

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Philip A. Brimmer

Civil Action No: 15-cv-02613-PAB-MEH
Courtroom Deputy: Sabrina Grimm

Date: January 17, 2018
Court Reporter: Janet Coppock

Parties:

JENNIFER DEBUHR, and
JASON DEBUHR,

Plaintiffs,

v.

WARREN M HERN, and
BOULDER ABORTION CLINIC, P.C., a Colorado
professional corporation,

Defendants.

Counsel:

Terry Dougherty
Audrey Svane

Kay Rice
Amy Cook-Olson

COURTROOM MINUTES

JURY TRIAL – DAY SIX

8:32 a.m. Court in session.

Court calls case.

Discussion regarding recalling Jennifer DeBuhr.

8:37 a.m. Jurors present.

Continued cross examination of Dr. Arias by Ms. Rice through videotaped deposition.

9:10 a.m. Redirect examination of Dr. Arias by Mr. Dougherty through videotaped deposition.

9:20 a.m. Plaintiff, Jennifer DeBuhr, recalled.

Cross examination of Ms. DeBuhr by Ms. Rice.

9:38 a.m. Redirect examination of Ms. DeBuhr by Mr. Dougherty.

Plaintiff, Jason DeBuhr, sworn.

9:46 a.m. Direct examination of Mr. DeBuhr by Mr. Dougherty.

Court instructs jurors. Jurors excused.

10:23 a.m. Court in recess.

10:43 a.m. Court in session.

Jurors present.

10:45 a.m. Continued direct examination of Mr. DeBuhr by Mr. Dougherty.

10:55 a.m. Cross examination of Mr. DeBuhr by Ms. Rice.

11:03 a.m. Reference to the August 24, 2016 deposition transcript of Jason DeBuhr.

11:20 a.m. Redirect examination of Mr. DeBuhr by Mr. Dougherty.

Witness excused.

Plaintiffs' Exhibits 22, 75, 77, and 79 are admitted.

Plaintiffs rest.

11:30 a.m. to 11:31 a.m. Bench conference.

Court instructs jurors. Jurors excused.

Defendants' oral motion for judgment as a matter of law pursuant to Rule 50 by Ms. Rice.
Argument by Ms. Rice and Ms. Svane.

ORDERED: Defendants' oral motion for judgment as a matter of law pursuant to Rule 50 is GRANTED IN PART AND DENIED IN PART, as stated on record. Defendant Boulder Abortion Clinic, P.C. is dismissed from the case.

11:57 a.m. Court in recess.

1:04 p.m. Court in session.

Discussion regarding the disclosure of demonstrative exhibits that will be used during Dr. Hopkins' testimony.

Court determines the demonstrative exhibits will be excluded.

1:11 p.m. Jurors present.

Defendants' witness, Dr. Frederick Hopkins, sworn.

1:13 p.m. Direct examination of Dr. Hopkins by Ms. Cook-Olson.

Defendants' Exhibit A-39, pgs. 13-18, are admitted.

2:26 p.m. to 2:34 p.m. Bench conference.

Continued direct examination of Dr. Hopkins by Ms. Cook-Olson.

Defendants' Exhibit B-41, pg. 117, is admitted.

Jurors excused.

3:02 p.m. Court in recess.

3:21 p.m. Court in session.

Jurors present.

Continued direct examination of Dr. Hopkins by Ms. Cook-Olson.

Defendants' Exhibit A-13, pg. 9, is admitted.

3:45 p.m. Cross examination of Dr. Hopkins by Mr. Dougherty.

Court instructs jurors. Juror excused until January 18, 2018 at 8:30 a.m.

5:06 p.m. Court in recess.

5:32 p.m. Court in session.

Discussion regarding proposed jury instructions. Counsel should plan on meeting again on January 19, 2018 after 5:00 p.m. for a further conference.

6:00 p.m. Court in recess.

Hearing continued.

Total in-court time 7:16