



THE LAW FIRM OF PUCKETT AND FARAJ, PC

June 8, 2010

Via email: david.gilinsky@usmc.mil

Capt Gilinsky
Trial Counsel
MCAGCC
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Re: Witness request in the motions hearing in the case of United States v. Scarselli scheduled for 16 and 17 June 2010.

- a. The defense respectfully requests that the following witnesses be produced for the Article 39a hearing scheduled for 16 and 17 June 2010. Most of the requested witnesses are assigned to the PMO at Twentynine Palms. The telephone number of the desk sergeant at PMO is 760-830-5470.
 1. Lt Col Rhesa Ashbacher
 2. 1stLt Yueyn Ho: Lt Ho will testify Capt Gilinsky told him to send documents to MARFORRES and to ask them to prosecute Capt Beck. Ho said he forwarded all of his emails to Capt Gilinsky.
 3. Capt Sam Kim: MARFORRES
 4. Sgt Matt Buckey: He will testify that the new provost marshal had an all-hands meeting at PMO where the new PMO spoke negatively about the leadership of Maj Scarselli. Most of the PMO personnel were present.
 5. SSgt Reyna Puente: present at the Scamman meeting, where Scamman advised those present not to take any actions to help Maj Scarselli get off.
 6. Civilian Officer Cornelius Blyther: present at the Scamman meeting, where Scamman advised those present not to take any actions to help Maj Scarselli get off.
 7. GySgt Roy Buchanan: present at the Scamman meeting, where Scamman advised those present not to take any actions to help Maj Scarselli get off. 760-830-8340
 8. Maj David L. Jones: Conducted an all hands meeting to criticize the leadership of Maj Scarselli and his failures.
 9. SSgt Guinther : present at the Scamman meeting, where Scamman advised those present not to take any actions to help Maj Scarselli get off.
 10. Cpl Timothy Culhane: tortured by Baker and intimidated to not say anything bad about Baker

11. Sgt Jesse Kahler (401) 787-4876: will testify that Scamman spoke in a negative and disrespectful manner bad about Maj Scarselli all the time.
 12. SSgt Paris: present at the Scamman meeting, where Scamman advised those present not to take any actions to help Maj Scarselli get off.
 13. MGySgt John P. Humberston: MGySgt Humberston will testify, contrary to his 410 proffer, that Maj Scarselli did not solicit SSgt Baker to falsify a PFT record. He will also testify that he remembers taking dozens of PFT's throughout his career. He has no recollection of not taking a PFT during a semi-annual period without an excuse but that he also has no specific memory of the December 2008 PFT.
- b. If the government intends to deny any of these witnesses, the defense requests that notification of such denial be promptly communicated to the defense and the court.

Respectfully submitted



Maynam Faraj, Esq.