

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
CHIEF JUDGE WILEY Y. DANIEL**

Courtroom Deputy: Robert R. Keech
E.C.R./Reporter: Therese Lindblom

Date: October 3, 2011

Civil Action No: **09-cv-00908-WYD-CBS**

Counsel:

GLORIA HUIZAR,

Timothy D. Edstrom

Plaintiff,

v.

LEPRINO FOODS,

William C. Brittan

Defendant.

COURTROOM MINUTES

JURY TRIAL (DAY 1)

9:11 a.m. Court in Session - Jury not present

APPEARANCES OF COUNSEL.

Court's opening remarks.

9:11 a.m. Discussion regarding interpreter and issues related to post-termination phone calls from Ruben Estrada.

ORDERED: No reference shall be made in the evidence related to incidents which occurred after Ms. Huizar was terminated by Leprino Foods.

ORDERED: Defendant's Motion in Limine to Bar Testimony (ECF Doc. #121), filed August 19, 2011, is **DENIED AS MOOT.**

9:38 a.m. Discussion regarding objection to Plaintiff's exhibit 6.

9:40 a.m. Court in Recess

10:01 a.m. Court in Session - Jury present

Court's opening remarks to prospective jurors.

10:02 a.m. Voir dire oath given.

10:12 a.m. Voir dire by Court commences.

11:43 a.m. Court in Recess

12:02 p.m. Court in Session - Jury present

Voir dire by Court continues.

12:32 p.m. Voir dire by Plaintiff (Mr. Edstrom).

12:47 p.m. Voir dire by Defendant (Mr. Brittan).

Plaintiff's oral challenge for cause as to jurors 100228597 and 100203790.

12:52 p.m. Voir dire by Court continues.

ORDERED: Plaintiff's oral challenge for cause as to jurors 100228597 and 100203790 is **GRANTED.**

12:57 p.m. Voir dire by Court continues.

1:10 p.m. Voir dire by Plaintiff (Mr. Edstrom).

1:11 p.m. Voir dire by Defendant (Mr. Brittan).

Challenges for Cause:

- 1) 100228597
- 2) 100203790
- 3) 100216239

Peremptory Challenges by Plaintiff:

- 1) 100231695
- 2) 100230991
- 3) 100236765

Peremptory Challenges by Defendant:

- 1) 100212692
- 2) 100208576
- 3) 100219809

1:16 p.m. Jury sworn to try:

- | | |
|--------------|---------------|
| 1) 100210351 | 2) 100213470 |
| 3) 100201314 | 4) 100234032 |
| 5) 100214892 | 6) 100228307 |
| 7) 100230196 | 8) 100233080 |
| 9) 100203952 | 10) 100226222 |

1:17 p.m. Court reads preliminary jury instructions.

1:18 p.m. Court in Recess

2:41 p.m. Court in Session - Jury enters

Court reads additional preliminary jury instructions.

2:54 p.m. Opening statement by Plaintiff (Mr. Edstrom).

3:02 p.m. Opening statement by Defendant (Mr. Brittan).

3:15 p.m. Interpreter **Tony Rosado** sworn (Spanish).

3:16 p.m. Plaintiff's witness **Gloria Huizar Santoyo** sworn.

Direct examination by Plaintiff (Mr. Edstrom).

3:19 p.m. Bench conference regarding Stipulations Pertinent to Trial (ECF Doc. #133).

3:21 p.m. Court reads Stipulations Pertinent to Trial (ECF Doc. #133).

3:22 p.m. Direct examination by Plaintiff continues (Mr. Edstrom).

EX ID: 3, 4

Exhibit(s) 3, 4 RECEIVED.

4:23 p.m. Court in Recess

4:38 p.m. Court in Session - Jury enters

Plaintiff's witness **Gloria Huizar Santoyo** resumes.

Direct examination by Plaintiff continues (Mr. Edstrom).

EX ID: 5

Exhibit(s) 5 RECEIVED.

4:47 p.m. Jury excused for the evening.

Discussion and argument regarding objection by Defendant - **OVERRULED.**

4:57 p.m. Discussion regarding schedule for tomorrow.

4:58 p.m. Court in Recess - TRIAL CONTINUED

TOTAL TIME: 5:29