

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2003-013824

02/22/2006

HONORABLE DONALD DAUGHTON
FOR HONORABLE KENNETH L. FIELDS

CLERK OF THE COURT
A. Gonzalez
Deputy

FILED: 02/27/2006

JOHN CHAVEZ, et al.

WILLIAM H DOUGLAS

v.

AARON LEE CHRISMAN, et al.

RICHARD G POTTS

KENT E TURLEY

Prior to commencement of the proceedings, counsel substitute redacted pages in exhibit 1, as previously discussed, agreed to by counsel, and approved by the Court. Also, the Bailiff updates the Court on a discussion with Juror 9. Court and counsel agree that Juror 9 should appear before the Court individually.

TRIAL MINUTE ENTRY ~ DAY TWO

8:58 a.m. This is the time set for Trial to a Jury, day two. Plaintiffs John Chavez and Julie Chavez, et al. appear through counsel William Douglas; Plaintiff John Chavez is present. Defendants Julie and Aaron Chrisman (hereinafter sometimes "Defendants Chrisman") are present with counsel Richard Potts. Defendant Corporation of the President of the Church of Jesus Christ of Latter-day Saints (hereinafter "LDS Church") appears through Bishop Gary Robertson, counsel Kent Turley and counsel *pro hac vice* Thomas Walk. Juror 9 is present.

Court Reporter Amy Prellwitz-Fuller is present.

The Court examines Juror 9 regarding a possible conflict. Juror 9 is excused. All counsel waive conflict. Court remains in session while the Jury is delivered to the Courtroom.

9:05 a.m. The Jury is present and the Court advises the Jury regarding the excuse of Juror 9.

Plaintiffs offer the following exhibits into evidence: 1, 2, 3, 19, 18, 21, 33, 37, 20, 41, 55, 56, 57, 60, 68, and 69.

Defendants object/reserve their objections to exhibits 68 and 69.

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Over the Defendants' objections, all those exhibits offered by the Plaintiffs are received in evidence; exhibits 1, 2, 3, 19, 18, 21, 33, 37, 20, 41, 55, 56, 57, 60, 68, and 69.

Defendants offer the following exhibits into evidence: 38, 40, 43, 44, 39, and 81.

There being no objections, exhibits 38, 40, 43, 44, 39, and 81 are received in evidence.

Plaintiffs present opening statements.

Counsel for Defendants Chrisman presents an opening statement.

10:12 a.m. Court stands at recess.

10:31 a.m. Court reconvenes. Parties and counsel are present as previously mentioned. The Jury is present.

Court Reporter Amy Prellwitz-Fuller is present.

Counsel for Defendant LDS Church presents an opening statement.

11:11 a.m. The Jury is excused. Court stands at recess until 1 p.m.

12:59 p.m. Court reconvenes. Parties and counsel are present as previously mentioned, except Plaintiff John Chavez, who has waived his presence. The Jury is present.

Court Reporter Amy Prellwitz-Fuller is present.

Dr. Hector J. Fernandez-Barillas is sworn under oath and testifies.

1:58 p.m. The Jury is excused. Court remains in session.

Court and counsel discuss the conduct of a Juror.

Juror 8 is brought before the Court for a brief examination and excused.

Defendants Chrisman move that Juror 8 be excused, or dismissed, from further service herein. The motion is joined by Defendant LDS Church and granted by the Court.

Juror 8 is returned to the Courtroom and the Court excuses Juror 8 from any further service in this matter.

2:05 p.m. Court stands at recess.

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2:08 p.m. Court reconvenes. Parties and counsel are present as previously mentioned. The Jury is present.

Court Reporter Amy Prellwitz-Fuller is present.

Dr. Hector J. Fernandez-Barillas resumes the witness stand and testifies further.

Defendants move for admission of exhibit 12. There are no objections. Exhibit 12 is received in evidence.

3:38 p.m. Court stands at recess.

3:52 p.m. Court reconvenes. Counsel and parties are present as previously mentioned. The Jury is present.

Court Reporter Amy Prellwitz-Fuller is present.

Dr. Hector J. Fernandez-Barillas resumes the witness stand and testifies further.

Aaron Chrisman is sworn under oath and testifies.

4:45 p.m. Court stands at recess.