

1 CASE NUMBER: BC470714
2 CASE NAME: DUVAL V COUNTY OF LOS ANGELES
3 LOS ANGELES, CALIFORNIA THURSDAY, SEPTEMBER 15, 2016
4 DEPARTMENT 89 HON. WILLIAM A. MACLAUGHLIN
5 APPEARANCES: (AS HERETO NOTED.)
6 REPORTER: ELORA DORINI, CSR NO. 13755
7 TIME: 8:34 A.M.
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11 THE COURT: WE'RE ON THE RECORD. MOST COUNSEL
12 ARE PRESENT. I'D ASKED YOU YESTERDAY TO TAKE A LOOK
13 THE CACI INSTRUCTION 101 OVERVIEW OF THE TRIAL TO SEE
14 IF THERE'S A SIMPLIFIED VERSION WE COULD GIVE.

15 AS YOU RECALL, I HAVE TWO OTHER VERSIONS FROM
16 THE PARTIES, AND I THINK THAT EITHER ONE OF THEM COULD
17 PROBABLY BE GIVEN. BUT I ALSO THINK A SIMPLER VERSION
18 COULD BE GIVEN BECAUSE WE'VE DESCRIBED WHAT THE CLAIMS
19 ARE ABOUT.

20 WE'RE GOING TO BE HEARING OPENING STATEMENTS
21 RIGHT AFTER THESE INSTRUCTIONS. SO MY THOUGHT IS I
22 COULD JUST CUT DOWN ON 101 AND GIVE A SIMPLER VERSION.

23 I ASKED YOU TWO IF YOU WOULD CONFER ON THIS,
24 BUT I'M NOT SURE IF YOU'VE HAD TIME TO DO SO. WE'RE
25 RIGHT IN THE MIDDLE OF --

26 MR. MCMILLAN: I APOLOGIZE, YOUR HONOR. THAT
27 KIND OF DROPPED THROUGH THE CRACKS.

28 THE COURT: IT'S NOT A PROBLEM.

1 MR. MCMILLAN: WELL, FOR PLAINTIFF'S PARTY,
2 YOUR HONOR, IF YOU HAD SOMETHING PARTICULAR IN MIND IN
3 TERMS OF WHAT TO CUT OUT, WE'LL DEFER TO YOUR JUDGMENT
4 ON THAT.

5 OR IF WE HAVE A LITTLE BIT OF TIME, WE COULD
6 MAYBE --

7 THE COURT: YEAH. YOU HAVE SOME TIME. WE CAN
8 GIVE A DESCRIPTION OF THE DIFFERENT CLAIMS. WE GAVE A
9 DESCRIPTION FIRST. WE HAD THE STATEMENT OF THE CASE,
10 TOO, AND THEN A MINI OPENING STATEMENTS, I THINK.

11 I BELIEVE YOU COVERED EACH OF THE CLAIMS IN
12 THE MINI OPENING.

13 MR. MCMILLAN: I THINK WE DID GENERALLY.

14 THE COURT: I DON'T KNOW THAT IT'S TOO
15 IMPORTANT ANYWAY BECAUSE A LOT OF THESE CLAIMS WILL
16 SOUND A LITTLE ARCANE TO THE JURORS AT THIS POINT.

17 AND WHEN THEY GET ALL THE EVIDENCE IN THE
18 CASE, AND EVENTUALLY WHEN WE GIVE THE INSTRUCTIONS AT
19 THE END, IT WILL BRING IT TO TOGETHER.

20 BUT ALSO CERTAINLY YOUR CLOSING ARGUMENTS
21 WILL. BUT I BELIEVE YOUR OPENING STATEMENTS WILL AS
22 WELL TODAY.

23 SO MY THOUGHT IS THAT TO -- SIMPLY AS AN
24 ALTERNATIVE TO FOR US TRYING TO ENTER ONE OF THESE TWO
25 DIFFERENT VERSIONS THAT I JUST CUT DOWN ON 101 AND JUST
26 USE THE PART OF 101 THAT DESCRIBES WHAT THE PROCEDURES
27 ARE.

28 MS. SWISS: THAT'S FINE FOR THE DEFENDANTS.

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MR. MCMILLAN: THAT WORKS.

(JURY PRESENT)

(VOIR DIRE OF PROSPECTIVE JURORS
REPORTED BUT NOT INCLUDED HEREIN)

(WHEREUPON, AT THE HOUR OF 4:40 P.M.,
THE PROCEEDINGS WERE ADJOURNED.)

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(THE NEXT PAGE NUMBER IS 1801)