

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
HONORABLE MARCIA S. KRIEGER**

Courtroom Deputy: Patricia Glover  
Court Reporter: Paul Zuckerman

Date: June 1, 2010

Criminal Action No. 08-cv-01086-MSK

Parties:

TIMOTHY BEENE,

Plaintiff,

v.

FORD MOTOR COMPANY, a Delaware  
corporation,

Defendant.

Counsel Appearing:

Thomas Harkness  
Michael O'Brien Keating

John Bibb  
Edward Stewart  
Sarah McBride

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**COURTROOM MINUTES**

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HEARING: Jury Trial Day One.

**8:24 a.m. Court in session**

Counsel present as listed above.

Fred King, Ford's representative is present.

Preliminary matters from counsel addressed by the Court.

The parties request a sequestration order.

**ORDER:** Sequestration order is entered and posted on the Courtroom doors.

The Court addresses defendant's outstanding motions.

Argument by counsel.

**ORDER:** Defendant Ford Motor Company's Motion for Protective Order (Doc. #94) is **GRANTED** to the extent the subpoena applies only to the witness and the four documents Ford agrees to produced, but is quashed in all other respects.

**ORDER:** Defendant's Motion to Strike (**Doc. #95**) is **DENIED as moot.**

9:18 a.m. Jury panel present.

Court's preliminary comments.

Jurors sworn for *voir dire*.

*Voir dire* by the Court.

**10:23 a.m. Court in recess**

**10:36 a.m. Court in session**

*Voir dire* continues by the Court.  
Counsel exercise their challenges.

Jurors sworn to try the case.

The Court reads the introductory jury instructions.

**11:58 a.m. Court in recess**

**1:31 p.m. Court in session.**

The Court reads the Stipulated Facts to the jury.

**EXHIBITS: Received:** (All by stipulation):1.1; 2.1; 3.1; 4.1; 5.1; 6.1; 7.1; 8.1-8.4; 13, 13.1-13.5; 14; 14.1-14.2; 15.1; 15.2; 16.1; 20.1-20.18; 21.1-21.13; 22; 22.1-22.7; 50.1-50.5; 55.1-55.2; 56.1-56.2; 57.1-57.2; 58.1-58.8; 59.1-59.13, 62, 63, 64, 65, 68, 85, 90, 93.1-93.7; 94; 95; 113; 114; 115; 116; 118; 123.1-123.6; 124; 125.1-125.3; 127; 128; 129.1-129.4; 130; 131; 132; 133; 134, 135; 151; 152; 153; 154; 155; 159; 177.1-177.2; 220; 221; 222; 223; 223.1; 224; 224.1; 225.1; 226.1; 227.1; 228; 229; 230; 231; 231.1-231.15; 232; 233; 233.1-233.4

Opening statement for the plaintiff by Mr. Harkness.

Opening statement for defendant by Mr. Bibb.

**Witness sworn for the plaintiff : Franklin Crozier:**  
**2:46 p.m.** Direct Examination by Mr. Harkness.

Cross examination of witness by Mr. Stewart.

No re-direct examination of witness.

Courtroom Minutes  
Judge Marcia S. Krieger  
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**Witness sworn for the plaintiff : Charlie Miller:**  
**3:13 p.m.** Direct Examination by Mr. Harkness.

**3:29 p.m.** Court in recess.

**Total Time: 5 hours 19 minutes.**  
**Trial continued.**