

UNITED STATES OF AMERICA  
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA ) Case No. 97-0853-CR-Middlebrooks  
 )  
 v. ) Magistrate Judge Robert L. Dubé  
 ) (September 30, 1998 Order of Reference)  
ATLAS IRON PROCESSORS, INC., )  
 et al., )  
 )  
 Defendants. ) **NOTICE OF FILING OF**  
 ) **SUPPLEMENTAL MATERIALS**  
 ) **REGARDING THE ADMISSION**  
 ) **OF POLYGRAPH TEST RESULTS**

On November 9, 1998, the Court held a hearing on the admissibility of polygraph test results and 404(b) evidence. At the conclusion of the hearing the United States submitted to the Court seven exhibits relating to the polygraph issue. The United States also showed the exhibits to Mr. Roberto Martinez, the attorney for David Giordano. The United States agreed to make copies for defendant Atlas Iron Processors, Inc., and each of the Giordano defendants.

For purposes of making a complete and accurate record, the United States is filing each of these exhibits with the Clerk of Court. In addition to the seven exhibits submitted to the Court at the conclusion of the hearing, the United States has attached to this Notice an eighth exhibit which the United States referred to during the hearing. The eight exhibits are:

**Exhibit #1:** W.G. Iacono, D.T. Lykken, The Validity of the Lie Detector: Two Surveys of Scientific Opinion, 82 J. Applied Psychol. 3, at 426-433 (1985);

**Exhibit #2:** The actual survey sent to the SPR and APA in connection with Drs. Iacono and Lykken's published survey. (See exhibit #1);

**Exhibit #3:** D. Faigman, D. Kaye, M. Saks, & J. Sanders, Modern Scientific Evidence, ch. 14 (1997);

**Exhibit #4:** Maddox v. Cash Loans of Huntsville II, No. CV97-H-1838-S, 1998 WL 661397 (N.D. Ala. Sept. 23, 1998);

**Exhibit #5:** Charles Robert Honts, Robert L. Hodes, David C. Raskin, Effects of Physical Countermeasures on the Physiological Detection of Deception, 70 J. Applied Psychol. 1, at 177-87 (1985);

**Exhibit #6:** Alan Markwart, Brian E. Lynch, The Effect of Polygraph Evidence on Mock Jury Decision-Making, 7 J. Police Sci. & Admin. 3, at 324-32 (1979);

**Exhibit #7:** Charles R. Honts, David C. Raskin, John C. Kircher, Mental and Physical Countermeasures Reduce the Accuracy of Polygraph Tests, 79 J. Applied Psychol. 2, at 252-59 (1994);

**Exhibit #8:** Stephen C. Carlson, Michael S. Pasano, Jeffrey A. Jannuzzo, The Effect of Lie Detector Evidence on Jury Deliberations: An Empirical Study, 5 J. Police Sci. & Admin. 2, at 148-54 (1977).

Respectfully submitted,

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