

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JAMES S. TATE, JR., M.D.,)	2:09-CV-01748-JAD-NJK
)	
Plaintiff,)	
)	
vs.)	MINUTES OF THE COURT
UNIVERSITY MEDICAL CENTER)	
OF SOUTHERN NEVADA)	
)	
<u>Defendant(s).</u>)	DATED: <u>12/6/2016</u>

PRESENT: HONORABLE JENNIFER A. DORSEY, UNITED STATES DISTRICT JUDGE

DEPUTY CLERK: DANIELLE CACCIABAUDO REPORTER: FELICIA ZABIN

COUNSEL FOR PLAINTIFF(S): JACOB HAFTER, JOHN ALDRICH

COUNSEL FOR DEFENDANT(S): MATTHEW DUSHOFF, MICHAEL DAVIDSON, ALSO SEATED AT COUNSEL TABLE: ANNE MARIE LANDIS (PARALEGAL), MASON VANHOUEWELING (UMC REPRESENTATIVE), SHANE GODFREY

PROCEEDINGS: Jury Trial - Day 1

9:04 A.M. Court convenes outside the presence of the prospective jury. The Court addresses the Motion to Redact #334 and ORDERS the motion is granted in part and denied in part. The motion is denied as to race. Tate 456-461, discussion will be redacted.

Mr. Hafter advises the Court that one of its witnesses has not been served, Dr. Craig Iwamoto. The Court will take this matter under submission and advises counsel to continue to try to serve him personally.

9:12 A.M. Court stands at recess.

9:20 A.M. Court reconvenes in the presence of forty-seven prospective jurors. All parties are present.

The Court makes opening remarks, introduces the staff, has counsel introduce themselves and gives a brief summary of the case to the prospective jurors. The prospective jurors are sworn and voir dire commences.

10:51 A.M. Court stands at recess.

11:06 A.M. Court reconvenes in the presence of the prospective jury and the voir dire process continues. All parties are present.

2:09-cv-01748-JAD-NJK
12/6/2016

12:25 P.M. Prospective jury is admonished and excused for a morning break.

Counsel exercise their peremptory challenges.

12:50 P.M. Court reconvenes in the presence of prospective jurors.

The jury is selected and sworn in. Unselected jurors are excused.

Court instructs the jurors on the order of trial proceedings.

1:00 P.M. Jury admonished and excused. Court stands at recess.

2:05 P.M. Court reconvenes in the presence of the jury. All parties are present.

Opening arguments are presented by Mr. Hafter on behalf of Plaintiff and Mr. Dushoff on behalf of Defendant.

3:55 P.M. The jury is excused for an afternoon break. Court stands at recess.

4:06 P.M. Court reconvenes outside the presence of the jury. Mr. Hafter makes an oral motion to renew plaintiff's Motion to Strike Defendants' Untimely Supplement to Initial Disclosures #149. Mr. Dushoff responds. The Court will take this matter under submission.

4:10 P.M. Jury is brought back into the courtroom. **KATHLEEN SILVER** called on behalf of the Plaintiff, is sworn and testifies on direct examination by Mr. Hafter. **Exhibits 1027 and 1009 are marked and admitted into evidence. Exhibit 189 is marked, but not admitted.**

4:52 P.M. The Court excuses the jury for the evening.

4:53 P.M. The Court hears arguments of counsel outside the presence of the jury regarding objections to testimony of Kathleen Silver. The objection is sustained.

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