

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 16, 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 FIVE

8:52 a.m. Court in session.

Court calls case.

Discussion regarding order of witnesses for the day.

8:54 a.m. Jurors present.

Plaintiffs' Exhibit 51 is admitted.

Plaintiffs' witness, Dr. Andrew Robertson, sworn.

8:56 a.m. Direct examination of Dr. Robertson by Mr. Dougherty.

Plaintiffs' Exhibit 64 is admitted.

9:41 a.m. to 9:42 a.m. Bench conference.

Continued direct examination of Dr. Robertson by Mr. Dougherty.

9:47 a.m. to 9:48 a.m. Bench conference.

Continued direct examination of Dr. Robertson by Mr. Dougherty.

Jurors excused.

Discussion regarding Dr. Robertson's reference to the fetus and criticisms of the Boulder Abortion Clinic.

10:40 a.m. Court in recess.

10:50 a.m. Court in session.

Jurors present.

10:51 a.m. Continued direct examination of Dr. Robertson by Mr. Dougherty.

11:24 a.m. Cross examination of Dr. Robertson by Ms. Cook-Olson.

11:27 a.m. Reference to the November 16, 2016 deposition transcript of Dr. Robertson.

Court instructs jurors. Jurors excused.

12:00 p.m. Court in recess.

1:31 p.m. Court in session.

Jurors present.

1:33 p.m. Continued cross examination of Dr. Robertson by Ms. Cook-Olson.

Defendants' Exhibit B-34 is admitted for demonstrative purposes.

1:47 p.m. Reference to the August 3, 2016 deposition transcript of Dr. Robertson.

Defendants' Exhibits A-77, pg. 54, A-78, pgs. 137 and 138, are admitted.

2:10 p.m. Redirect examination of Dr. Robertson by Mr. Dougherty.

Witness excused.

2:31 p.m. Plaintiffs' witness, C.C., sworn.

Direct examination of C.C. by Ms. Svane.

Court instructs jurors. Jurors excused.

3:10 p.m. Court in recess.

3:26 p.m. Court in session.

Jurors present.

3:28 p.m. Cross examination of C.C. by Ms. Cook-Olson.

Defendants' Exhibit A-1, pg. 3, is admitted.

4:01 p.m. Redirect examination of C.C. by Ms. Svane.

4:06 p.m. Plaintiffs' witness, Dr. Robert Arias, by videotaped deposition taken November 8, 2017.

Continued direct examination of Dr. Arias by Mr. Dougherty through videotaped deposition.

Defendants' Exhibits B-9, B-10, B-11, pgs. 1-4, and B-13 are admitted.

4:45 p.m. Cross examination of Dr. Arias by Ms. Rice through videotaped deposition.

Court instructs jurors. Juror excused until January 17, 2018 at 8:30 a.m.

Discussion regarding case scheduling, questions related to medical records from Dr. Vasa, and jury instruction conference for tomorrow evening.

5:10 p.m. Court in recess.

Hearing continued.

Total in-court time 6:21