

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

Phoenix Division

CV-12-08115-PCT-DGC DATE: 12/19/2014
Year Case No Initials

Title: Shannon E. Foust, et al. vs. City of Page, et al.
Plaintiffs Defendants

HON: DAVID G. CAMPBELL

Traci Abraham
Deputy Clerk

Linda Schroeder
Court Reporter

Attorney(s) for Plaintiff(s)

Attorney(s) for Defendant(s)

John Jeffrey Bouma

Robert Grasso, Jr.

PROCEEDINGS: FINAL PRETRIAL X JURY TRIAL VOIR DIRE JURY SWORN

Trial day # 7

7:55 a.m. Jury is all present in the jury room to continue deliberations.

9:10 to 9:25 Jury break.

9:57 Court in session. Parties present. Court addresses a note received from jury that they are unable to reach a verdict. Discussion held. Jury has been deliberating for 13 hours. Court will not give the 9th circuit instruction and ask they continue to deliberate. Parties agree and have no objections. Court will declare a mistrial. Court will bring jury into the courtroom ask questions and allow counsel to ask questions.

10:03 Jury present. Discussion held with the jury on their efforts and their conclusion that a verdict could not be reached.

10:31 Jury released and excused.

10:32 Discussion held with counsel resetting of trial.

10:36 Court in recess.

10:41 Court in session. Parties present. Parties request time to speak with their experts before resetting the trial. Length of trial discussed. 4 days. 22 hours. 12 hours for plaintiff. 10 hours for defendant. Following dates available: 2/2/15-2/6/15; 2/23/15-2/27/15; 3/9/15-3/13/15; 3/16/15-3/20/15; 3/23/15-3/27/15. Settlement conference discussed. Parties to advise if there is an agreement to a Magistrate Judge designation. A telephonic hearing is set for 12/22/14 at 11:00 a.m.

10:49 Court adjourned.