

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge William J. Martínez

Courtroom Deputy: Deborah Hansen
Court Reporter: Gwen Daniel

Date: March 23, 2015
Time: 3 hours and 41 minutes

Civil Action No. 09-cv-00858-WJM-MEH

Counsel:

EBONIE S., a child by her mother and
next friend, MARY S.,

Douglas Abbott
Maureen Witt
Katherine Gerland

Plaintiff,

v.

PUEBLO SCHOOL DISTRICT 60,

Thomas Rice
Courtney Kramer

Defendant.

AMENDED COURTROOM MINUTES

JURY TRIAL - DAY SIX

08:47 a.m. Court in Session - without jury

Court's comments

ORDERED: The Plaintiff's Motion for Judicial Notice [329] is GRANTED.

08:53 Jury present

DEFENDANT'S FIFTH WITNESS PAUL SPRAGG

08:53 Cross continued (by Ms. Witt)

09:13 Redirect (by Mr. Rice)

09:15 Defense Rests.

PLAINTIFF'S REBUTTAL WITNESS HELENA HUCKABEE

09:15 Direct (by Ms. Gerland)

09:35 Jury excused.

The defense renews its Rule 50 motion for judgment as a matter of law.

Argument (by Mr. Rice)

Argument (by Mr. Abbott)

Argument (by Mr. Rice)

The Court enters its findings and conclusions on the record.

ORDERED: The defendant's mid-trial oral motion, renewed this morning, for entry of judgment as a matter of law under Fed. R. Civ. P. 50(a)(1) is DENIED.

Court's comments

10:00 Court in Recess

10:24 Court in Session - without jury

Jury Instruction Conference

10:36 Jury present

10:35 The Court instructs the jury on the law.

11:05 Closing Argument (by Ms. Witt)

11:46 Court in Recess

11:58 Court in Session - jury present

11:58 Closing Argument (by Mr. Rice)

12:43 Rebuttal Argument (by Ms. Witt)

12:50 Bailiff sworn.

12:51 Jury excused to commence their deliberations.

12:51 Court in Recess

02:50 Court in Session - without jury

The Court reads aloud two questions from the jury.

Court's comments

The Court reads aloud its proposed response to Question No. 2.

The parties agree with the Court's proposed response to Question No. 2.

Court's comments regarding Question No. 1.

Discussion/Argument

03:00 Court in Recess

03:10 Court in Session

The parties have been given a proposed definition by the Court in response to Question No. 1.

The plaintiff does not agree with the proposed response.

Because the plaintiff does not agree with the proposed response, the Court reads aloud its written response to Question No. 1, which is given to the jury.

03:13 p.m. Court in Recess

At 4:15 the jury submitted a third question. The Court sent a written response to the jury. Counsel were called and notified of the question and the Court's response.

05:05 p.m. The jury ended their deliberations for the day. The parties and jury will return at 8:30 a.m. tomorrow.