

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 11, 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 FOUR

8:31 a.m. Court in session.

Court calls case.

Discussion regarding taking experts out of turn.

8:39 a.m. Jurors present.

Plaintiffs' Exhibit 19 is admitted.

8:42 a.m. Defendant, Dr. Warren Hern, by videotaped deposition taken September 6, 2016.

Direct examination of Dr. Hern by Mr. Dougherty through videotaped deposition.

Court instructs jurors. Jurors excused.

10:14 a.m. Court in recess.

10:31 a.m. Court in session.

Discussion regarding remaining time left of Dr. Hern's videotaped deposition.

10:32 a.m. Jurors present.

Plaintiffs' Exhibit 18 is admitted.

Plaintiffs' Exhibit 42 is rejected.

10:36 a.m. Continued direct examination of Dr. Hern by Mr. Dougherty through videotaped deposition.

Court instructs jurors. Jurors excused.

11:50 a.m. Court in recess.

1:24 p.m. Court in session.

Jurors present.

Plaintiffs' witness, Dr. Regan Theiler, sworn.

1:26 p.m. Direct examination of Dr. Theiler by Mr. Dougherty.

Plaintiffs' Exhibit 26 is admitted.

1:46 p.m. to 1:51 p.m. Bench conference.

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

2:11 p.m. to 2:12 p.m. Bench conference.

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

Plaintiffs' Exhibit 45 is admitted.

2:28 p.m. to 2:32 p.m. Bench conference.

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

2:34 p.m. Cross examination of Dr. Theiler by Ms. Cook-Olson.

2:35 p.m. Reference to November 4, 2016 deposition transcript of Dr. Regan Theiler.

Defendants' Exhibit A-87, pgs. 362-364, are admitted.

2:50 p.m. to 2:53 p.m. Bench conference.

Continued cross examination of Dr. Theiler by Ms. Cook-Olson.

3:03 p.m. to 3:05 p.m. Bench conference.

Continued cross examination of Dr. Theiler by Ms. Cook-Olson.

Defendants' Exhibits A-91, A-92, and A-88 are admitted.

Jurors excused.

3:17 p.m. Court in recess.

3:33 p.m. Court in session.

Jurors present.

Continued cross examination of Dr. Theiler by Ms. Cook-Olson.

3:40 p.m. to 3:46 p.m. Bench conference.

Continued cross examination of Dr. Theiler by Ms. Cook-Olson.

**Defendants' Exhibit B-47 is admitted for demonstrative purposes.
Defendants' Exhibit B-41, pgs. 89-92, 6-26, are admitted.**

4:26 p.m. Redirect examination of Dr. Theiler by Mr. Dougherty.

Witness excused.

4:36 p.m. to 4:38 p.m. Bench conference.

Court instructs jurors. Juror excused until January 16, 2018 at 8:30 a.m.

Court will assess trial scheduling.

4:43 p.m. Court in recess.

5:15 p.m. Court in session.

Discussion regarding trial scheduling and confidentiality of upcoming witnesses.

5:22 p.m. Court in recess.

Hearing continued.

Total in-court time 6:12