

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA  
CIVIL MINUTES - EVIDENTIARY HEARING**

Phoenix Division

CV-07-02513-PHX-GMS      DATE: 04/22/2015  
Year    Case No.    Dft #

HON: G. Murray Snow

Caption: Manuel de Jesus Ortega Melendres, et al. v. Joseph M. Arpaio, et al.

Deputy Clerk: Nicholas Sommers    Crt Rptr: Gary Moll

Plaintiffs' Attys: Cecillia Wang, Stanley Young, Joshua Bendor, Andre Segura, Daniel Pochoda and Hyun Byun

Defendants' Attys: Michele Iafrate, Andrew McDonald, Jr, Lee Stein, Gregory Como, Douglas Schwab, Richard Walker and Gary Birnbaum

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Day #2

8:36 a.m. Counsel are present as stated above. Also present: Chief Robert Warshaw. Deputy Monitors John Girvin and Raul Martinez. Chief Deputy Gerard Sheridan. Defendant Sheriff Joseph M. Arpaio. Chief Brian Sands. Pursuant to the parties' stipulation, the following exhibits are admitted into evidence: 1, 29, 34-37, 42-44, 45, 47, and 49. Length of time for remaining witnesses discussed. Attorney Douglas Schwab advises the Court of a conflict that may exist with his continued representation. Due to this possible conflict, Mr. Schwab is excused from counsel table. As stated on the record, attorney Gregory Como makes an oral motion. Motion denied. Attorney Thomas Liddy addresses the Court regarding his withdrawal from this matter. Sidebar discussion with Mr. Liddy, Mr. Walker, and Ms. Iafrate begins. Pursuant to Ms. Iafrate's request for a one day continuance at sidebar, the Court will grant a continuance of two hours (until 11:00 a.m.) 9:02 a.m. Recess.

11:01 a.m. Court reconvenes. Attorney Thomas Liddy comes forward from the gallery. Mr. Liddy's Motion to Withdraw as Counsel of Record for Defendants (Doc. 1015) is addressed. No ruling is made at this time. Attorney Hyun Byun is now present for Plaintiffs. Remaining trial schedule discussed. **Plaintiffs' case continues:** Cross examination of Chief Brian Sands begins. Redirect examination begins. Defendants' counsel ask follow-up questions. The witness is excused. 12:07 p.m. Recess.

1:03 p.m. Court reconvenes. Housekeeping matters discussed. Pursuant to the parties' stipulation, the following exhibits are admitted into evidence: 51-54, 56, 59, 76, 77, 82, 90, 93-99, 115, and 164-167. Lieutenant Brian Jakowinic is sworn and examined. Exhibits 133 and 207-209 are admitted into evidence. Cross examination begins. Redirect examination begins. The Court asks follow-up questions of the witness. The witness is excused. 2:44 p.m. Recess.

3:03 p.m. Court reconvenes. MCSO internal investigations briefly discussed. Sergeant Michael Trowbridge is sworn and examined. Cross examination begins. Redirect examination begins. Defendant's counsel asks follow-up questions. The witness is excused. Emily Doan is sworn and examined. Exhibits 214 and 215 are admitted into evidence. Cross examination begins. The witness is excused. Sheriff Joseph Arpaio is sworn and examined. Exhibits 71, 72, 75, 202B, and 202C are admitted into evidence. Remaining trial schedule discussed. 5:05 p.m. Court stands in recess until 8:30 a.m. on 04/23/2015.

Time in Court: 5 hrs. 15 mins  
Hearing Held: 8:36 a.m. to 5:05 p.m.