

IN THE COURT OF COMMON PLEAS
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
CIVIL TRIAL DIVISION

- - -

EDDIE PARKS :
 :
 - vs - :
 :
 TEMPLE UNIVERSITY : NO. 1906005457
 HOSPITAL, INC. and TEMPLE :
 PHYSICIANS, INC. and :
 MATTHEW LOREI, M.D. and :
 PHILIP MATTHEW, PA :

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JURY TRIAL

- - -

City Hall
Courtroom 643
Philadelphia, Pennsylvania
Tuesday, May 9, 2023

- - -

BEFORE: THE HONORABLE JAMES C. CRUMLISH, III, and Jury

APPEARANCES:

STROKOVSKY LLC
BY: JORDAN STROKOVSKY, ESQUIRE
Counsel for the Plaintiff

MARSHALL DENNEHEY WARNER
COLEMAN & GOGGIN
BY: E. CHANDLER HOSMER, III
Counsel for the Defendants

LOUISE M. ZINGLER, RPR, RMR
OFFICIAL COURT REPORTER

1 THE COURT: Good morning, all.

2 I have been presented by my court
3 officer, Ms. Sweeney, a question -- or two
4 questions, actually, that have been sent to us
5 by the jury.

6 I will read verbatim, although I
7 have provided photocopies of these two
8 questions.

9 It reads: P-45, P-51, P-43, P-55,
10 dash, may we see the life care plans and
11 economist reports from the plaintiff and
12 defense, question mark.

13 That's the first question.

14 The second question is legal fees,
15 question mark. Is Eddie expected to pay legal
16 fees from the settlement, question mark.

17 So I will ask for plaintiff first to
18 address Question 1, which relates to requests
19 for exhibit numbers, as well as the life care
20 plans and economist report requested by the
21 jury.

22 MR. STROKOVSKY: Thank you, Your
23 Honor.

24 First off, for the record, P-45,
25 P-51, P-43 and P-55 have all been admitted

1 into evidence at the close of plaintiff's
2 case.

3 And, Your Honor, would you like me
4 to specify what each exhibit is?

5 THE COURT: I think that would be
6 helpful for the record.

7 MR. STROKOVSKY: So I will go in
8 chronological order, not necessarily how they
9 stated it, if that's okay.

10 Starting with P-43, that is the
11 diagnosis list during the testimony of Dr.
12 Miknevich; P-45 is the potential complications
13 list noted with Dr. Miknevich; P-51 is Alex
14 Karras' summary cost sheet; and P-55 is Mr.
15 Verzilli's future medical care costs by each
16 year.

17 THE COURT: So, Counsel for the
18 defense, is that accurate, that those
19 documents have been marked and admitted into
20 evidence?

21 MR. HOSMER: I knew they were
22 marked. I don't remember them being admitted
23 into evidence.

24 THE COURT: They were moved into
25 evidence at the close of plaintiff's case.

1 MR. HOSMER: Accepting that they
2 have been moved in --

3 THE COURT: So that's -- I'm just
4 saying that's a foundational question I have
5 asked.

6 So address the second part of the
7 question, may we see et cetera, first.

8 MR. STROKOVSKY: Sure.

9 So with regard to these four
10 exhibits -- so the next question separate from
11 that is the actual life care plans and
12 economic reports. Those have not been entered
13 into evidence. They may have been identified,
14 but not entered.

15 Plaintiff is of the position that
16 they should not be sent back to the jury, one,
17 because they were never offered into evidence;
18 two, the experts testified; three, defense
19 never had an economist even testify; and,
20 four, the reports themselves would open up a
21 can of worms because they include various
22 materials that were not subject to the present
23 damages case. I think it would just cause for
24 confusion and misleading of the issues with
25 the jury.

1 But plaintiff is perfectly fine with
2 these four exhibits previously requested.

3 THE COURT: Sir.

4 MR. HOSMER: Your Honor, I agree
5 with Mr. Strokovsky that the reports were not
6 admitted into evidence and they should not be
7 sent back to the jury.

8 I'm not sure that they are actually
9 asking. There is no question mark after the
10 exhibit numbers. One could imply they are --
11 what is it, 45, 51, 43 and 55 -- one could
12 imply that, but I don't know whether they're
13 putting those down on the question as a
14 reference point and then the question is can
15 we see the plans, or whether they're actually
16 asking for the exhibits.

17 Assuming they are asking for the
18 exhibits, I would strenuously object to
19 anything going back to the jury. It's a risk
20 by sending those exhibits back.

21 First of all, the Verzilli table --
22 and 55 is the Verzilli table -- that's part of
23 his report, and we have already agreed reports
24 don't go back.

25 THE COURT: Well, my question more

1 particularly of that particular document was
2 it marked and moved into evidence as
3 distinguished from the report.

4 But go ahead. I understand your
5 argument.

6 MR. HOSMER: Okay.

7 And then the Alex Karras summary,
8 same thing. It's part of the report and we
9 have already agreed the reports don't go back.

10 Forty-five is the risk of future
11 complications. So that is not part of, as I
12 recall, that's not part of Dr. Miknevich's
13 report; however, what Mr. Strokovsky has done,
14 and for purposes of illustration to the jury,
15 putting up charts or graphs of complications,
16 putting up charts or graphs of numbers is
17 acceptable in court for illustrative purposes,
18 but they're not to go back to the jury for a
19 variety of reasons.

20 One, there is a risk of
21 overemphasis. In other words, if they go
22 back, the jury is going to see only what those
23 exhibits are and it will overemphasize the
24 exhibits at the expense of the
25 cross-examination that took place.

1 Two, I decided strategically not to
2 create -- well, let me call those exhibits
3 that Mr. Strokovsky put up there as, 43 and
4 45, 51 and 55, for lack of a better word, I
5 will call them "exhibits of persuasion." They
6 were created for the purpose of persuading the
7 jury in an open courtroom subject to
8 cross-examination.

9 I strategically decided not to
10 create exhibits of persuasion such as the
11 dissent between Mr. Karras' testimony and Dr.
12 Miknevich's testimony. It was a strategic
13 decision on my part. My client should not be
14 penalized for making that strategic decision,
15 and I think we would be in the event that
16 those four exhibits were to go back to the
17 jury. They're not objective. They were
18 created for the purpose of persuasion, and
19 exhibits created for the purpose of persuasion
20 should not go back to the jury.

21 And as I said, at the risk of
22 repeating myself, I think it creates a
23 significant risk of overemphasis of what took
24 place on direct and diminishes what took place
25 on cross-examination.

1 THE COURT: Well, first of all,
2 wouldn't we all agree under the Rules of Civil
3 Procedure, I think it's 223.1, that it's
4 within the Court's discretion to allow
5 documents that have been marked and moved into
6 evidence to be sent back with the jury?
7 That's the law. That's the rule in civil
8 procedure that applies.

9 MR. HOSMER: Agreed.

10 THE COURT: It's also governed by
11 case law which describes the review of such a
12 judgment by the trial court to be an abuse of
13 the discretion standard.

14 MR. HOSMER: Agreed.

15 THE COURT: In this case in
16 particular, we have sent a verdict slip that
17 has been agreed to by both parties which
18 included 44 specific line items per year that
19 were the subject of thorough cross-examination
20 by the defense, as well as the supporting
21 arguments by counsel -- plaintiff's counsel
22 during his case-in-chief.

23 This issue I think we discussed in
24 our pretrial charging conference, and
25 especially as to 14.150, which directs the

1 jury to make an evaluation factually of all
2 the elements of noneconomic damages. And
3 these are exhibits that directly go to the
4 claims plaintiff has made. But, more
5 importantly, they have also been subject to
6 thorough cross-examination by the defense and
7 testimonial opposition by the defense's
8 witnesses.

9 So I believe that any risk of
10 prejudice or confusion is really up to the
11 trier of fact to decide whether or not the
12 defense experts versus the experts that have
13 testified on the marked exhibits that we are
14 discussing have been subject to appropriate
15 direct and cross-examination to make them
16 worthy of consideration, especially as the
17 jury is being asked to answer the specific
18 questions of those 44 line items that we
19 directed them to find. For example, the
20 testimony of an economist who has suggested
21 inflation which is absent from the defense
22 case. That is a fact that we have I think an
23 obligation to allow the jury to make a
24 decision whether they believe the plaintiff's
25 testimony, meaning in his case-in-chief, or

1 defense's very effective cross-examination.

2 So, again, in consideration of all
3 the charges that have been agreed upon and
4 given to the jury, we are asking them to find
5 facts based upon very specific elements of
6 noneconomic damages, and these documents,
7 these exhibits that have been marked and moved
8 into evidence go directly to that question.

9 So is there any further argument I
10 need from plaintiff on this?

11 MR. STROKOVSKY: We are in agreement
12 with Your Honor.

13 THE COURT: Fair enough.
14 Anything further on this issue?

15 MR. HOSMER: Yes, Your Honor.

16 Again, these are not objective
17 exhibits like a medical record. These are
18 exhibits of persuasion, and if the Court sends
19 them back, they will be given undue emphasis.

20 In addition, the jury sat through
21 the entirety of direct and cross-examination
22 of each witness and they should be relying on
23 their memory and their notes and not
24 promptings from exhibits that were, again,
25 made for the purpose of persuasion. And the

1 Verzilli chart, for example, says it goes to
2 noneconomic damages. I would respectfully
3 disagree. It goes to future economic damages.

4 THE COURT: Isn't inflation
5 predicated upon noneconomic damages, as well
6 as economic damages? Isn't that 14.150 duty
7 that we have given the trier of fact?

8 MR. HOSMER: That sets forth the
9 elements of damages, including future economic
10 damages. But future economic damages are not
11 noneconomic damages.

12 THE COURT: There is a distinction
13 that both have of them have been set before
14 the jury. My concern, as I told you in our
15 charging conference, they're being asked to
16 make calculations that require a degree of
17 evidence to rely upon. I believe that these
18 documents included oral testimony and the
19 expert testimony that has been provided all
20 are the evidence needed for them to answer the
21 question of fact that they have been asked to
22 determine in the points for charge that we
23 have given.

24 So I'm going to rule that P-45,
25 P-51, P-43 and P-55 can be sent back to the

1 jury.

2 I will call them in and just tell
3 them that they are not, as a matter of law,
4 able to see the economist report for either
5 the plaintiff or defense. That way I will not
6 characterize the absence of the defendant's
7 economic testimony.

8 Does that make sense?

9 MR. HOSMER: I understand what
10 you're saying, Your Honor. I appreciate that
11 part of it. I am compelled -- I have to move
12 for a mistrial if those exhibits go back.

13 THE COURT: I will consider that.
14 And I told you the reasoning I have had is
15 very specific to the facts of this case and
16 the evidence that has been presented, but -- I
17 made a ruling. So your objection is of record
18 and any further steps you feel compelled to
19 take, as a matter of law, I will invite them
20 at the appropriate time.

21 MR. HOSMER: Even if we go with the
22 verdict sheet that Your Honor initially
23 suggested where the future medicals is in a
24 lump sum, it still would have not have
25 alleviated -- I guess they still would have

1 had to add up the expenses over the course of
2 40 years. I think they should be relying on
3 their memory.

4 THE COURT: That was objected to by
5 both parties. As a matter of fact, the
6 defense insisted on the 44 line items, I
7 guess, because they had testimony that
8 essentially suggested that there were no
9 future damages in large part, and that if any,
10 they were miscalculated because the first four
11 years were not properly taken into account by
12 the expert in its analysis. That's my memory
13 of the testimony. It's just -- I would say
14 without benefit of reviewing a transcript,
15 that's my memory.

16 So having said that, I do stand by
17 my ruling, at least as to these four elements.
18 Other than that, and your objection, as I said
19 is noted, do you agree with my verbal
20 description of what they are not going to be
21 receiving, either the defense or the
22 plaintiff's expert reports?

23 MR. HOSMER: I agree with that.

24 THE COURT: Fair enough on that?

25 MR. STROKOVSKY: Yes, Your Honor.

1 THE COURT: Legal fees, is Eddie
2 expected to pay legal fees from the
3 settlement.

4 MR. HOSMER: I think the jury should
5 be instructed that's not a concern of them and
6 they should just calculate the damages based
7 on the evidence.

8 THE COURT: I'm looking for the
9 proper phrasing. I want it very clean.

10 MR. STROKOVSKY: Sure.

11 THE COURT: We can just say that the
12 verdict slip does not provide for their
13 consideration on that issue.

14 MR. STROKOVSKY: That sounds great,
15 Your Honor.

16 MR. HOSMER: That's acceptable.

17 THE COURT: So we will bring the
18 jury in.

19 MR. HOSMER: Is my mistrial motion
20 denied?

21 THE COURT: You make it when the
22 jury leaves. That's without prejudice to the
23 timing of your motion.

24 I'm going to mark these questions
25 for purposes of the court reporter and make

1 them part of the permanent record.

2 MR. HOSMER: If they're allowed to
3 see this Verzilli chart, I think they should
4 be allowed to see the chart I created for
5 illustrative purposes for the actual medical
6 expenses and the --

7 THE COURT: Within a reasonable
8 degree of attorney certainty?

9 MR. HOSMER: Yes.

10 THE COURT: Did I make my point?

11 MR. HOSMER: I understand the point.

12 THE COURT: I think I told the jury
13 to pay no attention to what the lawyers said,
14 only to what the people say on the witness
15 stand. So their memories are going to prevail
16 of testimony under oath by witnesses in the
17 witness stand or in the video presentation.

18 MR. HOSMER: Well, I just think to
19 balance out the overemphasis that I think will
20 come from this, I thought it would be
21 appropriate to request that.

22 THE COURT: It's a privilege to hear
23 your arguments and evaluate them, but I think
24 that this is consistent with the law and the
25 evidence of this particular case. I recall

1 your extensive arguments related to MCARE
2 obligations that you required included, I
3 suspect, all of these economic and noneconomic
4 issues that are required to be articulated in
5 those 44 different line items.

6 So I remember very well all these
7 arguments, I hope, and they are obviously
8 included in this record and your arguments
9 are, as well.

10 MR. HOSMER: Mr. Verzilli did
11 testify, though, that the arithmetic that I
12 cross-examined him about was correct.

13 THE COURT: Hopefully, the jury will
14 remember that, as they will remember the
15 direct.

16 (Jury enters courtroom at
17 10:43 a.m.)

18 THE COURT: Good morning, everyone.

19 So Ms. Sweeney has given me what
20 appears to be a note from the jury. It reads
21 as follows: P-45, P-51, P-43, P-55, dash, may
22 we see the life care plans and economist
23 reports from the plaintiff and defense,
24 question mark.

25 That would be Question 1. Did I

1 read that correctly, members of the jury?

2 So in answer to your question,
3 because P-45, P-51, P-43 and P-55 have been
4 marked and moved into evidence, I will allow
5 them to be back in your possession to
6 consider, along with all the other testimony
7 that you have heard from both sides in
8 evaluating those exhibits.

9 Number two, with respect to still
10 that question, that Question 1, the life care
11 plans of the parties have not been admitted
12 into evidence. So, therefore, you're going to
13 have to rely upon your recollection of the
14 sworn testimony by the witnesses in evaluating
15 that.

16 Now, with respect to legal fees,
17 question mark, which is the second question,
18 is Eddie expected to pay legal fees from the
19 settlement, question mark.

20 That issue is not something that is
21 being placed before you. As you can see, it's
22 not on the verdict slip. So you're not to
23 consider that issue in making the decisions
24 that we have asked of you on the verdict slip.

25 Clear enough?

1 If you need any other further
2 questions, we are here. Let us know;
3 otherwise, you can begin your deliberations.

4 Thank you so much for your kind
5 attention.

6 (Jury exits courtroom at 10:45 a.m.)

7 THE COURT: Counsel, do you need to
8 renew that motion? Counsel, you may proceed.

9 MR. HOSMER: Thank you, Your Honor.

10 In light of the Court's decision to
11 send those exhibits back, as I stated before,
12 respectfully, I move for a mistrial for the
13 reasons stated very succinctly. These
14 exhibits are not objective exhibits like a
15 medical record. They were exhibits of
16 persuasion. And as such, they certainly run a
17 significant risk of overemphasizing the
18 plaintiff's direct and the plaintiff's case
19 over the cross-examination that was conducted.

20 I heard your instruction about
21 consider everything, but notwithstanding that,
22 my second basis is, as mentioned before, the
23 defendant strategically decided not to create
24 exhibits of persuasion, which we could have
25 done but we did not, other than the chart that

1 I had done on the easel, to which Mr. Verzilli
2 did admit the arithmetic shown thereon is
3 correct. The jury did not ask for that. But
4 I would respectfully request that that be sent
5 back so that there is some balance brought to
6 the consideration by the jury.

7 I think that's, in addition to what
8 I already said, that's my basis for a
9 mistrial.

10 THE COURT: I agreed to incorporate
11 fully your arguments that you previously made
12 on this very same subject. Without that, I
13 advised you were without prejudice, waiting
14 until I made the decision and instructed the
15 jury or responded to the questions of the
16 jury.

17 Counsel for the plaintiff, do you
18 have anything to add in response to the motion
19 for a mistrial that has just been made?

20 MR. STROKOVSKY: We disagree with
21 it. We do not believe there should be a
22 mistrial for the reasons that Your Honor has
23 stated previously.

24 THE COURT: So I'm going to deny the
25 motion for mistrial. And it may be the

1 subject of postverdict motion practice if you
2 deem necessary. And we will see.

3 But for now, do we have a set of
4 copies of those exhibits? First, share with
5 defense counsel. I want no mistakes on what
6 is being sent back to the jury. They have to
7 be those four identified Plaintiff's Exhibits,
8 numbers 45, 51, 43 and 55.

9 MR. HOSMER: They are, Your Honor.

10 THE COURT: Again, your objections
11 and your motion are noted.

12 Ms. Sweeney, you will bring those
13 into the jury for their use.

14 We will stand in recess. I will
15 remain available to see if there are any
16 further questions from the jury. So thank
17 you, Counsel, for your patience.

18 - - -

19 (Jury enters courtroom at 1:21 p.m.)

20 THE COURT: Everyone can be seated.

21 Welcome back, ladies and gentlemen.

22 I understand that the jury has
23 reached a verdict; is that true?

24 And have at least 10 of the 12 of
25 you reached that verdict?

1 Have you elected a foreperson and
2 will the foreperson please rise.

3 Thank you, ma'am. Come to the
4 microphone.

5 THE CRIER: State your name.

6 THE FOREPERSON: Shakeia Burgin.

7 THE CRIER: What is your juror
8 number?

9 THE FOREPERSON: One.

10 THE CRIER: State the amount of
11 damages sustained by Eddie Parker as a result
12 of the negligence of the defendants.

13 A, past noneconomic loss.

14 THE FOREPERSON: \$11,200,000.

15 THE CRIER: B, future noneconomic
16 loss.

17 THE FOREPERSON: \$8,800,000.

18 THE CRIER: C, future medical
19 expenses:

20 2023.

21 THE FOREPERSON: \$86,372.

22 THE CRIER: 2024.

23 THE FOREPERSON: \$36,115.

24 THE CRIER: 2025.

25 THE FOREPERSON: \$36,733.

1 THE CRIER: 2026.
2 THE FOREPERSON: \$37,362.
3 THE CRIER: 2027.
4 THE FOREPERSON: \$38,003.
5 THE CRIER: 2028.
6 THE FOREPERSON: \$38,655.
7 THE CRIER: 2029.
8 THE FOREPERSON: \$39,319.
9 THE CRIER: 2030.
10 THE FOREPERSON: \$39,995.
11 THE CRIER: 2031.
12 THE FOREPERSON: \$106,423.
13 THE CRIER: 2032.
14 THE FOREPERSON: \$41,384.
15 THE CRIER: 2033.
16 THE FOREPERSON: \$42,098.
17 THE CRIER: 2034.
18 THE FOREPERSON: \$42,825.
19 THE CRIER: 2035.
20 THE FOREPERSON: \$43,565.
21 THE CRIER: 2036.
22 THE FOREPERSON: \$44,318.
23 THE CRIER: 2037.
24 THE FOREPERSON: \$45,085.
25 THE CRIER: 2038.

1 THE FOREPERSON: \$45,867.
2 THE CRIER: 2039.
3 THE FOREPERSON: \$46,662.
4 THE CRIER: 2040.
5 THE FOREPERSON: \$141,040.
6 THE CRIER: 2041.
7 THE FOREPERSON: \$48,298.
8 THE CRIER: 2042.
9 THE FOREPERSON: \$49,139.
10 THE CRIER: 2043.
11 THE FOREPERSON: \$49,995.
12 THE CRIER: 2044.
13 THE FOREPERSON: \$50,867.
14 THE CRIER: 2045.
15 THE FOREPERSON: \$51,755.
16 THE CRIER: 2046.
17 THE FOREPERSON: \$52,659.
18 THE CRIER: 2047.
19 THE FOREPERSON: \$53,581.
20 THE CRIER: 2048.
21 THE FOREPERSON: \$54,520.
22 THE CRIER: 2049.
23 THE FOREPERSON: \$188,651.
24 THE CRIER: 2050.
25 THE FOREPERSON: \$56,450.

1 THE CRIER: 2051.
2 THE FOREPERSON: \$180,201.
3 THE CRIER: 2052.
4 THE FOREPERSON: \$184,895.
5 THE CRIER: 2053.
6 THE FOREPERSON: \$189,718.
7 THE CRIER: 2054.
8 THE FOREPERSON: \$194,675.
9 THE CRIER: 2055.
10 THE FOREPERSON: \$199,768.
11 THE CRIER: 2056.
12 THE FOREPERSON: \$205,003.
13 THE CRIER: 2057.
14 THE FOREPERSON: \$210,832.
15 THE CRIER: 2058.
16 THE FOREPERSON: \$405,461.
17 THE CRIER: 2059.
18 THE FOREPERSON: \$221,593.
19 THE CRIER: 2060.
20 THE FOREPERSON: \$227,433.
21 THE CRIER: 2061.
22 THE FOREPERSON: \$327,708.
23 THE CRIER: 2062.
24 THE FOREPERSON: \$336,706.
25 THE CRIER: 2063.

1 THE FOREPERSON: \$345,960.

2 THE CRIER: 2064.

3 THE FOREPERSON: \$355,479.

4 THE CRIER: 2065.

5 THE FOREPERSON: \$365,270.

6 THE CRIER: 2066.

7 THE FOREPERSON: \$375,340.

8 THE CRIER: 2067.

9 THE FOREPERSON: None.

10 THE COURT: That would be none?

11 THE FOREPERSON: Yes.

12 THE CRIER: May the verdict be
13 recorded?

14 THE COURT: It may.

15 THE CRIER: Would you like to poll
16 the jurors?

17 MR. HOSMER: I would, please.

18 THE CRIER: When you hear your juror
19 number, please rise.

20 Juror Number 1, do you agree with
21 the verdict?

22 JUROR 1: Yes.

23 THE CRIER: Juror Number 2, do you
24 agree with the verdict?

25 JUROR 2: Yes.

1 THE CRIER: Juror Number 3, do you
2 agree with the verdict?

3 JUROR 3: Yes.

4 THE CRIER: Juror Number 4, do you
5 agree with the verdict?

6 JUROR 4: Yes.

7 THE CRIER: Juror Number 5, do you
8 agree with the verdict?

9 JUROR 5: Yes.

10 THE CRIER: Juror Number 6, do you
11 agree with the verdict?

12 JUROR 6: Yes.

13 THE CRIER: Juror Number 7, do you
14 agree with the verdict?

15 JUROR 7: Yes.

16 THE CRIER: Juror Number 8, do you
17 agree with the verdict?

18 JUROR 8: Yes.

19 THE CRIER: Juror Number 9, do you
20 agree with the verdict?

21 JUROR 9: Yes.

22 THE CRIER: Juror Number 10, do you
23 agree with the verdict?

24 JUROR 10: Yes.

25 THE CRIER: Juror Number 11, do you

1 agree with the verdict?

2 JUROR 11: Yes.

3 THE CRIER: Juror Number 12, do you
4 agree with the verdict?

5 JUROR NO. 12: Yes.

6 THE COURT: Let the record reflect
7 that the poll indicates a unanimous verdict.

8 THE CRIER: Jurors, harken onto your
9 verdict as the Court has recorded it and so
10 say you all? All respond you do.

11 ALL RESPOND: We do.

12 THE COURT: Thank you very much,
13 ladies and gentlemen, for your service.

14 As I told you, this is vital to
15 justice in our community. On behalf of the
16 Commonwealth, our state, our neighbors and all
17 of the representatives of the parties here,
18 including the Court and my staff, thank you so
19 much for taking the time out of your lives to
20 help us find what we hope was a fair and just
21 result.

22 So we thank you so much. And with
23 your kind permission, I'm going to ask you to
24 wait just a moment more. I have some
25 paperwork to distribute.

1 And on an entirely volunteer basis,
2 you can remain and help enhance the profession
3 of these attorneys by giving them some
4 feedback. I won't allow anyone to inquire as
5 to how and why you reached the verdict, but
6 rather how can we do better.

7 So if you want to, it's voluntary,
8 but I will see you back in the jury room in a
9 few moments.

10 Thank you again so much. It was an
11 honor to have you in my courtroom.

12 (Jury exits courtroom at 1:31.)

13 THE COURT: Ms. Sweeney is making
14 copies of the verdict slip for you.

15 As I said, if there is posttrial
16 practice, I will see that when I see it.

17 Is there anything else you need from
18 me other than that invitation I asked the jury
19 to extend to you?

20 MR. HOSMER: No, Your Honor.

21 THE COURT: So just give me a few
22 minutes. And this is not for clients, by the
23 way, this is just for enhancement of the
24 profession. Have a rest. I won't be long.
25 But thank you so much for your really

1 impressive advocacy.

2 Court stands adjourned.

3 (Court adjourned at 1:35 p.m.)

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1 I hereby certify that the proceedings and
2 evidence are contained fully and accurately in the
3 notes taken by me on the trial of the above cause,
4 and that this copy is a correct transcript of the
5 same.

6
7 - - -

8 Louise M. Zingler, RPR, RMR
9 Official Court Reporter

10 - - -

11 The foregoing record of the proceedings upon
12 the trial of the above cause is hereby approved and
13 directed to be filed.

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