

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 8, 2018  
Court Reporter: Janet Coppock

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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

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**COURTROOM MINUTES**

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**JURY TRIAL – DAY ONE**

**8:16 a.m. Court in session.**

Court calls case. Appearances of counsel.

Discussion regarding jury questionnaire, individual voir dire, time limits on opening statements, Plaintiffs' Exhibit 72, Defendants' Exhibit A-55, pgs. 335, 336, and 337, stipulated exhibits, witness sequestration, and other preliminary matters.

**8:30 a.m. Court in recess.**

**9:38 a.m. Court in session.**

Discussion regarding jury questionnaire answers.

The following jurors are excused based on answers provided in the questionnaire:

100337468

100340383

100369252

100345319  
100337904  
100371508  
100355075  
100349377  
100339295  
100345341  
100365457

**9:50 a.m. Court in recess.**

10:09 a.m. Jurors present.

Fifteen jurors called to the jury box.

**10:18 a.m. Court in session.**

Court's preliminary remarks and introduction of counsel, parties, and staff.

Statement by the Court.

All jurors sworn for voir dire.

10:30 a.m. Court voir dices jurors.

**11:22 a.m. Court in recess.**

**11:36 a.m. Court in session.**

Voir dire by Mr. Dougherty.

11:38 a.m. to 11:41 a.m. **Bench conference.**

Voir dire continues.

12:02 p.m. Voir dire by Ms. Rice.

12:23 p.m. to 12:28 p.m. **Bench conference:** Plaintiffs' oral motion to excuse juror 100360623 for cause is GRANTED. Defendants' oral motion to excuse juror 100347608 for cause is DENIED.

12:30 p.m. Court voir dices juror.

12:31 p.m. Voir dire by Mr. Dougherty.

12:36 p.m. Voir dire by Ms. Rice.

Court excuses jurors for cause:

100328753  
100349607  
100360623

Plaintiffs' challenges:

100355731  
100332332  
100339028

Defendants' challenges:

100347608  
100372907  
100360509

12:46 p.m. Nine jurors selected to try the case:

100366393  
100353257  
100372834  
100361935  
100343936  
100372603  
100360714  
100375387  
100346073

Jury panel sworn.

Court instructs jurors. Jurors excused.

**12:54 p.m. Court in recess.**

**2:17 p.m. Court in session.**

2:19 p.m. Jurors present.

Court instructs jurors.

2:34 p.m. Plaintiffs' opening statement by Mr. Dougherty.

3:17 p.m. Defendants' opening statement by Ms. Rice.

Court instructs jurors. Jurors excused.

**3:55 p.m. Court in recess.**

**4:09 p.m. Court in session.**

Discussion regarding Plaintiff Jennifer DeBuhr's testimony.

4:11 p.m. Jurors present.

Plaintiff, Jennifer DeBuhr, sworn.

4:12 p.m. Direct examination of Ms. DeBuhr by Mr. Dougherty.

**Defendants' Exhibit A-1, pg. 34, and A-2 are admitted.**

4:33 p.m. to 4:35 p.m. **Bench conference:** Technical difficulty with Exhibit A-2 video.

Jurors excused.

**4:35 p.m. Court in recess.**

**4:42 p.m. Court in session.**

Defendants' Exhibit A-2 video played for jurors.

Court instructs jurors. Juror excused until January 9, 2018 at 8:30 a.m.

Discussion regarding designations related to Dr. Arias' deposition.

**5:12 p.m. Court in recess.**

Hearing continued.

Total in-court time 04:56