

Case 2:05-cv-02656-MHM Document 346 Filed 09/25/09 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: 9/25/09

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

Deputy Clerk: Kristen Parris Court Reporter: Merilyn Sanchez

Sid Leach and Monica Limon-Wynn
Plaintiff counsel

Ivan Mathew
Defense counsel

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

Trial Day # 7 Waiver of Jury trial filed

9:16 a.m. Court reconvenes with counsel; jury is not present. Discussion held. 9:37 a.m. Jury is now present. Yvonne Cline resumes the stand and is cross-examined. Exhibit 522 is admitted into evidence. 10:45 a.m. Jury is excused; Court and counsel remain in session. Discussion held. 10:51 a.m. Court stands at recess.

11:37 a.m. Court reconvenes with counsel; jury is not present. Discussion held. 11:40 a.m. Jury is now present. Hilarie Leverett is sworn, examined, cross-examined, further examined on redirect, and excused. Exhibit 664 is admitted into evidence. 12:16 p.m. Jury is excused; Court and counsel remain in session. Discussion held.

12:37 p.m. Court stands at recess.

1:48 p.m. Court reconvenes with counsel; jury is not present. Discussion held. Exhibit 417 is admitted into evidence. 2:07 p.m. Jury is now present. Yvonne Cline resumes the stand and is cross-examined. Exhibit 525 is admitted into evidence. 3:23 p.m. Court stands at recess.

3:50 p.m. Court reconvenes with counsel; jury is not present. Defendants are ready to proceed with redirect. 3:52 p.m. Jury is now present. Yvonne Cline resumes the stand and redirect commences. Witness is shown previously admitted exhibits 420, 437, 10, 9, 8, 7, 5, and 16. Counsel refers to exhibits 15-26. 4:53 p.m. Witness is excused. 4:54 p.m. Jury excused. Discussion held re: the trial schedule. Counsel are to submit further briefing on the motion for judgment as a matter of law to the Court by Sunday, September 27, 2009 at 2:00 p.m. Counsel are given a redraft of the final jury instructions for review. Mr. Freed will be allowed to sit in during the testimony of Ms. DeJesus. Discussion held re: the testimony of Mr. Freed. A summary of what Mr. Freed will testify about is due to the defendants by 12:00 p.m. on Saturday, September 26, 2009. 5:16 p.m. Court is in recess.

Case continued to: 9/28/09 for further trial.

Time in Court: 5 hrs. 36 min.