

LIST OF EXHIBITS AND WITNESSES
(continued)

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CASE NO. <i>CO9-02292 Perry v Schwarzenegger</i>									
Plaintiff			Defendant			DATE/TIME	EXHIBITS/WITNESSES	BY	
No.	ID	EV	No.	ID	EV				
						9:08	<p>Court convenes.</p> <p>Appearances put on the record.</p> <p>Supreme Court's decision re broadcast of the trial</p> <p>Housekeeping matters.</p> <p>LR 77-3</p> <p>Temporary stay of broadcasting the proceedings outside the courthouse. An overflow broadcast w/in the courthouse is permitted.</p> <p>Defense object.</p> <p>Preliminary statement by Mr. Cooper regarding a continuing objection to some exhibits.</p>		
						9:28	Opening Statements by Mr. Olson for the Plaintiffs.		
						10:11	Opening Statements by Ms Stewart for the City & County of SF as intervening plaintiffs.		
						10:22	Opening statements by Mr Cooper on behalf of Prop 8 as intervening defendants.		
						10:59	Recess		
						11:17	Court reconvenes		
						11:18	Witness Jeffrey Zarrillo sworn Direct by Mr. Boies		
						11:36	Witness excused, no cross		

LIST OF EXHIBITS AND WITNESSES
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CASE NO.								
Plaintiff			Defendant			DATE/TIME	EXHIBITS/WITNESSES	BY
No.	ID	EV	No.	ID	EV			
						11:37	Witness Paul T Katami sworn	
							Direct by Mr. Boies and recall of witness	4
99	✓	✓				1/11/2010	subject to objection by defense	
401	✓	✓				1/11/2010	*not properly disclosed.	
350	✓						objection as to relevance /sustained	
2	✓	✓				1/11/2010		
						12:28	Recess-	
						1:37	Reconvene	
							Court has further comment re the 9th cir decision, access to responses w/ deals w/ the rules.	
						1:41	Cross of Mr Katami by Mr. Ramon	4
116	✓	✓				1/11/2010		
1							- in evidence -	
15	✓	✓				1/11/2010		
						2:08	Re-direct	
						2:09	Witness Mr. Katami recused	
							subject for recall	
						2:10	Kristin Perry sworn	
							Direct by Mr. Olson	4
						2:44	Witness recused. No cross	
						2:45	Sandra Stier sworn	
							Direct by Mr. Olson	4
						3:16	Witness recused. No cross	
2323	✓	✓				1/11/2010		
						3:17	Prof Nancy F. Cott sworn	
							Direct by Mr. Baumstrous	
1746	✓	✓				1/11/2010	Witness as an expert	

LIST OF EXHIBITS AND WITNESSES

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CASE NO. 09-2292 VRW								
Plaintiff			Defendant			DATE/TIME	EXHIBITS/WITNESSES	BY
No.	ID	EV	No.	ID	EV			
							Portion of Mr. Cooper's opening statement shown to witness as demonstrative.	
						4:03	Court adjourns for the day. Resume at 8:30 Tuesday 1/12.	
						4:05	Court's in recess	
							JAN 12 2010 TUESDAY	
						8:30	Court reconvenes.	
						8:39	Continued testimony of Prof. Catt Direct by Mr. Boustroms	
						9:34	Cross by Mr. Thompson tab 4, tab 3, tab 9	A
DX	1434				✓		objection as to relevance,	
	1020				✓		court take judicial notice	
	1020				✓		"	
	1033				✓		"	
	1444				✓		"	
	1445				✓		"	
	1028				✓		tab 1 - page 99 - depo of court take judicial notice	
	1475				✓		"	
						10:17	Recess	
						10:40	Court reconvenes. Cont. Crossing Court informed the parties that the responses to broadcasting will be viewed and available	A
DX	1046				✓		court take judicial notice	
	1035				✓		"	

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CASE NO.								
Plaintiff			Defendant			DATE/TIME	EXHIBITS/WITNESSES	BY
No.	ID	EV	No.	ID	EV			
DX	1032		✓			court	take judicial notice	
						11:43	Re-direct tab 18, tab 1 p 99 line 2 tab 31 p 213 Exhibits admitted into evidence by stipulation on 1/12/2010	T
PX	1308, 1309, 1314, 1316, 1317, 1319, 1322, 1324, 1325, 1326, 1327, 1328, 1334, 1335, 1746, 1750						admitted 1/12/2010	
						12:24	Witness excused	
						12:24	Recess	
						1:04	Reconvenes. All responses to the broadcast req have been received, available for counsel to review. Mr. Coquir's letter re seating arrangements went out of camera range Mr. Boies informed the court, the City of SF will present the next witness	
						1:37	Witness George Channing sworn Voire dire by Ms Stewart offered as Dep't, no objection	
						1:43	Direct by Ms Stewart	
PX	872		✓	✓		1/12/2010		
	23B7		✓	✓		1/12/2010		

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CASE NO.								
Plaintiff			Defendant			DATE/TIME	EXHIBITS/WITNESSES	BY
No.	ID	EV	No.	ID	EV			
Px	851			✓	✓	1/12/2010		
	873			✓	✓	1/12/2010		
	874			✓	✓	1/12/2010		
	1621			✓			objection, sustained	
	864			✓				
	1621			✓	✓	1/12/2010	re-offered - court take judicial notice Exh Px1 - in evidence	
	29			✓	✓	1/12/2010		
	99	✓	✓				in evidence	
	15	✓	✓				in evidence	
	91			✓	✓	1/12/2010		
	16			✓	✓	1/12/2010		
	1763			✓	✓	1/12/2010		
	1775			✓	✓	1/12/2010	subject to authenticity	
						3:50	Cross by Mr Thompson, went to Wed tab 2 - deposition	
						4:00	Housekeeping re documents produced under protective order, documents have been filed w/ the court under seal.	
							Plaque clarification re filing of amicus brief the court to set a deadline to filing, dry supports 7 days after the conclusion	
						4:15	Manuel Martinez re attendance court's in recess	

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CASE NO.									
Plaintiff			Defendant			DATE/TIME	EXHIBITS/WITNESSES	JAN 13 2010 WEDNESDAY	BY
No.	ID	EV	No.	ID	EV				
						8:40	Court reconvenes		
							Continued cross of Mr Chauncey by		
							Parties have agreed to the		
							admission of stipulated exhibits		
1775	(228)				✓				
1775A					✓	1/13/2010	list of - George Chauncey Trials exhibits		
PX									
						8:44	Continued cross of Chauncey		
							tab 6 p12, tab 9, tab 10		
PX	943	✓			✓	1/13/2010			
DEX	2648				✓	1/13/2010			
DIX	81				✓		court takes judicial notice		
↓	2553				✓				
						10:00	RECESS		
						10:24	Reconvenes. Continued cross by		
DEX	1482				✓		court takes judicial notice		
↓	2616				✓				
PX	116						in evidence		
						10:45	Re-direct, page 6		
PX	301				✓	1/13/2010			
	168				✓	1/13/2010			
	170				✓	1/13/2010			
							Excerpts of Depositions of Dr Tam		
	513				✓	1/13/2010			
	516				✓	1/13/2010			
	515				✓	1/13/2010			
	514				✓	1/13/2010			
	513						contained in the depositions of Dr Tam		
							objection sustained.		

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CASE NO.								
Plaintiff			Defendant			DATE/TIME	EXHIBITS/WITNESSES	BY
No.	ID	EV	No.	ID	EV			
						2:41	Cross by Ms Moss	
1143			✓	✓		1/13/2010		
		DX	1233		✓	1/13/2010		
		↓	1232					
1245				✓	✓	1/13/2010		
	DX		2427		✓	1/13/2010		
	DX		2427A		✓	1/13/2010		
	DX		2644		✓	1/13/2010		
	DX		2444A		✓	1/13/2010		
	DX		2430		✓	1/13/2010		
	DX		1887		✓	1/13/2010		
	DX		1230		✓	1/13/2010		
						4:00	Re-direct	
						4:03	Witness excused	
							Courts' mentioned the Supreme Court's decision to broadcast trial proceedings. Also the issue of making a copy of the responses	
						4:10	Courts' in recess - resume @ 8:30am	

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CASE NO.									
Plaintiff			Defendant			DATE/TIME	EXHIBITS/WITNESSES	JAN 14 2010 THURSDAY	BY
No.	ID	EV	No.	ID	EV				
						8:43	Court convenes.		
							First Order of business:		
							Court's communication w/ 9th Cir		
							Chief Judge to withdraw the pilot		
							program re broadcasting the trial.		
						8:48	City & County's Counsel Christine		
							Van Aken call Dr. Edmund Egan		
							as next witness, sworn - voir dire		
PK	2324			✓	✓	1/14/2010	CV of Dr Egan - tendered as expert		
x	2260			✓	✓	1/14/2010			
x	810			✓	✓	1/14/2010			
→	672			✓					
→	673			✓					
→	674			✓					
→	675			✓					
→	676			✓					
x	PK 811			✓	✓	1/14/2010			
						9:45	Cross by Mr Patterson		
PK	805			✓	✓	1/14	tab 2, 22		
	815			✓	✓	1/14			
PK	1734			✓	✓	1/14			
	1735			✓	✓	1/14			
	1736			✓	✓	1/14			
	817			✓	✓	1/14			
	818			✓					
						10:30	Recess Short clarification by		
							Mr. Cooper re ruling to broadcast		
							Court read the LR of over-flow		
							recording of the proceedings		

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CASE NO.								
Plaintiff			Defendant			DATE/TIME	EXHIBITS/WITNESSES	BY
No.	ID	EV	No.	ID	EV			
						10:32	Recess	
						11:00	Reconvenes	
							Continued cross of Dr. Egan by	A
		PX	852		✓	1/14/2010		
		✓	2558		✓	1/14/2010		
		↓	6287		✓	1/14/2010		
		↓	845		✓	1/14/2010		
			2671		✓	1/14/2010		
			698		✓	1/14/2010		
			2672		✓	1/11/2010		
			809		✓	1/14/2010		
			807		✓	1/14/2010		
PX	803		803		✓	1/14/2010		
		PX	854		✓	1/14/2010		
						11:55	Re-direct	
							Court takes judicial notice of PX 672, 673, 674, 675, 676 (genit documents)	
						12:08	Witness recessed	
						12:10	Recess	
						1:03	Court reconvenes	
							Witness Dr. Ian Meyer sworn, Veridine by Mr. Dusseault Dusseault	u
							expert in public health	
							973, 974, 975, 1011, 1003	
						2:58	-Recess-	
						3:17	Court reconvenes. Mr. Boes informed court that they are in-phase of Wed's schedule	

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CASE NO.								
Plaintiff			Defendant			DATE/TIME	EXHIBITS/WITNESSES	BY
No.	ID	EV	No.	ID	EV			
						3:18	Cross by Mr. Nielsson	
PX 934				✓	✓	1/14	tab 3	
(1003) DX 1247				✓	✓	1/14		
	↓			✓	✓	1/14		
	↓			✓	✓	1/14		
(999)				✓	✓			
(1002)				✓			inevidence	
				✓	✓	1/14		
(1004)				✓	✓	1/14		
				✓	✓	1/14		
						5:13	Re-direct	
						5:31	Witness recused	
							House keeping re the order of witness and the submission of docs under seal	
						5:35	Court in recess. Resume @ 8:30 1/15/2010	
							FRIDAY	
						8:42	Court reconvene for Preliminary matters Matters related with the lawyers only re under seal docs and motions Terry Thompson - counsel for Dr. Tam made his appearance. Protective Order includes report	
						8:56	Plaintiff calls Dr. Michael Lamb as their next witness, sworn Direct by Mr. McGill	
PX 2327				✓	✓	1/15/2010	CV of Dr. Lamb, offered to testify as report DIRECT	

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CASE NO.								
Plaintiff			Defendant			DATE/TIME	EXHIBITS/WITNESSES	BY
No.	ID	EV	No.	ID	EV			
Px	2266			✓	✓	1/15	Px 2350 ✓ ✓ 1/15	
							779 ✓ ✓ 1/15	
				✓	✓	1/15	1100 ✓ ✓ 1/15	
Px	778			✓	✓	1/15	1108 ✓ ✓ 1/15	
	1066			✓	✓	1/15		
	1111			✓	✓	1/15		
	1116			✓	✓	1/15		
	1055			✓	✓	1/15		
	1101			✓	✓	1/15		
	1115			✓	✓	1/15		
	1396			✓	✓	1/15		
	1088			✓	✓	1/15		
	1072			✓	✓	1/15		
				✓	✓	1/15		
Px	1384			✓	✓	1/15		
	1093			✓	✓	1/15		
	766			✓	✓	1/15		
	753			✓	✓	1/15		
	757			✓	✓	1/15		
	762			✓	✓	1/15		
	763			✓	✓	1/15		
	768			✓	✓	1/15		
	1025			✓	✓	1/15		
	1032			✓	✓	1/15		
						9:58	Cross by Mr Thompson	
							tab1 (depo of Dr Lamb)	
Px	1026			✓	✓	1/15		

LIST OF EXHIBITS AND WITNESSES
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CASE NO.									
Plaintiff			Defendant			DATE/TIME	EXHIBITS/WITNESSES	BY	
No.	ID	EV	No.	ID	EV				
			DIX 96	✓					
						10:42	Recess		
						11:02	Reconvenes for continued cross of Dr. Lamb		
			DIX 102	✓	✓	1/15			
			↓ 26	✓	✗				
							court takes judicial notice		
			DIX 113	✓			"		
			38	✓			"		
			121	✓	124 ✓	21 ✓	116 ✓ 8 ✓ 103 ✓ 114 ✓ 133 ✓ 1030 ✓		
			39a	✓	1100 ✓				
						12:08	Recess for lunch		
						1:04	Reconvenes matter re withdrawal of experts report due to stay of trial broadcast		
							Court's question to Dr. Lamb		
						1:09	continued cross		
			DIX 131 ✓	734 ✓	779 ✓	749 ✓	court takes judicial notice:		
			PX 1394 ✓	DIX 782 ✓	775 ✓	PX 1055 ✓	PX 1075 ✓	PX 115, PX 1072, PX 1049 ✓	
			PX 1048	PX 1088 ✓	PX 1066 ✓	PX 1061 ✓	PX 1073, PX 1160 ✓	PX 1065, PX 1081, PX 1092	
			PX 1428	PX 1427 ✓	PX 1079 ✓	PX 1125 ✓	PX 1131 ✓	PX 1083, PX 1116 ✓	PX 778, PX 1111,
			PX 1049, PX 1090, PX 1091, PX 1123, PX 1064, PX 1864, PX 810, PX 1093, PX 1130						
						2:22	Re-direct		
							playing of video deposition of Dr. Markes.		
			PX 2299	✓	✓	1/15			
			↓ 1040	✓	✓	1/15			
			DIX 108	✓					
							court to be provided a list of the portions of Dr. Markes video deposition played, objection by def,		

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CASE NO.								
Plaintiff			Defendant			DATE/TIME	EXHIBITS/WITNESSES	BY
No.	ID	EV	No.	ID	EV			
PX 186				✓	✓	1/19/2010	video announcement	
						9:18	Cross by Mr. Roum	
	DX 1475			✓			subject to judicial notice tab 1 - depo 1/5/2010	
		2618		✓				
		1107		✓				
						9:57	Re-direct	
						10:04	Witness Pleused	
						10:08	Witness Dr. Lee Badgett sworn	
							Objection by Mr Cooper to the exhibits w/drawn PX 0188, 0189, 1296, 1298, 1309 2345, 2346, 2347 2345	
							No objection to the remainder	
						10:12	Recess	
						10:32	Reconvenes - Tending of stipulated exhibits	
						10:34	Direct of Prof Badgett by Mr Boies	
PX 2321, 1264								
						11:40	Cross by Mr Cooper	
			DX 1108	✓	✓	1/19/2010	tab 7, 18, 19	
PX 1257				✓				
			2679	✓	✓	1/19/2010		
			2680	✓	✓	1/19/2010		
			2647	✓	✓	1/19/2010		
						12:33	Recess for lunch	
						1:33	Continued Cross	
PX 1271				✓	✓	1/19/2010	tab 11, tab 3 (depo), tab 12, 13, 15, 16	
1261				✓	✓	1/19/2010		
	DX 1297			✓	✓	1/19/2010		

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CASE NO.									
Plaintiff			Defendant			DATE/TIME	EXHIBITS/WITNESSES	BY	
No.	ID	EV	No.	ID	EV				
						2:56	Reconvene for continued cross		
	Dx 1887				✓	1/19/2010	underlying statistical data		
		2639			✓	1/19/2010			
		2426			✓	1/19/2010			
						3:25	Re-direct		
						3:56	Witness excused.		
						4:00	Courts in recess		
							JAN 20 2010 WEDNESDAY		
						8:40	Court reconvenes for scheduling issue of the trial tomorrow all day Discovery matters, Mag Judge Spero's order is undisturbed •PX 0188, 0189 - def's continued objections - objection w/drawn Def's objection to Pla's next witness as irrelevant to the case Pla's 2563, court dis inclined to exclude testimony of Mr Kendall Depo designation: Nathanson, Paul Young, Katherine played for the court		
Px	2334				✓	1/20/2010			
	2546, 2547				✓				
	2335				✓	1/20/2010	Resume (disk)		
	2544, 2545				✓		testimony (disk)		
						9:40	Recess		
						9:51	City & County of SF calls Ryan Kendall witness sworn		

Direct by Mr Flynn

LIST OF EXHIBITS AND WITNESSES
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CASE NO.								
Plaintiff			Defendant			DATE/TIME	EXHIBITS/WITNESSES	BY
No.	ID	EV	No.	ID	EV			
						10:10	Cross by Mr. Campbell	A
						10:15	Re-direct	
						10:17	Witness Recused	
						10:19	Plaintiff's call Gary Segura, sworn	
Pl 23	30			✓	✓	1/20/2010	Pl 2340489, Pl 490, Pl 491, 494	
Pl 08	34			✓	✓	1/20		
Pl 15	50			✓	✓	1/20	Pl 2310 ✓, Pl 2314 ✓, Pl 2389	
							Def's objection to the exhibits marked for your eyes only, req to review the doc re Vincent MacCarthy - counsel for non-party Jim Garlow; Miles McPherson object to the use of the documents.	
						12:15	Recess	
						1:11	Reconvenes. Further discussion re the objections placed before the court re non-party witness docs. Court ref the matter to MJ Spero.	
						1:13	Continued testimony of Prof Segura on direct, Pl 2389, Plaintiff move to publish portion of the exhibit, Def objects to admission of the entire exhibit	
Pl 2389	(Redacted)			✓	✓	1/20	Pl 2553 ✓, Pl 2554 (redacted version) ✓	
Pl 2555	✓			✓	✓	1/20	Pl 2557 ✓, Pl 2561 ✓, Pl 2562 ✓, Pl 2598 (redacted) ✓	
						1/20/10 2:26	Cross by Mr Thompson, tab 7, 15, 3	
	2554			✓	✓	1/20	Dix 1331 ✓, 1327 ✓, 1328 ✓	
	1329			✓	✓	1/20	Dix 296 ✓, 1323 ✓	
	1162			✓	✓	1/20	1102 ✓, 2502 ✓	

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CASE NO.								
Plaintiff			Defendant			DATE/TIME	EXHIBITS/WITNESSES	BY
No.	ID	EV	No.	ID	EV			
						3:10	Recess	
						3:25	Continued Cross of Prof Segura by Mr Thompson	
						4:26	Court's direct of the witness	
						4:26	Court's in recess to resume at 8:30 am tomorrow	
							Pla have 2 more live witnesses to present and introduction of documents then Rest	
						4:35	Court's in recess	
							JAN 27 2010 THURSDAY	
						8:40	Reconvenes for continued testimony of Prof Segura on Cross, tabs 54, 55	
			DIX 2500			1/21	DIX 2472, 366, 312, 388, 325, 343, 428, 1068, 1453, 839 w/ supplementation, 1105, 458, 2666, 1725, 1609, 1792, 1673	
						9:56	Swearing-in of new attorneys Heidi Timken & Mr. Christopher Gonzalez	
						9:58	Recess	
						10:14	Reconvenes. continued Cross	
			DIX 2525			2528, 3533, 2544, 2531, 2587, 2586, 2590, 1337		
						11:02	re-direct, Pla's PDX 350V	
						12:12	Witness excused.	

Recess. Resume in one hour.

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CASE NO.									
Plaintiff			Defendant			DATE/TIME	EXHIBITS/WITNESSES	BY	
No.	ID	EV	No.	ID	EV				
						1:17	Reconvenes for further court trial Plaintiff calls Bill Tam Terry Thompson counsel for Mr Tam On his motion to the /draw Mr Tam as Party-Intervenor; Response by Mr. Boies in opposition to the motion, Mr Tam will testify as a witness as non- party; Court defer ruling on the motion to w/draw		
						1:24	Hak-Shing Tam sworn; Direct by Mr Boies, standing objections by Mr. Thompson as leading		
Px 507	✓		2685	✓	2620	✓	2476 ✓ 2472 2472 ✓ 2612 ✓ 2640 ✓ 2609 ✓ 2651 ✓ 2650 ✓ 2536 ✓ 2199 ✓ (line evidence) 513 ✓ 2501 ✓ (redacted) 2343B (4 pages) ✓ ✓ 2343B ✓ 2343C (Chinese version) (537) (515) 2601B, 2187 ✓ 2195 ✓ 2204 ✓ 2203 ✓ 2595 ✓		
						3:54	Cross by Ms Nicole. Px 507		
Px 2633	✓		513	✓	2187	✓	521 ✓ 2507		
						4:15	Recess		
						4:24	Reconvenes for ^{re} direct examination of Dr Tam		
2472	✓		2633	✓	2631	✓	2630 ✓ 2599 ✓ 2504 ✓ unredacted to court 2085 ✓ 21 2627 ✓		
						4:45	Witness excused. Plaintiff informed the court they have one last witness and admission of documents, then rest Court in recess. Resume at 8:30 Friday		

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CASE NO.								
Plaintiff			Defendant			DATE/TIME	EXHIBITS/WITNESSES	BY
No.	ID	EV	No.	ID	EV			
						8:34	Reconvenes	
							Preliminary matters. Bespoken closing arguments and set at a different time after the trial, both sides agree, admission of exhibits	
							2542, 2543, 2389 (redacted)	
						8:40	Pl calls Dr Gregory Herak to the stand sworn; Voir dire of his qualifications	
						8:45	Direct by Mr Dettmer, offered as an expert, opinion on social orientation	
							PK 2326 ✓ VI 2265, 2563, 2564, 2565, 2567, 885, 764, 888, 2333, 909, 928, 930	
						9:38	Cross by Mr Wilson Nielson	
							PK 0198 ✓ VI DIX 2654	
							DIX 950 ✓ admitted as to the receipts only not the the book c	
						10:36	Recess	
						10:58	Continued Cross of Prof Herak	
							DIX 1108 ✓ 1249 ✓ 1248 ✓ 1235 ✓ 1239 ✓ 978, PK 940 ✓ ↓ 1272 ✓ 1265 ✓	
						12:22	Break for lunch	
						1:26	Reconvenes.	
							Continued Cross of Prof Herak	
							DIX 1266 ✓ 2682 ✓ 935 ✓ 1268 ✓ 912 ✓ 658 ✓ 1016 ✓ 1229 ✓ 1270 ✓ 856 ✓ 626 ✓ 366 ✓ 1503 ✓	
						3:27	Recess	
						3:35	Resume Cross. DIX 1254, 1278, 642 ✓	

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CASE NO.									
Plaintiff			Defendant			DATE/TIME	EXHIBITS/WITNESSES	BY	
No.	ID	EV	No.	ID	EV				
						4:26	Re-direct		
						4:51	Testimony of Prof Horak concluded Plaintiffs reserve 90 minutes then Rest on Monday - Defense have 2 expert witness and playing of depositions.		
						5:00	Court is in Recess Resume trial on Monday @ 8:30		
							MONDAY JAN 27 2010		
						8:42	Court reconvenes for Preliminary matter re Plaintiff's exclusion of testimony of Mr Shulzer as witness for defense in addition to the 2 experts; additional documents that will come into the record. Designations & counter designations as to the testimony of deposition transcript of Prof Young No objections to 46 documents, 2 binders of admitted exhibits. ✓ ✓		
							simulcast Video 503, 504, 505 ✓ video Transcripts 1867, 1868, 506 ✓ Campaign Messaging Px 2075 (in evidence)	w/objections as prevalence	
Px	421				✓	✓	1/25		
	2656				✓	✓	1/25		
	2658				✓	✓	1/25		

LIST OF EXHIBITS AND WITNESSES
(continued)

CASE NO.								
Plaintiff			Defendant			DATE/TIME	EXHIBITS/WITNESSES	BY
No.	ID	EV	No.	ID	EV			
						1/25	JAN MONDAY Px 2773 ✓ ✓ 390 d 391 (videos) ✓ ✓ 390A Px 211 ✓, 480 ✓ (2681) 2589 ✓, 2597 ✓ 2455 ✓, 2660 ✓, 2385 ✓ 2150 ✓, 1675 ✓ 1676 ✓ - ^{sent to} takes judicial notice (1966) 2566 ✓ 2581 ✓ (letter dated 1874) Groups of data: Px 2823 - 2829 ✓ DIA 1836 ✓, 2827 ✓, Px 2345 ✓ 2346 ✓ additional 100 docs received late yesterday recess Reconvenes. Continued moving of Pla's exhibits into evidence Privilege log of 7,500 doc received by 4 from the Proponents. Plaintiffs preserve position to re-open their case for introduction of additional exhibits. Subject to the qualifications placed on the record Plaintiffs REST Defendant calls Kenneth P Miller, sworn Direct by Mr Thompson Voir dire by Mr Boies on the qualifications as expert in the field of anti initiative, not history of discrimination. Recess Reconvenes for continued direct Cross by Mr. Boies, tab 1 - deposition 794A designations	
						10:40		
						11:02		
Px						11:06		
						11:08		
						11:25		
						12:15		
						1:15		
						1:55		
Px	794A							

LIST OF EXHIBITS AND WITNESSES
(continued)

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CASE NO.								
Plaintiff			Defendant			DATE/TIME	EXHIBITS/WITNESSES	BY
No.	ID	EV	No.	ID	EV			
PX	604			✓	✓	1/25	PX 604, 605, 606, 607, 608, 609 court takes judicial notice 610, 611, 612, 613, 614, 615 616, 617, 618, 619, 620	
2865				✓				
						3:38	Recess	
1869		1/25	✓	✓	✓	3:50	Reconnues. Continued cross	
2857		1/25	✓	✓	✓	PX 2864 ✓		
						4:45	Court is adjourned for the day. Resume at 8:30 tomorrow.	
							TUESDAY	
						8:38	Reconnues	
PX 0794 A			✓	✓	✓	1/26	Continued Cross of Prof Miller by Mr Boies	
2853			✓	✓	✓	1/26	DIX 271 ✓ PX 2859 ✓ PX 874 ✓	
PX 2864 ✓			PX 2855 ✓		✓	2857 ✓	2856 ✓ 491, 492, 493, 494 ✓ 675 ✓ 834 ✓ 770 ✓ 771 ✓ 2844 ✓ 2540, 2839, 2842 ✓ 2552 ✓ 2561 ✓ 796 ✓	
						10:54	Recess	
						11:11	Reconnues for continued cross of Prof Miller	
PX 1397 ✓			2856 ✓			11:27	Examination of Prof Miller by Tamar Pachter for the Atty General	
						11:30	Court's examination re the ^{interline} interview	
						11:31	Re-direct by Mr Thompson	
			DIX 2619 ✓			PX 5, DIX 2, PX 20 ✓		
						11:55	Cross examination concluded Court's examination of Prof Miller witness excused	
						12:00	Recess	

LIST OF EXHIBITS AND WITNESSES
(continued)

CASE NO.								
Plaintiff			Defendant			DATE/TIME	EXHIBITS/WITNESSES	BY
No.	ID	EV	No.	ID	EV			
						1:10	Court reconvenes	
							Defendant calls David Blankenhorn to the stand, sworn	
							Direct by Mr Cooper, tender Mr Blankenhorn as expert	
	DIX 2693		✓	✓		1/26		
	DIX 103		✓	✓		1/24	DIX 956 ✓.	
						1:38	Verdine by Mr Boies, object to the witness as an expert on fatherhood, marriage and same-sex marriage	
							Court permits the witness to testify as expert on his area of expertise i.e. fatherhood etc.	
							Direct examination by Mr Cooper	
PX 1626	✓		DIX 79	✓		50 ✓ 73 ✓ 89 ✓ 66 ✓ 63 ✓ 93 ✓ 84 ✓ 26 ✓ 49 ✓ 60 ✓		
						3:25	Recess	
						3:32	Cross examination by Mr Boies	
	PX 2880		✓			1/26	DIX 956	
						4:35	Court is adjourned for the day. Court trial to resume 1/27 @ 8:30	
						JAN 27 2010	TUESDAY JAN 27 2010	
						8:34	Reconvenes.	
							Continued testimony of Mr Blankenhorn on Cross by Mr Boies	
PX 2332A			✓	DIX 60	✓			
						10:41	Recess	
						11:00	Reconvenes for continued Cross	
PX 2879	✓		2898	✓		PX 760	765 ✓ 2899 ✓ DIX 21 ✓	
	Additional							

exhibits in evidence

LIST OF EXHIBITS AND WITNESSES
(continued)

CASE NO.								
Plaintiff			Defendant			DATE/TIME	EXHIBITS/WITNESSES	BY
No.	ID	EV	No.	ID	EV			
							Supplated exhibits admitted	
							PX 0749, PX 1372, PX 2096, PX 2258	
							PX 2259 PX 2866 PX 2876 PX 2877	
							PX 2878 PX 2879 PX 2898 PX 2899	
							PX 2936 DIX 1109 PX 2341 PX 2403	
						11:38	Re-direct	
							DIX 990, Defendant's next number	
							The New York Times article	
						11:45	Witness accused. Def. Rest.	
							Proffer of documents w/out objection by the Pl.	
							DIX 2717 ✓	
							DIX 2719 ✓	
							DIX 2708	
							DIX 2718 } counter-designations	
2332 A		✓					list of exhibits of Mr Blankenhorn	
2581						✓ ✓	1/27	
2586						✓ ✓	1/27	
							DIX 108 - book Fatherless of America	
							Housekeeping matters by the Court	
							re pending motions re motion to	
							interview, motion to w/draw, motion	
							to file amicus brief.	
							Court set a deadline of Feb 3 for	
							filing of any application to file	
							amicus briefs.	
						12:00	Court trial concluded	
							Court is adjourned.	