(PC) Hackwo	orth v. Torres et al	
1		
2		
3		
4		
5		
6	UNITED STATES DISTRICT COURT	
7		
8	EASTERN DISTRICT OF CALIFORNIA	
9	ROBERT HACKWORTH, CASE NO. 1:06-cv-00773-RC	
10	Plaintiff, MINUTE ENTRY	
11	VIINUTE ENTRY V.	
12	G. TORRES, et al.,	
13	Defendants.	
14		
15		
16		
17	On July 8, 2013, a telephonic trial confirmation hearing was held before the Honorable Raner	
18	C. Collins. The following items were discussed at the telephonic hearing:	
19	1. Judge Collins confirmed trial is set for Wednesday, August 14, 2013 at 9:00 a.m. and	
20	should not last more than 3 days. If the Court's schedule allows, trial will begin on	
21	Tuesday, August 13, 2013.	
22	2. Plaintiff's counsel plans to call approximately 5 witnesses. If Plaintiff does call a	
23	medical witness, it will only be one doctor.	
24	3. Defendants' counsel will confer with Plaintiff's counsel to narrow the total number	
25	of witnesses to be called.	
26	4. Defendants request permission for two of their witnesses to testify via video: Officer	
27	Lemos, to testify from the federal court in Phoenix, Arizona, and Dr. Johnston, to	
28		
	1	

Doc. 100

2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

28

1

- testify from the federal court in Bakersfield, California. Plaintiff's counsel agreed to this request. The Court will allow the video testimony.
- 5. Plaintiff's counsel requests Plaintiff be allowed to dress in civilian clothes, and counsel has made arrangements to obtain clothes from the public defender's office in Fresno. Defendants' concern is that Plaintiff has a history of exposing himself, and want Plaintiff to be properly secured. The Court will allow Plaintiff to dress in civilian clothing for the trial. The clothes will be given to the U.S. Marshall for Plaintiff to change into at the court on the morning of trial.
- 6. Defense counsel states Plaintiff has a history of assaulting and attempting to assault correctional officers, and wants Plaintiff to be properly restrained during trial. Plaintiff's counsel does not oppose the use of restraints as long as the leg restraints are not visible to the jury while Plaintiff is seated at counsel's table, and as long as Plaintiff is moved to the witness stand outside the presence of the jury.
- 7. The Court shall issue the required order and writ of habeas corpus ad testificandum to transport Plaintiff to trial.
- 8. The parties shall follow the dates specified in section XVIII of the Court's June 24, 2013 pretrial order regarding submission of motions in limine and other documents.
- 9. The Court will review the briefings filed regarding Defendants' Motion for Judgment on the Pleadings (Docs. 85, 95, 98). Counsel for both parties stated oral argument was unnecessary. If the Court determines oral argument would be beneficial, the Court will advise the parties of the date and time of the hearing.

DATED this 8th day of July, 2013.

Raner C. Collins United States District Judge