

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

FILED  
JAMES BONINI  
CLERK

Savannah College, Inc.,  
Plaintiff,

2004 OCT -7 PM 2:17

v.

Case No. 1:02cv490  
(Hogan, M.J.) COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Philippe Houeix,  
Defendant.

**Bench Trial Minutes (DAY 2)**

**HONORABLE TIMOTHY S. HOGAN, U.S. MAGISTRATE JUDGE**

**COURTROOM DEPUTY:** Barbara Crum

**LAW CLERK:** Karen Litkovitz

**COURT REPORTER:** Ace Reporting, Jennifer Coats

**DATE:** October 7, 2004

**TIME:** 9:00 am

Attorney for Plaintiff(s):

David Stewart  
Patrick Elscuer  
Stephen Butke  
Ernie Lee (in-house counsel)

Attorney for Defendant(s):

John Rebel  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**WITNESSES**

Brian Murphy (rebuttal)  
\_\_\_\_\_  
\_\_\_\_\_

Philippe Houeix  
Philippe Houeix (rebuttal)  
\_\_\_\_\_  
\_\_\_\_\_

**PROCEDURES**

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Counsel present           | <input type="checkbox"/> Plaintiff calls witnesses                        |
| <input type="checkbox"/> Plaintiff admits exhibits            | <input type="checkbox"/> Defendant moves for Rule 50 Motion               |
| <input type="checkbox"/> Plaintiff rests                      | <input checked="" type="checkbox"/> Defendant calls witnesses (continues) |
| <input type="checkbox"/> Judge Grants/Denies Rule 50 Motion   | <input checked="" type="checkbox"/> Defendant rests                       |
| <input checked="" type="checkbox"/> Defendant admits exhibits | <input type="checkbox"/> Judge Grants/Denies Rule 50 Motion               |
| <input type="checkbox"/> Defendant renews Rule 50 Motion      | <input checked="" type="checkbox"/> Closing Arguments                     |
| <input checked="" type="checkbox"/> Plaintiff's rebuttal      |   |

Remarks: No response to IT's motion for admissibility of Ex 51: 10/14/04  
Facts + Conclusions of Law + written closing  
Arguments: 10/29/04

Court adjourned or in recess until \_\_\_\_\_.