

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA
CIVIL MINUTES - BENCH TRIAL**

Phoenix Division

CV-06-01268-PHX-ROS

DATE: 7/16/08

Year Case No Initials

Title: Maria M. Gonzalez, et al.
Plaintiffs

vs. State of Arizona, et al.
Defendants

HON: ROSLYN O. SILVER

Judge # 7022

Deputy Clerk : Christine Boucher

Court Reporter: Elaine Cropper

Nina Perales, Daniel Ortega, Jr.,
Karen Hartman-Tellez, Robert Kengle,
Sara Greene, Joe Sparks

Steven LaMar, Dennis Wilenchik, Kathleen Rapp,
Barbara Bailey, Carrie Brennan, Colleen Connor,
Chris Roll, Nicole Weber, Neil Bradley, Marisol Perez,
Nicholas Espiritu, Diego Bernal, Jean Wilcox(also present
on 7/10/08 and 7/09/08

Attorney(s) for Plaintiff(s)

Attorney(s) for Defendant(s)

PROCEEDINGS: JURY TRIAL X NON-JURY TRIAL VOIR DIRE JURY SWORN

Trial day # 4

8:46 a.m. Court reconvenes. Discussion held regarding witnesses as set forth on the record. 9:22 a.m. ITCA Plaintiffs move to admit Exhibits 1311, 1325 and 1340. No objection. Exhibits 1311, 1325, and 1340 are admitted. 9:23 a.m. Gonzalez Plaintiffs call Salvador Martinez. Exhibits 565 and 567 are admitted. Exhibits 538, 563, 566, 569, and 570 are admitted. 9:41 a.m. Cross-examination. Exhibit 1306 is admitted. 10:01 a.m. Redirect. 10:09 a.m. Witness is excused. ITCA Plaintiffs call Linda Brown. Witness is sworn and examined. Exhibit 1223 is admitted. 10:39 a.m. Court is in recess.

11:07 a.m. Court reconvenes. Cross-examination of Linda Brown. 11:17 a.m. No redirect. Witness is excused. Gonzalez Plaintiffs call Debra Sue Lopez. Witness is sworn and examined. 11:40 a.m. Cross-examination. 11:46 a.m. Redirect. 11:51 a.m. Witness is excused. 11:54 a.m. Court is in recess.

1:22 p.m. Court reconvenes. Exhibits 961 and 954 are admitted. Exhibit 965 is marked and admitted. Exhibits 1, 2, 3, 5, and 6 are admitted. Exhibits 878, 873, 865, 861, 887, and 1341 (appendix A only) are admitted. 1:44 p.m. Plaintiffs rest. Rule 52(c) and Motions for Summary Judgment made by defendants. The Court takes the matters under advisement. Court orders that parties file expedited briefings (no more than 10 pages) and expedited responses which are essentially closing arguments. 1:46 p.m. Defendants' case: Joseph Kanefield is sworn and examined. Exhibit 4 is admitted. Exhibit 1357 is admitted. 2:35 p.m. Court is in recess.

3:01 p.m. Court reconvenes. Direct examination of Joseph Kanefield continues. Exhibits 1355, 1356, and 576 are admitted. 3:32 p.m. Cross-examination. 3:59 p.m. Court is in recess.

4:27 p.m. Court reconvenes. Cross-examination of Joseph Kanefield continues. Exhibit 409 is admitted with redaction as set forth on the record. 4:57 p.m. Court asks witnesses questions. 5:04 p.m. Court is in recess. Court to reconvene on 7/17/08 at 8:30 a.m.

Time in Court : 5 hrs. 28 min.