

VOIR DIRE

Good morning, ladies and gentlemen. I am Judge Andrews. We are going to select a jury in a civil case called Safeguard Scientifics, Inc., v. Saints Capital Dakota, L.P.

I am going to ask you a series of questions to help the Court and the attorneys in the jury selection process. Before I ask any questions, I am going to ask the Deputy Clerk to swear the jury panel to answer any questions truthfully. (To Deputy, Please swear the panel).

If any of you answer “yes” to any of the questions that I ask, please raise your hand, and, when recognized by me, please stand, state your name and your jury number. At the end of the questions, the Deputy Clerk will ask some of you to take seats in the jury box, and, after that, the lawyers and I may ask those of you who answered “yes” to one or more questions to come up to the bench to discuss your answers with the lawyers and me.

The presentation of evidence in this case is expected to take about five days, and arguments and jury deliberations would likely extend your service into the first day or two of next week. The schedule that I expect to keep over the days of evidence presentation will include a morning break of fifteen minutes, a lunch break of an hour, and an afternoon break of fifteen minutes. We will start at 9:30 a.m. and finish no later than 5 p.m. each day.

1. Does the schedule that I have just mentioned present a special problem to any of you?

2. (Description of the case). This is a breach of contract lawsuit relating to the sale of a number of companies in 2008. The Plaintiff is Safeguard Scientifics, Inc., of Wayne, Pennsylvania. I will call it Safeguard or Plaintiff. Safeguard was the seller of the companies. It has sued the Defendant, who is Saints Capital Dakota, L.P., of San Francisco, California. I will call it Saints or Defendant. Safeguard says it has lived up to the sales contract and that Saints owes it millions of dollars. Saints says that Safeguard breached the contract and that Saints does not owe Safeguard anything and that Safeguard owes it millions of dollars. The jury in this case will be asked to decide whether there has been a breach of contract and damages, if any. For those of you who end up being on the jury, I will give more detailed instructions on the law later in the case.

Have any of you heard or read anything about this case?

3. The lawyers and law firms involved in this case are: *(See attached typed list)*. Do any of you or your immediate families, such as spouse, child, parent, or sibling, know any of the attorneys or law firms I have just named?

4. Have any of you or your immediate families had any business dealings with, or been employed by, any of these attorneys or law firms?

5. Have any of you or your immediate families ever been employed by Safeguard, or Saints, or by Laureate Pharma, Inc., of Princeton, New Jersey, or by Alliance Holdings, Inc.,

Alliance Global Services, Inc., or Alliance Life Sciences, all of Abington, Pennsylvania?

6. Have any of you or your immediate families ever owned stock in any of these companies?

7. Have any of you or your immediate families ever had a business relationship with any of these companies?

8. Have any of you or your immediate families ever had any experience, good or bad, with any of these companies, that might keep you from being a fair and impartial juror in this case?

9. Do you possess any opinions about any of these companies that might keep you from being a fair and impartial juror in this case?

10. The potential witnesses in this case are: (*See attached typed list*). Are you familiar with any of these potential witnesses?

11. Have you or any member of your immediate family ever been employed by the United States Food & Drug Administration?

12. Have you or any member of your immediate family ever been employed by a venture capital company?

13. Have you served as a juror in a civil lawsuit within the last fifteen (15) years?

14. Have any of you, or your immediate families, taken a drug or medicine that was defective, impure or contaminated?

15. If you are selected to sit as a juror in this case, are you aware of any reason why you would be unable to render a verdict based solely on the evidence presented at trial?

16. If you are selected to sit as a juror in this case, are you aware of any reason why you would not be able to follow the law as I give it to you?

17. Is there anything, such as poor vision, difficulty hearing, difficulty understanding spoken or written English, that would make it difficult for you to serve on this jury?

18. Have you previously been a party or a witness in a breach of contract lawsuit?

19. This is the last question. Is there anything else, including something you have remembered in connection with one of the earlier questions, that you think you would like to tell me in connection with your service as a juror in this case?