

Case 2:05-cv-02656-MHM Document 330 Filed 09/15/09 Page 1 of 1
**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA
CIVIL TRIAL MINUTES**

Phoenix Division

HON: MARY H. MURGUIA Judge # 7027

CV 05-2656-PHX-MHM DATE: 9/15/09

Skydive Arizona, Inc., v. Cary Quattrochi, et al.
Plaintiff Defendants

Deputy Clerk: Kristen Parris Court Reporter: David German

Sid Leach and Monica Limon-Wynn Ivan Mathew
Plaintiff counsel Defense counsel

PROCEEDINGS: / X / JURY TRIAL / _ / COURT TRIAL / X / VOIR DIRE / X / JURY SWORN

Trial Day # 1 Waiver of Jury trial filed

9:25 a.m. Jury Trial convenes. Discussion held regarding the statement of the case and opening statements. Counsel invoke the rule of exclusion of witnesses. 9:37 a.m. Court stands at recess.

9:52 a.m. Voir dire commences. A panel of 40 persons is sworn and the Court conducts voir dire examination. Counsel pass the panel for cause. 11:15 a.m. Court stands at recess.

11:47 a.m. Court reconvenes with counsel and jury present. Nine jurors are selected and sworn as trial jurors. 11:57 a.m. Jury is excused; Court and counsel remain in session. Discussion held re: stipulated facts. Based upon the stipulation of counsel, Exhibits 1, 2, 10, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 56, 139, 151, 152, 153, 154, 155, 165, 173, 174, 175, 187, 188, 192, 198, 202, 203, 204, 205, 299, 300, 303, 306, 307, 309, 310, 311, 312, 313, 315, 323, 324, 325, 326, 327, 328, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 420, 431, 432, 433, 436, 437, 440, 441, 442, 443, 444, 453, 456, 457, 462, 467, 468, 469, 470, 485, 488, 490, 491 are admitted into evidence. 12:21 p.m. Court stands at recess.

1:26 p.m. Court reconvenes with counsel and jury present. The Court gives preliminary instructions. Counsel make opening statements. 2:56 p.m. Jury is excused; Court and counsel remain in session. Discussion held. 2:57 p.m. Court stands at recess.

3:21 p.m. Court reconvenes with counsel and jury present. Discussion held. Counsel shall not refer to any reference regarding damages. Mr. Mathew advises the Court that the defendants would like to withdraw their claims of Intentional interference, tortious interference with the contract, and unfair competition. Mr. Leach responds. IT IS ORDERED taking this matter under advisement. 3:46 p.m. Jury is now present. The Court advises the jury that the defendants have withdrawn their claims. The Court reads the uncontested facts to the jury. FOR THE PLAINTIFF: Lawrence Hill is sworn and examined. 4:53 p.m. Jury is excused; Court and counsel remain in session. Discussion held regarding Exhibit 316 the withdraw of defendant's claims, and taking witnesses out of order. Exhibit 316 is admitted into evidence. 5:10 p.m. Court stands at recess.

Case continued to: 9/16/09 for further trial.