

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA

vs.

CASE NO: 8:05-Cr-475-T-27TGW

THOMAS SPELLISSY

and

STRATEGIC DEFENSE INTERNATIONAL, INC.

AFFIDAVIT

I, James Rooney under oath, depose and say:

1. I am James Rooney, the former President of Nordic Ammunition Company, Inc USA (NAMMO Inc) and President of Rooney Group International, Inc (RGI). I hired Thomas Spellissy through his company, Strategic Defense International, Inc (SDI) on October 1, 2004. The primary purpose of hiring Thomas Spellissy was to assist RGI and NAMMO Inc with starting a 70mm Program in the United States. I hired Thomas Spellissy because of his unique technical expertise and experiences as an end user and as an acquisition official. Thomas Spellissy successfully commanded one of the most prestigious and well known offices in the Department of Defense. He was known and respected by all governments. There was also a non-compete clause in our contract. In other words, Spellissy could not represent another ammunition company without my personal approval. Thomas Spellissy was free to represent other companies and the United States Government.

2. In my capacity as the President of NAMMO Inc, I attended the meetings in Norway on November 30, 2004 to December 2, 2004 between the United States Special Operations Command's Program Manager for Ammunition (PM SOF Ammo), Mr. Don Jones and United States Army representative from Picatinny Arsenal, Major Shannon Jackson and Thomas Spellissy, consultant to PM SOF Ammo. The meeting was requested by PM SOF Ammo.

(See attached Itinerary) Thomas Spellissy was in Norway at the request of the United States Special Operations Command. Thomas Spellissy is also a subject matter expert for ammunition requirements for Special Operations Forces. I had no issue of Thomas Spellissy assisting the United States Government on other matters not pertaining to 70mm ammunition.

3. Thomas Spellissy was not present during the 70mm Program meeting in Norway. I personally ensured that Thomas Spellissy was not in the room for the meeting because he was on

terminal leave and he could not be present for the 70mm Program meeting because of a conflict of interest issues between him assisting PM SOF Ammo and representing RGI. Thomas Spellissy was in Norway at the request of the United States Special Operations Command.

4. I was never contacted by Special Agent Robert Calvert of the Defense Criminal Investigative Services or by the Assistant United States Attorney for the Middle District of Florida, Mr. Robert E. O' Neill in regards to the 70mm Program meeting in Norway or any of the responsibilities charged to Thomas Spellissy by myself.

This affidavit is to be used for a Motion to Suppress and/or a Motion for a New Trial based on New Evidence or Prosecutorial Misconduct.

Jim Rooney
Jim Rooney

STATE OF VIRGINIA
COUNTY OF ARLINGTON Fairfax

Sworn to or affirmed and signed before me on November 29, 2007 by Jim Rooney

NOTARY PUBLIC--STATE OF ~~FLORIDA~~ Virginia
Amy Byer commissioned as Amy Dallara
[Print, type, or stamp commissioned name of notary.]

Personally known
 Produced identification
Type of identification produced FLDL

City/County of Fairfax
Commonwealth/State of Virginia
Sworn to and subscribed before me this 29
day of November, 2007
By [Signature] Witness my hand and official seal.
[Signature] Notary Public
My Commission Expires: 7-31-08
347279

[Signature]
Sean Patrick Cox, Esquire
McGUIRE LAW OFFICES, P.A.
1173 N.E. Cleveland Street
Clearwater, Florida 33755
(727) 446-7659
FBN: 053155
ATTORNEY FOR DEFENDANT



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Itinerary for PM Ammo USSOCOM Overseas Trip to SBD, NAMMO and NICO

Travelers: Don Jones PM AMMO, USSOCOM,
Colonel (Ret) Tom Spellissy, Strategic Defense International, Inc

Trip Dates 27 November to 4 December 2004

Saturday, 27 November : Depart Tampa, FL at 1209 on United Airlines FLT # 1593
Depart Chicago at 1625 on United Flight 9358

Sunday, 28 November: Arrive Stockholm, SE at 0745 – Met by SBD Representative

Train to Karlskoga, SE

Arrive at SBD

Initial Meeting among US government only

Introduction meeting with SBD arrival at SBD

Stay at Bofors Hotel, Karlskoga – set up by SBD

Dinner w/ SBD

Monday, 29 November

AM	Welcome	(SBD)
	Introduction/Purpose	(PM MAAWS)
	Program Review FY04 MAAWS and AT4CS Sustainment Production	(SBD)
	Program Review FY04 MAAWS 509 /MAAWS MT	(SBD)

Lunch

PM	SOW Review FY05 MAAWS MT Contract	(PM MAAWS)
	SOW Review FY05 AT4CS MT – ASM & Conventional Contract	(PM MAAWS)
	FY05 Contracting Status of MAAWS MT & AT4CS MT	(PM MAAWS)
	- note AT4CS MT ASM & Conventional Contracts are 100 rounds each	

Tuesday, 30 November 2004

AM MAAWS MT Live Firings

Major Shannon Jackson, ARDEC joins Mr. Jones and Colonel (Ret) Spellissy
Depart Karlskoga NLT 1230 for Orbebro Airport
Flight SK 8220 at 1445 to Stockholm

Flight SK 499 to Oslo Arrive Oslo at 1735.

Arrive in Oslo – Pick up by Mr. James Rooney

Arrive at Hotel – Stay at Guest House (Set up by NAMMO)

2000 - Dinner with the CEO NAMMO at the Messen (Suit)

Wednesday, 1 December 2004

AM Welcome (NAMMO)
40mm Program Review and Road Map discussion (NAMMO)
M72A7 Brief to include the Norwegian Program (NAMMO)

Lunch

PM 70mm Program Review - Pre IPT (NAMMO)

Dinner

Thursday, 2 December 2004

AM – finish 70mm Review

PM - Ranges Demo Live Firings M72A7

40mm

70mm

(Note – An Official Norwegian Delegation will be present at the live fire)

Depart for Oslo Airport at 1730

Depart at 2050 for Hamburg, GE Flight SK 3661

Arrive Hamburg, GE at 2220

NH Hotel, Reservation # 35.268, 90 Rennbahnstrasse D22111 Hamburg Horn +49 40 65597-0
(Price EUR 80.00)

Friday, 3 December 2004

Pick up by Hans Morotini at 0900 at NH Hotel

AM Arrive at NICO Pyrotechnik, Trittau, Germany
Welcome

Receive Briefings on the following subjects

- (1) Infra-red flares
- (2) Training technologies
- (3) Covert /IR target marking (munitions)
- (4) Smoke and convoy protection technologies
- (5) Stun devices
- (6) Highly accurate propulsion systems
- (7) Advanced IM technologies
- (8) Less than lethal technologies

Lunch

**Demonstrations
Facility tour**

Dinner

Saturday, 4 December 2004 Depart for Tampa, FL

The classification of this Itinerary is For Official Use Only.