



**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
THE HONORABLE DALE A. DROZD**

ESTATE OF TYLER S. RUSHING,
Plaintiff,

CASE No. 2:18-cv-01692-DAD-AC

v.

MINUTES

AG PRIVATE PROTECTION, INC.

Date: October 11, 2024

Deputy Clerk: P. Buzo

Defendant*.

CRT RPTR: Abigail Torres

Counsel for Plaintiff: Mark Merin, Paul Masuhara, Robert Chalfant

Counsel for Defendant: Sharon Medellin, Roger Colvin, Christy Garcia

JURY TRIAL – DAY 4

9:10 am	Court in session. Outside the presence of the jury. Court discussed defense Rule 50(a) motion and opposition. Motion submitted. After hearing, for reasons stated in open court, defense motion denied as stated on the record. Mr. Merin informed court that pltfs' are not present as stated on the record. Pltfs' objected to defense calling Officer Sanchez as stated on the record. Defense addressed the court as to pltfs' objection. Court addressed counsel as stated on the record. Court ruled Officer Sanchez may testify but with limited testimony as stated on the record.
9:34 am	Break
10:20 am	Cour back in session. Outside the presence of the jury. Defense informed the court Officer will not be called. Pltf requested Mr. Chapman's testimony be limited to the claims that are still at issue in the case.
10:23 am	Back in the presence of the jury.
10:25 am	Defense called Clarence Chapman, sworn and testified. Defense moved to designate witness as expert in police practices, procedure, to use of force. After discussion, Court designated witness as expert in police practices, procedure with respect to use of force. Pltf Exhibit 15.
11:25 am	Morning recess.
11:38 am	Back in the presence of the jury. Resume direct.
11:44 am	Cross examination. Pltf Exhibit 22, 23.
12:10 pm	Redirect. Defense O, photo still Rushing holding pen. Defense moved to admit exhibit, with pltf objection.
12:20 pm	Re-cross examination.
12:22 pm	Re-redirect.
12:23 pm	Witness excused.

12:25 pm	Lunch recess.
1:47 pm	Court back in session. In the presence of the jury. Court instructed jury as to deposition testimony.
1:48 pm	Defense called David M. Posey. Excerpts of deposition transcript read.
1:55 pm	Cross examination. Excerpts of deposition transcript read.
2:15 pm	Court admonished jury. Jury trial Continued to 10/15/24 at 12:30 PM.
2:20 pm	Outside the presence of the jury. Court in session. Defense to call witness Parris Ward and Thomas Resk on Tuesday. Pltf objected to witness Parris Ward as stated on the record. Defense addressed Pltf objection as stated on the record.
4:30 pm	Court held informal discussion with counsel regarding proposed jury instructions. Trial to resume 10/15/24.

TIME IN COURT: 6.00 hours