

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

Date: August 2, 2010

Deputy Clerk: Nel Steffens
Court Reporter: Gwen Daniel

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

Parties:

GIACOMO KRATTER,

Plaintiff,

Counsel:

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 Five

8:32 a.m. Court in session.

Appearances of counsel.

Jury is present.

8:34 a.m. Broadcast of video deposition of Randy Jones is resumed.

9:27 a.m. Broadcast of video deposition of Randy Jones is completed.

9:29 a.m. Plaintiff's witness, Carrie Michelle Hendryx, called and sworn. Witness appears by videoconference from Miami, Florida.

9:42 a.m. Cross examination by Ms. Wassmuth.

9:45 a.m. Cross examination by Mr. Montoya.

9:57 a.m. Re-direct examination by Ms. Willis.

9:57 a.m. Witness is excused; videoconference is ended.

10:00 a.m. Court in recess.

10:17 a.m. Court in session.

Discussion regarding plaintiff's motion, #254.

IT IS ORDERED as follows:

That the **Plaintiff's Third Motion To Allow Italian Interpreter in Court To Assist in Witness Testimony Pursuant to Fed.R.Civ.P. 43(d) [#254]** filed July 31, 2010, is **GRANTED IN PART** insofar as it provides for interpretation by Ms. Elisabetta Savigni Ullman.

10:18 a.m. Italian interpreter, Elisabetta Savigni Ullmann, sworn.

10:19 a.m. Jury is present.

10:20 a.m. Plaintiff's witness, Manfredi Kratter, called and sworn. Witness is assisted by Italian interpreter.

Direct examination by Mr. Schanker.

10:43 a.m. Cross examination by Ms. Harden.

10:56 a.m. Cross examination by Ms. Wassmuth.

10:57 a.m. Witness is excused and released from subpoena.

10:58 a.m. Plaintiff's witness, Dr. Mark McNulty, called and sworn.

Direct examination by Mr. Schanker.

Exhibit Identified: 88

Dr. McNulty is offered and accepted as an expert in the field of economics and economic damage determination.

Continued direct examination by Mr. Schanker.

Exhibit Identified: 115

11:48 a.m. Cross examination by Ms. Wassmuth.

11:58 a.m. Court in recess.

1:01 p.m. Court in session.

Jury is present.

Witness has resumed the witness stand.

Continued cross examination by Ms. Wassmuth.

1:14 p.m. Cross examination by Ms. Harden.

1:31 p.m. Witness is excused and released from subpoena.

1:33 p.m. Plaintiff's witness, Filippo Kratter, called and sworn.

Direct examination by Ms. Willis.

2:08 p.m. Cross examination by Ms. Glogiewicz.

2:25 p.m. Cross examination by Ms. Harden.

2:40 p.m. Re-direct examination by Ms. Willis.

2:44 p.m. Witness is excused and released from subpoena.

2:44 p.m. Plaintiff's witness, Davide Sturiale, called and sworn.

Direct examination by Ms. Willis.

3:06 p.m. Court in recess.

3:21 p.m. Court in session.

Jury is present.

Witness has resumed the witness stand.

3:23 p.m. Cross examination by Ms. Wassmuth.

3:30 p.m. Witness is excused and released from subpoena.

3:31 p.m. Plaintiff's witness, Dr. Roberta Anderson-Oeser, recalled; witness resumes the witness stand.

Court reminds the witness that she is still under oath.

Continued direct examination by Ms. Willis.

3:43 p.m. Cross examination by Ms. Harden.

Exhibit Identified: 298, 299

Exhibit Admitted: 298, 299

4:11 p.m. Cross examination by Ms. Wassmuth.

4:14 p.m. Re-direct examination by Ms. Willis.

4:31 p.m. Witness is excused and released from subpoena.

4:31 p.m. Plaintiff, Giacomo Kratter, called and sworn.

Direct examination by Ms. Willis.

4:56 p.m. Witness is excused for the day, subject to recall.

4:57 p.m. Bench conference.

5:00 p.m. Court reminds jury of the admonitions of trial. Trial will resume at 8:30 a.m. tomorrow.

5:02 p.m. Court in recess.

Total in-court time: 06:55

Trial continued.