

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JESUS CORTEZ,)	Case No. 09-4138 SC
)	
Plaintiff,)	ORDER GRANTING MOTION TO
)	ALLOW JURY VIEW OF THE
v.)	<u>VEHICLE</u>
)	
GLOBAL GROUND SUPPORT, LLC, AIR T,)	
INC., and DOES 1-10, inclusive,)	
)	
Defendants.)	
_____)	

In this action, Plaintiff Jesus Cortez ("Plaintiff") claims he was injured due to the design of a vehicle designed, marketed, and manufactured by Defendants Global Ground Support, LLC ("Global") and Air T, Inc. ("Air T") (collectively, "Defendants"). See ECF No. 1 Ex. A ("Compl."). Now before the Court is Defendants' Motion to allow jury view of this vehicle. ECF No. 78 ("Mot."). Plaintiff filed an Opposition, ECF No. 83 ("Opp'n"), and Defendants filed a Reply, ECF No. 91 ("Reply").

The vehicle in question is a "scissor lift" -- a truck with a truck bed that can be raised vertically to interface with the doors of commercial aircraft so equipment can be transported to and from the aircrafts. See Compl. The vehicle is "a registered motor vehicle that can legally be driven on public streets." Mot. at 4.

Having considered the papers submitted, the Court GRANTS

1 Defendants' Motion.¹ The Court finds that allowing the jury to
2 view the vehicle would enhance their ability to find the facts in
3 this case. Defendants shall provide the logistical coordination of
4 the jury view in a manner acceptable to the Court; the viewing must
5 not create undue delay or lead to the inefficient use of trial
6 time. If the viewing proves to be impracticable, a video of the
7 operation of the vehicle shall be admissible as evidence. The
8 parties should be prepared to discuss the details of how and when
9 the jury will view the vehicle at the January 7, 2010 Pretrial
10 Conference.

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12 IT IS SO ORDERED.

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14 Dated: December 15, 2010

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17 UNITED STATES DISTRICT JUDGE

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27 ¹ It is incumbent upon Defendants to make all necessary
28 arrangements with the U.S. General Services Administration ("GSA")
and the U.S. Marshals Service for the viewing to be performed on
the apron of the U.S. Courthouse at 450 Golden Gate Avenue, San
Francisco, California.