

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	)	
	)	
Defendant.	)	DATED: <u>12/14/2016</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, DAVID EDELBLUTE, ALSO SEATED AT COUNSEL TABLE: ANNE MARIE LANDIS (PARALEGAL), SUSAN PITZ (UMC REPRESENTATIVE), SHANE GODFREY

PROCEEDINGS: Jury Trial - Day 6

9:00 A.M. Court convenes outside the presence of the jury. The Court hears objections from counsel as to the Court's previous ruling to exclude plaintiff's exhibit 150. The Court overrules plaintiff's objections.

9:25 A.M. Court reconvenes in the presence of the jury. **RORY REID**, is called on behalf of the Plaintiff, is sworn and testifies on direct examination by Mr. Hafter. **Exhibit 59 is marked, but not admitted. Exhibit 150 is marked and admitted into evidence.** Mr. Dushoff conducts cross examination. Witness is excused.

10:20 A.M. **Dale Carrison**, being previously sworn in, resumes the stand on continued cross examination by Mr. Davidson.

10:42 A.M. Jury is admonished and excused for the morning break. Court stands at recess.

10:58 A.M. Court reconvenes in the presence of the jury. **Dale Carrison**, resumes the stand on cross examination by Mr. Davidson. Mr. Hafter conducts redirect examination. Mr. Davidson conducts recross examination. Witness is excused.

11:38 A.M. Jury is admonished and excused for the lunch break. Court stands at recess.

12:44 P.M. Court reconvenes outside the presence of the jury. The Court hears arguments of counsel

as to plaintiff's renewed motion to strike defendant's disclosures and witnesses [ECF 354]. The Court places findings on the record and DENIES the motion to strike [ECF 354].

The Court hears argument of counsel as to plaintiff's response to defendant's deposition designations [ECF 349]. The Court rules on the objections.

1:25 P.M. The jury enters the courtroom. **NATHAN OZOBIA**, is called on behalf of the Plaintiff, is sworn and testifies on direct examination by Mr. Hafter. Mr. Dushoff conducts cross examination. Mr. Hafter conducts redirect examination. Mr. Dushoff conducts recross examination. Witness is excused.

2:35 P.M. The jury is admonished and excused for the afternoon break. Court stands at recess.

2:52 P.M. Court reconvenes in the presence of the jury. **STEVE SISOLAK**, is called on behalf of the Plaintiff, is sworn and testifies on direct examination by Mr. Hafter. Mr. Dushoff conducts cross examination. Mr. Hafter conducts redirect examination. Witness is excused.

**BRADLEY BALLARD**, is called on behalf of the Plaintiff, is sworn and testifies on direct examination by Mr. Hafter. **Exhibits 10, 50, 76, 82 and 203 are marked, but not admitted.** Mr. Davidson conducts cross examination. Witness is excused.

The Court instructs the jury to return tomorrow at 1:00 P.M.

The Court distributes the discussion draft of the proposed jury instructions and verdict form that will be addressed tomorrow.

5:00 P.M. Court adjourns.

Jury Trial continued to Thursday, December 15, 2016 at 9:00 A.M. in Courtroom 6D before Judge Jennifer A. Dorsey.

LANCE S. WILSON, CLERK  
United States District Court  
By:    /s/                                    
Danielle Cacciabauda, Deputy Clerk