

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn**

Date: July 26, 2010

Deputy Clerk: Nel Steffens
Court Reporter: Suzanne Claar

Civil Action No. 08-cv-02709-REB-

Parties:

Counsel:

GIACOMO KRATTER,

Plaintiff,

Shari Willis
Darin Schanker

v.

DEFENDANT CATHOLIC HEALTH
INITIATIVES COLORADO, doing
business as CENTURA HEALTH-
SUMMIT MEDICAL CENTER and ST.
ANTHONY SUMMIT MEDICAL
CENTER, a Colorado corporation;
STEADMAN HAWKINS CLINIC,
PROFESSIONAL, LLC, a Colorado
limited liability company;
MARY I. BRYAN, P.A.; and
THOMAS R. HACKETT, M.D.,

Barbara Glogiewicz
Laura Wassmuth

Michelle Harden
Bruce Montoya

Defendants.

COURTROOM MINUTES

Trial to Jury - Day One

8:37 a.m. Court in session.

Appearances of counsel. Also seated at defendants' table is Pat McCadden, representative for Catholic Health Initiatives Colorado.

Court calls case and makes opening remarks.

Jury panel is not present.

Court addresses pending motions, #242, #241, #245, #246, and #234.

IT IS ORDERED as follows:

1. That the **Stipulated Motion To Allow Witness Testimony Via Videoconferencing and Revised Request for A/V Technological Needs, Pursuant to Fed. R. Civ.P. 43(a)** [#242] filed July 22, 2010, is **GRANTED**;

2. That the plaintiff's **Motion To Withdraw Motion To Allow Italian Interpreter in Court To Assist in Witness Testimony Pursuant to Fed.R.Civ.P. 43(d)** [#245] filed July 25, 2010, is **GRANTED**;

3. That the plaintiff's **Motion To Allow Italian Interpreter in Court To Assist in Witness Testimony Pursuant to Fed.R.Civ.P. 43(d)** [#241] filed July 22, 2010, is **WITHDRAWN**; and

4. That **Plaintiff's Secon** [sic] **Motion To Allow Italian Interpreter in Court To Assist in Witness Testimony Pursuant to Fed.R.Civ.P. 43(d)** [#246] filed July 25, 2010, is **GRANTED**.

The court will rule on the plaintiff's motion *in limine* [#234] in the due course of trial.

8:51 a.m. Court in recess.

9:11 a.m. Court in session.

Jury panel present; 15 jurors seated in the jury box prior to Court calling case.

Opening statements by the Court.

Court's sequestration order is in effect.

9:13 a.m. Civil voir dire oath given to jury panel. Voir dire by court commences.

9:16 a.m. Ms. Willis introduces the plaintiff and plaintiff's counsel.

9:17 a.m. Mr. Montoya introduces defendants Bryan, Hackett, co-counsel, and paralegal Sonja Horczakiwskyj.

9:18 a.m. Ms. Glogiewicz introduces defendant Catholic Health Initiatives Colorado's representative and co-counsel.

9:20 a.m. Court introduces court staff; voir dire continues.

Court lists plaintiff's and defendants' witnesses and continues voir dire.

10:41 a.m. Court in recess.

10:57 a.m. Court in session.

Jury panel is present.

Court continues voir dire.

Challenges for Cause by Court:

1. #100187455
2. #100196289

11:46 a.m. Voir dire by Mr. Schanker.

12:15 p.m. Court in recess.

1:19 p.m. Court in session.

1:20 p.m. Voir dire by Mr. Montoya.

1:33 p.m. Voir dire by Ms. Glogiewicz.

Bench conference.

Peremptory Challenges by Plaintiff:

1. #100163859
2. #100189286
3. #100172190

Peremptory Challenges by Defendant:

1. #100190248
2. #100189188
3. #100162402

2:02 p.m. Civil jury oath administered.

Nine Jurors Sworn to Try the Case:

1. #100190341
2. #100190966
3. #100165366
4. #100165101
5. #100193359

6. #100161848
7. #100191204
8. #100191039
9. #100189788

2:05 p.m. Court in recess.

2:35 p.m. Court in session.

Jury is present.

Court gives jury preliminary instructions.

2:50 p.m. Opening statement by Ms. Willis.

3:25 p.m. Opening statement by Ms. Harden.

4:05 p.m. Court in recess.

4:18 p.m. Court in session.

4:19 p.m. Opening statement by Ms. Wassmuth.

4:44 p.m. Court advises jury regarding admonitions of trial. Trial will resume at 8:30 a.m. tomorrow; jurors to report by 8:15 a.m.

4:46 p.m. Jury exits.

Discussion regarding objections or stipulations to video depositions.

4:49 p.m. Court in recess.

Total time in court: 05:49

Trial continued.