

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA  
CIVIL MINUTES–JURY TRIAL (Day Seven)**

Phoenix Division

CV08-1633-PHX-NVW      DATE: May 6, 2009

Year    Case No.    Dft #

HON: NEIL V. WAKE                      Judge # 7032

Caption: Don Addington, et. al. v. US Airline Pilots Association

Deputy Clerk: Sandi Fredlund    Crt Rptr/ECR: David German (a.m.)/Laurie Adams (p.m.)

Plaintiffs' counsel: Don C. Stevens, II, Marty Harper, Katherine V. Brown, Andrew S. Jacob, Kelly Joyce Flood

Defendant's counsel: James K. Brengle, Lee Seham, Lucas K. Middlebrook

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8:55 a.m. Court convenes. In addition to counsel, all Plaintiffs are present. Court and counsel confer regarding the admission of exhibits. Exhibit 14 is admitted. **Defendant's case continues:** Jeffrey Skiles is sworn and testifies. Plaintiff's cross-examination. Defendant's re-direct. Scott Theuer is sworn and testifies. Exhibits admitted: 1337. The jury is excused. 10:34 a.m. Recess.

10:50 a.m. Court reconvenes outside the presence of the jury. Discussion held regarding a witness contact with the press. The jury is now present. Direct examination of Scott Theuer continues. Exhibits admitted: 1598. Exhibits 1639 and 1640 marked. Exhibits admitted: 5, 39, 24, 1006. The jury is excused for lunch. Court and counsel confer regarding scheduling matters. 12:09 p.m. Recess.

1:15 p.m. Court reconvenes. Direct examination of Scott Theuer continues. Exhibits admitted: 30, 38. Plaintiff's cross-examination. The jury is excused. 2:50 p.m. Recess.

3:05 p.m. Court reconvenes without the jury present. Court and counsel confer at sidebar. The jury is now present. Plaintiff's cross-examination continues. Defendant's re-direct. The stipulated facts are read to the jury. The jury is excused until 5/7/09 at 9:00 a.m. Court and counsel confer regarding scheduling matters and anticipated testimony. 4:28 p.m. Recess.

Time in Court: 5 hrs, 56 mins.