

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2010-033110

01/14/2013

HONORABLE MARK H. BRAIN

CLERK OF THE COURT
A. Melchert/L. Nelson
Deputy

CECELIA M CAMPBELL

TREY A R DAYES III

v.

A A M, L L C, et al.

MARIA R KUPILLAS

**TRIAL MINUTE ENTRY
DAY 1**

Courtroom 514 – East Court Building

Prior to commencement of trial, Plaintiff's exhibits 1 through 18 and Defendants' exhibits 19 through 27 are marked for identification.

9:32 a.m. This is the time set for trial to a jury. Plaintiff is present and represented by counsel, Jeffrey Grayson. Defendants are represented by counsel, Maria Kupillas. Defendants' representative, Kevin Berner, is present.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

The prospective jurors are present.

Voir dire examination of prospective jurors.

Jurors #16 and 30 are excused for cause.

Voir dire continues.

10:26 a.m. The prospective jurors leave the courtroom and court remains in session.

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Prospective juror #23 enters the courtroom and addresses the court and is excused from service.

Court and counsel confer with respect to the jurors being struck for hardship and/or cause.

10:29 a.m. Court stands at recess.

10:42 a.m. Court reconvenes with the parties and respective counsel present. The prospective jurors are present.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Jurors # 1, 2, 4, 5, 11, 15, 25, 26, 27, 28, and 29 are excused for cause.

Voir dire continues.

10:59 a.m. The prospective jurors leave the courtroom and court remains in session.

Court and counsel confer with respect to the jurors being struck for hardship and/or cause.

Counsel pass the panel.

Counsel remain to make their peremptory strikes.

11:03 a.m. The jury panel is admonished and court stands at recess.

11:22 a.m. Court reconvenes with respective counsel and parties present. The prospective jury is not present.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

11:26 a.m. The prospective jury enters the courtroom and trial continues.

Eight (8) persons are selected and sworn to act as trial jurors in this cause.

FILED: Jury List

The Preliminary Instructions are read to the jury.

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FILED: Preliminary Instructions

11:47 a.m. Court stands at recess.

1:13 p.m. Court reconvenes with respective counsel and parties present.

The jury is not present.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Discussion is held regarding Plaintiff's Exhibit 17, which counsel requests may be supplemented to include additional photographs.

IT IS ORDERED granting the parties' request to supplement Plaintiff's Exhibit 17.

Defense counsel advises the Court of their objection to Plaintiff's Exhibit 18. The Court notes this objection on the record.

1:16 p.m. The jury is present.

Opening statements are presented.

Plaintiff's Case:

Cecelia Campbell is sworn and testifies.

Plaintiff's Exhibit 17 is received in evidence.

Ms. Campbell continues to testify.

The Court has received 3 juror questions, same are discussed with counsel, and the Court asks 2 of the questions of the witness. The Court determines that one question cannot be answered by this witness and the Court informs the jury that the question will be addressed at a later date.

FILED: Juror Question (3)

Ms. Campbell testifies further.

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Cecelia Campbell is excused.

2:20 p.m. The jury leaves the courtroom and court continues.

Discussion is held regarding the admission of exhibits.

Plaintiff's Exhibits 1-9, 12 and 13 and Defendants' Exhibits 21, 23 and 25 are received in evidence by stipulation.

Court and counsel discuss future scheduling.

2:28 p.m. Court stands at recess and shall resume at 9:30 a.m. on January 15, 2013, in this division.

ALERT: The Arizona Supreme Court Administrative Order 2011-140 directs the Clerk's Office not to accept paper filings from attorneys in civil cases. Civil cases must still be initiated on paper; however, subsequent documents must be eFiled through AZTurboCourt unless an exception defined in the Administrative Order applies.