentucky, 110 West Vine Street, Suite 400, Lexington, Kentucky, 40507.

This the 9th day of July, 2002.



LESLIE G. WHITMER, CLERK
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY

**First Amendment to the Plan Providing for a Jury Selection
and Service System in All Jury Divisions of the District**

A new paragraph is added to §5 of the Plan to permit the use of computerized random selection programs to read as follows:

5.5 At the Clerk's option, the selection of names from complete source list databases in electronic media for the master jury wheel may be accomplished by a purely randomized process through routines approved by the National Institute of Standards and Technology (NIST). Similarly, at the option of the Clerk, a properly programmed electronic data processing system for pure randomized selection may be used to select names from the master wheel for the purpose of determining qualification for jury service, and from the qualified wheel for summoning persons to serve as grand or petit jurors. Such random selections of names from the source list for inclusion in the master wheel by data computer personnel must insure that each county within the jury division is substantially proportionally represented in the master jury wheel in accordance with 28 U.S. C. § 1863(b)(3). The selections of names from the source list, the master wheel, and the qualified wheel must also insure that the mathematical odds of any single name being picked are substantially equal for all names.

**Eastern District of Kentucky
FILED**

MAY 05 2004

**AT LEXINGTON
LESLIE G. WHITMER
CLERK: U.S. DISTRICT COURT**

ADOPTION OF FIRST AMENDMENT BY COURT

The foregoing First Amendment to the Amended and Restated Plan Providing for a Jury Selection and Service System in All Jury Divisions of the United States District Court for the Eastern District of Kentucky, is adopted by the Court.

Date: 4/12/04

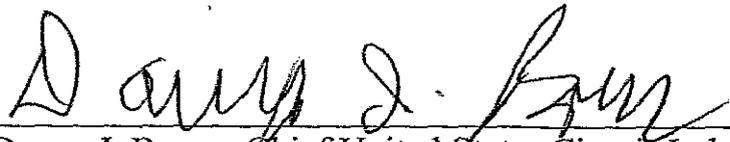


Hon. Karl S. Forester, Chief U.S. District Judge

CERTIFICATE OF APPROVAL

This is to certify that, in accordance with 28 US. C. §1863(a), the foregoing First Amendment to the Amended and Restated Plan Providing for a Jury Selection and Service System in All Jury Divisions of the United States District Court for the Eastern District of Kentucky, has been duly received and approved as complying with the law by a reviewing panel consisting of the members of the Judicial Council of the Sixth Circuit of the United States.

This the 5 day of MAY, 2004.



Danny J. Boggs, Chief United States Circuit Judge
United States Court of Appeals for the Sixth Circuit

Danny J. Boggs, Chief United States Circuit Judge
United States Court of Appeals for the Sixth Circuit
532 Potter Stewart U.S. Courthouse
100 E. Fifth Street
Cincinnati, OH 45202-3988

MAY 12 2004

OFFICE OF THE CIRCUIT EXECUTIVE
UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT
503 POTTER STEWART UNITED STATES COURTHOUSE
100 EAST FIFTH ST.
CINCINNATI, OHIO 45202-3988

JAMES A. HIGGINS
CIRCUIT EXECUTIVE

TELEPHONE (513) 564-7200
FAX (513) 564-7210

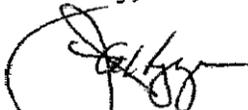
May 10, 2004

Leslie G. Whitmer, Clerk
United States District Court
Eastern District of Kentucky
Post Office Drawer 3074
Lexington, KY 40588-3074

Dear Mr. Whitmer:

At a meeting of the Sixth Circuit Judicial Council held on May 5, 2004, the Council approved the First Amendment to the Jury Selection Plan for the United States District Court for the Eastern District of Kentucky. Returned herewith is the Amendment together with the original Certificate of Approval signed by Chief Judge Danny J. Boggs.

Sincerely,



James A. Higgins
Circuit Executive

Enclosure

cc: Honorable Karl S. Forester

SEP 01 2005

SECOND AMENDMENT TO THE AMENDED AND
RESTATED PLAN PROVIDING FOR A JURY SELECTION
AND SERVICE SYSTEM IN ALL JURY DIVISIONS
OF THE EASTERN DISTRICT OF KENTUCKY

AT LEXINGTON
LESLIE G. WHITMER
CLERK OF DISTRICT COURT

AVAILABILITY OF NAMES OF JURORS SUMMONED

9.1 Within three days after jurors are summoned to serve on a civil or criminal petit jury, a list of names of those summoned shall be available upon request to the parties and their counsel and to the public unless otherwise ordered by the Court.

9.2 The list provided to the parties and their counsel shall contain only the following information:

- (1) Name;
- (2) Address, including street, city and zip code;
- (3) Length of residence in State and County;
- (4) County of residence;
- (5) Place of birth;
- (6) Marital status;
- (7) Number of children;
- (8) Occupation or business, or, if retired, former occupation or business;
- (9) Name of employer or business;
- (10) Address of employer or business;
- (11) Spouse's occupation or business, or, if retired, former occupation;
- (12) Whether any felony charges are pending in Federal or State court;
- (13) Whether any felony convictions exist in Federal or State court; and, if so, whether civil rights have been restored;
- (14) Whether a physical or mental infirmity exists that would impair the capacity to serve as a juror;
- (15) Whether employed by the Federal government; and
- (16) Estimated distance of residence from court house.

9.3 The list provided to the public shall only contain the following information:

- (1) Name;
- (2) Address, including street, city and zip code; and,
- (3) County of residence.

9.4 The lists provided to the parties, their counsel and the public shall not contain any information regarding home and work telephone numbers or social security numbers.

9.5 This section applies only to persons summoned for petit juries in civil and criminal

matters. No information regarding persons summoned for grand jury service is to be released.

9.6 Unless permitted by the Court, no party or attorney - or the representative of a party or attorney - may contact, interview, or communicate with any juror before, during, or after trial. No person may contact, interview, or communicate with a juror on any matter relating to the trial before or during the trial, see Local Rule 47.1 and Local Criminal Rule 24.1(a).

Effective Date: This Second Amendment to the Amended and Restated Plan providing for a Jury Selection and Service System in All Jury Divisions of the Eastern District of Kentucky is effective on the date of its approval by the Judicial Council of the Sixth Judicial Circuit.

Certificate of Adoption of Second Amendment to the Amended and Restated Plan Providing for a Jury Selection And Service System in All Jury Divisions of the Eastern District of Kentucky

The foregoing Second Amendment to the Amended and Restated Plan Providing for a Jury Selection and Service System in All Jury Divisions of the United States District Court for the Eastern District of Kentucky, has been adopted by the United States District Court for the Eastern District of Kentucky, on the instant date.

Date: August 2, 2005

Joseph M. Hood

Hon. Joseph M. Hood
Chief United States District Judge
United States District Court
Eastern District of Kentucky

OFFICE OF THE CIRCUIT EXECUTIVE
UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT
503 POTTER STEWART UNITED STATES COURTHOUSE
100 EAST FIFTH ST.
CINCINNATI, OHIO 45202-3988

SEP 01 2005

JAMES A. HIGGINS
CIRCUIT EXECUTIVE

TELEPHONE (513) 564-7200
FAX (513) 564-7210

August 31, 2005

Leslie G. Whitmer, Clerk
United States District Court
Eastern District of Kentucky
P.O. Box 3074
Lexington, Kentucky 40588-3074

Dear Mr. Whitmer:

By mail vote the Sixth Circuit Judicial Council has approved the Second Amendment to the Amended and Restated Jury Selection Plan for the Eastern District of Kentucky. Returned herewith is the original plan together with the Certificate of Approval signed by Chief Judge Boggs.

Sincerely,



James A. Higgins
Circuit Executive

Enclosure

cc/Encl: Honorable Joseph M. Hood

CERTIFICATE OF APPROVAL

This is to certify that, in accordance with 28 U.S.C. § 1863(a), the foregoing Second Amendment to the Amended and Restated Plan Providing for a Jury Selection and Service System in All Jury Divisions of the United States District Court for the Eastern District of Kentucky, has been duly received and approved as complying with the law by a reviewing panel consisting of the members of the Judicial Council of the U. S. Court of Appeals for the Sixth Circuit of the United States.

Date:

8/25/05



Danny J. Boggs, Chief United States Circuit Judge
United States Court of Appeals for the Sixth Circuit

Danny J. Boggs, Chief United States Circuit Judge
United States Court of Appeals for the Sixth Circuit
532 Potter Stewart U.S. Courthouse
100 E. Fifth Street
Cincinnati, OH 45202-3988

THIRD AMENDMENT TO THE AMENDED AND
RESTATED PLAN PROVIDING FOR A JURY SELECTION
AND SERVICE SYSTEM IN ALL JURY DIVISIONS
OF THE EASTERN DISTRICT OF KENTUCKY

AVAILABILITY OF NAMES OF JURORS SUMMONED

9.1(1) Upon request, the Jury Clerk shall make petit juror information forms available to counsel for the parties seven days prior to the trial for use in preparation for and during voir dire subject to the provisions of LR 47.1(a) and LCrR 24.1. Under no other circumstance shall juror information be provided to any other person or entity.

9.1(2) After voir dire is completed, counsel shall immediately return the petit juror information forms to the Jury Clerk, who shall keep them confidential, except for further use by the court in future cases.

9.2 The list provided to the parties and their counsel shall contain only the following information:

- (1) Name;
- (2) Address, including street, city and zip code;
- (3) Length of residence in State and County;
- (4) County of residence;
- (5) Place of birth;
- (6) Marital status;
- (7) Number of children;
- (8) Occupation or business, or, if retired, former occupation or business;
- (9) Name of employer or business;
- (10) Address of employer or business;
- (11) Spouse's occupation or business, or, if retired, former occupation;
- (12) Whether any felony charges are pending in Federal or State court;
- (13) Whether any felony convictions exist in Federal or State court; and, if so, whether civil rights have been restored;
- (14) Whether a physical or mental infirmity exists that would impair the capacity to serve as a juror;
- (15) Whether employed by the Federal government; and
- (16) Estimated distance of residence from court house.

9.3 The lists provided to the parties and their counsel shall not contain any information regarding home and work telephone numbers or social security numbers.

9.4 This section applies only to persons summoned for petit juries in civil and criminal matters. No information regarding persons summoned for grand jury service is to be released.

9.5 Unless permitted by the Court, no party or attorney - or the representative of a party or attorney - may contact, interview, or communicate with any juror before, during, or after trial. No person may contact, interview, or communicate with a juror on any matter relating to the trial before or during the trial, see Local Rule 47.1 and Local Criminal Rule 24.1(a).

Effective Date: This Third Amendment to the Amended and Restated Plan Providing for a Jury Selection And Service System in All Jury Divisions of the Eastern District of Kentucky is effective on the date of its approval by the Judicial Council for the Sixth Circuit.

Note: This Third Amendment is made pursuant to the Court's Order of June 23, 2008. The then existing 9.1 was deleted and replaced by 9.1(1) and (2). The then existing 9.3 was deleted and subsequent paragraphs renumbered.

ADOPTION OF THIRD AMENDMENT BY COURT

The foregoing Third Amendment to the Amended and Restated Plan Providing for a Jury Selection and Service System in All Jury Divisions of the United States District Court for the Eastern District of Kentucky, is adopted by the Court.

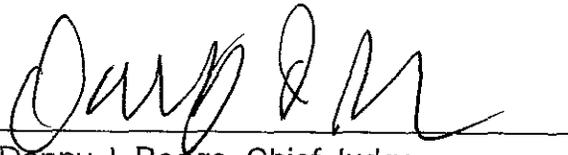
Date: June 26, 2008


Hon. Jennifer B. Coffman
Chief U.S. District Judge

CERTIFICATE OF APPROVAL

This is to certify that, in accordance with 28 U.S.C. Section 1863(a), the foregoing Third Amendment to the Amended and Restated Plan Providing for a Jury Selection and Service System in All Jury Divisions of the United States District Court for Eastern District of Kentucky, has been duly received and approved as complying with the law by a reviewing panel consisting of the members of the Judicial Council of the Sixth Circuit of the United States.

This 9th day of January, 2009.

A handwritten signature in black ink, appearing to read "Danny J. Boggs", written over a horizontal line.

Danny J. Boggs, Chief Judge
United States Court of Appeals
for the Sixth Circuit

CERTIFICATE OF MAILING

The undersigned certifies that a true and correct copy of the foregoing Third Amendment to the Amended and Restated Plan Providing for a Jury Selection and Service System in All Jury Divisions of the United States District Court for the Eastern District of Kentucky was mailed by first class mail, postage prepaid to the Office of General Counsel, Administrative Office of the United States Courts, Washington, D.C. 20544, to the Attorney General of the United States . Department of Justice, 950 Pennsylvania Avenue, NW, Washington, D.C., 20530-000 1, and to the United States Attorney for the Eastern District of Kentucky, 110 West Vine Street, Suite 400, Lexington, Kentucky, 40507.

This 22nd day of January, 2009



LESLIE G. WHITMER, CLERK
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY