

1 CASE NUMBER: BC 429385
2 CASE NAME: TCW VS. GUNDLACH
3 LOS ANGELES, CALIFORNIA SEPTEMBER 16, 2011
4 DEPARTMENT 322 HON. CARL J. WEST, JUDGE
5 APPEARANCES: (AS NOTED ON TITLE PAGE.)
6 REPORTER: RAQUEL A. RODRIGUEZ, CSR
7 TIME: A.M. SESSION

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10

08:02AM

11 (PROCEEDINGS HELD IN THE PRESENCE OF THE JURY.) +

12

13 THE COURT: GOOD MORNING, LADIES AND

14 GENTLEMEN.

15

16 IN THE TCW VERSUS GUNDLACH MATTER, ALL
17 MEMBERS OF OUR JURY AND ALTERNATES ARE PRESENT, AS ARE
18 ALL COUNSEL.

08:47AM

18

19 MR. LANE, IT'S MY UNDERSTANDING THAT YOU
20 WERE DESIGNATED AS THE FOREPERSON FOR THE JURY, AND THE
21 JURY HAS REACHED A VERDICT; IS THAT CORRECT?

08:47AM

21

JUROR LANE: THAT IS, YES.

22

23 THE COURT: WOULD YOU PLEASE HAND THE VERDICT
24 FORM TO THE COURT ATTENDANT.

24

25

(PAUSE) +

08:47AM

26

27

THE COURT: ALL RIGHT.

28

MR. SABALBURO, WOULD YOU PLEASE READ THE

1 VERDICT.

2 THE CLERK: TITLE OF COURT AND CAUSE.

3 WE, THE JURY, IN THE ABOVE-ENTITLED
4 ACTION, ANSWER THE QUESTIONS SUBMITTED TO US AS
5 FOLLOWS:

08:48AM

6 TCW'S CLAIM FOR BREACH OF FIDUCIARY DUTY

7 QUESTION NO. 1. HOW DO YOU FIND TCW'S
8 CLAIM FOR BREACH OF FIDUCIARY DUTY?

9 A. FOR TCW. FOR JEFFREY GUNDLACH.

10 ANSWER: FOR TCW.

08:49AM

11 B. FOR TCW. FOR BARBARA VANEVERY.

12 ANSWER: FOR TCW.

13 C. FOR TCW. FOR CRIS SANTA ANA.

14 ANSWER: FOR TCW.

15 D. FOR TCW. FOR JEFFREY MAYBERRY.

08:49AM

16 ANSWER: FOR TCW.

17 QUESTION NO. 2. IF YOU FIND ONE OR MORE
18 DEFENDANT IS LIABLE FOR BREACHING HIS OR HER FIDUCIARY
19 DUTY, DID ANY OF THE FOLLOWING CONSPIRE WITH THAT
20 PERSON OR PERSONS TO BREACH THEIR FIDUCIARY DUTY OR
21 DUTIES?

08:49AM

22 A. JEFFREY GUNDLACH. YES OR NO.

23 ANSWER: YES.

24 B. BARBARA VANEVERY. ANSWER YES OR NO.

25 ANSWER: YES.

08:49AM

26 C. CRIS SANTA ANA. ANSWER YES OR NO.

27 ANSWER: YES.

28 D. JEFFREY MAYBERRY. ANSWER YES OR NO.

1 ANSWER: YES.

2 QUESTION NO. 3. IF YOU FIND FOR TCW,
3 WAS TCW DAMAGED? ANSWER YES OR NO.

4 ANSWER: NO.

5 QUESTION NO. 4. IF SO, STATE THE TOTAL
6 DAMAGES, IF ANY, TCW PROVED WERE CAUSED BY BREACH OF
7 FIDUCIARY DUTY.

08:50AM

8 NO ANSWER.

9 QUESTION NUMBER 5. STATE THE DAMAGES,
10 IF ANY, TCW PROVED WERE CAUSED BY THE BREACH OF
11 FIDUCIARY DUTY AND THAT YOU AWARD AGAINST EACH
12 INDIVIDUAL.

08:50AM

13 G. AGAINST JEFFREY GUNDLACH.

14 NO ANSWER.

15 B. AGAINST BARBARA VANEVERY.

08:51AM

16 NO ANSWER.

17 C. AGAINST CRIS SANTA ANA.

18 NO ANSWER.

19 D. AGAINST JEFFREY MAYBERRY.

20 NO ANSWER.

08:51AM

21 JUROR LANE: YOUR HONOR, I'M SORRY. WE MEANT
22 NOT APPLICABLE. WE DIDN'T MEAN NO ANSWER. I DON'T
23 KNOW IF THAT MATTERS TO THE COURT.

24 THE COURT: ON THE FORM THERE'S A LINE DRAWN.

25 THE CLERK: CORRECT, YOUR HONOR.

08:51AM

26 THE COURT: NO ANSWER IS NOT APPLICABLE.

27 JUROR LANE: SORRY.

28 THE COURT: THAT'S WHAT YOU INTENDED?

1 JUROR LANE: YES.

2 THE CLERK: TCW'S CLAIM FOR TRADE SECRET
3 VIOLATION

4 QUESTION NO. 6. HOW DO YOU FIND ON
5 TCW'S CLAIM FOR MISAPPROPRIATION OF TRADE SECRETS?

08:51AM

6 A. FOR TCW. FOR JEFFREY GUNDLACH.

7 ANSWER: FOR TCW.

8 B. FOR TCW. FOR BARBARA VANEVERY.

9 ANSWER: FOR TCW.

10 C. FOR TCW. FOR CRIS SANTA ANA.

08:52AM

11 ANSWER: FOR TCW.

12 D. FOR TCW. FOR JEFFREY MAYBERRY.

13 ANSWER: FOR TCW.

14 E. FOR TCW. FOR DOUBLELINE CAPITAL LP.

15 ANSWER: FOR TCW.

08:52AM

16 QUESTION NO. 7. IF YOU FIND FOR TCW,
17 WAS TCW HARMED BY THE MISAPPROPRIATION? ANSWER YES OR
18 NO.

19 ANSWER: YES.

20 QUESTION NO. 8. IF YOU FIND FOR TCW
21 AGAINST JEFFREY GUNDLACH OR DOUBLELINE, HAS TCW PROVEN
22 BY CLEAR AND CONVINCING EVIDENCE THAT SUCH DEFENDANT
23 ACTED WILLFULLY AND MALICIOUSLY?

08:52AM

24 A. JEFFREY GUNDLACH. ANSWER YES OR NO.

25 ANSWER: NO.

08:52AM

26 B. DOUBLELINE CAPITAL LP. ANSWER YES
27 OR NO.

28 ANSWER: NO.

1 TCW'S CLAIM FOR INTENTIONAL INTERFERENCE
2 WITH CONTRACTUAL RELATIONS

3 QUESTION NO. 9. HOW DO YOU FIND TCW'S
4 CLAIM FOR INTENTIONAL INTERFERENCE WITH CONTRACTUAL
5 RELATIONS AGAINST JEFFREY GUNDLACH?

08:53AM

6 FOR TCW. FOR JEFFREY GUNDLACH.

7 ANSWER: FOR TCW.

8 QUESTION NO. 10. IF YOU FIND FOR TCW,
9 WAS TCW DAMAGED? ANSWER YES OR NO.

10 ANSWER: NO.

08:53AM

11 QUESTION NO. 11. IF SO, STATE THE
12 DAMAGES, IF ANY, TCW PROVED WERE CAUSED BY JEFFREY
13 GUNDLACH'S INTENTIONAL INTERFERENCE WITH CONTRACTUAL
14 RELATIONS AND THAT YOU AWARD:

15 AMOUNT: NO ANSWER.

08:53AM

16 PUNITIVE DAMAGES

17 QUESTION NO. 12. HAS TCW PROVEN MALICE,
18 OPPRESSION, OR FRAUD BY CLEAR AND CONVINCING EVIDENCE
19 AGAINST JEFFREY GUNDLACH?

20 A. FOR BREACH OF FIDUCIARY DUTY.

08:53AM

21 ANSWER YES OR NO.

22 ANSWER: NO.

23 B. FOR INTERFERENCE WITH CONTRACTUAL
24 RELATIONS. ANSWER YES OR NO.

25 ANSWER: NO.

08:54AM

26 QUESTION NO. 13. STATE THE AMOUNT, IF
27 ANY, OF PUNITIVE DAMAGES TCW PROVED AGAINST JEFFREY
28 GUNDLACH.

1 NO ANSWER.

2 JEFFREY GUNDLACH'S CLAIMS AGAINST TCW

3 QUESTION NO. 14. HOW DO YOU FIND
4 JEFFREY GUNDLACH'S BREACH OF CONTRACT CLAIM AGAINST
5 TCW?

08:54AM

6 FOR JEFFREY GUNDLACH. FOR TCW.

7 ANSWER: FOR TCW.

8 QUESTION NO. 15. STATE THE DAMAGES, IF
9 ANY, JEFFREY GUNDLACH PROVED WERE CAUSED BY TCW'S
10 BREACH OF CONTRACT.

08:54AM

11 NO ANSWER.

12 QUESTION NO. 16. HOW DO YOU FIND ON
13 JEFFREY GUNDLACH'S CLAIM AGAINST TCW FOR BREACH OF THE
14 COVENANT OF GOOD FAITH AND FAIR DEALING? FOR JEFFREY
15 GUNDLACH. FOR TCW.

08:54AM

16 ANSWER: FOR TCW.

17 QUESTION NO. 17. STATE THE DAMAGES, IF
18 ANY, JEFFREY GUNDLACH PROVED WERE CAUSED BY TCW'S
19 BREACH OF THE COVENANT OF GOOD FAITH AND FAIR DEALING.

20 NO ANSWER.

08:55AM

21 QUESTION NO. 18. HOW DO YOU FIND ON
22 JEFFREY GUNDLACH'S CLAIM AGAINST TCW FOR FAILURE TO PAY
23 WAGES DUE UNDER THE LABOR CODE? FOR JEFFREY GUNDLACH.
24 FOR TCW.

25 ANSWER: FOR JEFFREY GUNDLACH.

08:55AM

26 QUESTION, NO. 19. STATE THE DAMAGES, IF
27 ANY, JEFFREY GUNDLACH PROVED WERE CAUSED BY TCW'S
28 FAILURE TO PAY WAGES DUE UNDER THE LABOR CODE.

1 ANSWER: 66.7 (MILLION) DOLLARS.

2 BARBARA VANEVERY'S CLAIMS AGAINST TCW.

3 QUESTION NO. 20. HOW DO YOU FIND ON
4 BARBARA VANEVERY'S BREACH OF CONTRACT CLAIM AGAINST
5 TCW? FOR BARBARA VANEVERY. FOR TCW.

08:55AM

6 ANSWER: FOR TCW.

7 STATE THE DAMAGES, IF ANY,
8 BARBARA VANEVERY PROVED WERE CAUSED BY TCW'S BREACH OF
9 CONTRACT.

10 NO ANSWER.

08:56AM

11 QUESTION NO. 22. HOW DO YOU FIND ON
12 BARBARA VANEVERY'S CLAIM AGAINST TCW FOR BREACH OF THE
13 COVENANT OF GOOD FAITH AND FAIR DEALING? FOR
14 BARBARA VANEVERY. FOR TCW.

15 ANSWER: FOR TCW.

08:56AM

16 QUESTION NO. 23. STATE THE DAMAGES, IF
17 ANY, BARBARA VANEVERY PROVED WERE CAUSED BY TCW'S
18 BREACH OF THE COVENANT OF GOOD FAITH AND FAIR DEALING.

19 NO ANSWER.

20 QUESTION NO. 24. HOW DO YOU FIND ON
21 BARBARA VANEVERY'S CLAIM AGAINST TCW FOR FAILURE TO PAY
22 WAGES DUE UNDER LABOR CODE? FOR BARBARA VANEVERY. FOR
23 TCW.

08:56AM

24 ANSWER: FOR BARBARA VANEVERY.

25 QUESTION NO. 25. STATE THE DAMAGES, IF
26 ANY, BARBARA VANEVERY PROVED WERE CAUSED BY TCW'S
27 FAILURE TO PAY WAGES DUE UNDER THE LABOR CODE.

08:56AM

28 ANSWER: PER J.E.G.

1 CRIS SANTA ANA'S CLAIMS AGAINST TCW.

2 QUESTION NO. 26. HOW DO YOU FIND ON
3 CRIS SANTA ANA'S BREACH OF CONTRACT CLAIM AGAINST TCW?
4 FOR CRIS SANTA ANA. FOR TCW.

5 ANSWER: FOR TCW.

08:57AM

6 QUESTION NO. 27. STATE THE DAMAGES, IF
7 ANY, CRIS SANTA ANA PROVED WERE CAUSED BY TCW'S BREACH
8 OF CONTRACT.

9 NO ANSWER.

10 QUESTION NO. 28. HOW DO YOU FIND ON
11 CRIS SANTA ANA'S CLAIM AGAINST TCW FOR BREACH OF THE
12 COVENANT OF GOOD FAITH AND FAIR DEALING?

08:57AM

13 FOR JEFFREY GUNDLACH [SIC.] FOR TCW.

14 ANSWER: FOR TCW.

15 QUESTION NO. 29. STATE THE DAMAGES, IF
16 ANY, CRIS SANTA ANA PROVED WERE CAUSED BY TCW'S BREACH
17 OF THE COVENANT OF GOOD FAITH AND FAIR DEALING.

08:57AM

18 NO ANSWER.

19 QUESTION NO. 30. HOW DO YOU FIND ON
20 CRIS SANTA ANA'S CLAIM AGAINST TCW FOR FAILURE TO PAY
21 WAGES DUE UNDER LABOR CODE?

08:58AM

22 FOR CRIS SANTA ANA. FOR TCW.

23 ANSWER: FOR CRIS SANTA ANA.

24 QUESTION NO. 31. STATE THE DAMAGES, IF
25 ANY, CRIS SANTA ANA PROVED WERE CAUSED BY TCW'S FAILURE
26 TO PAY WAGES UNDER THE LABOR CODE.

08:58AM

27 ANSWER: PER J.E.G.

28 JEFFREY MAYBERRY'S CLAIMS AGAINST TCW.

1 QUESTION NO. 32. HOW DO YOU FIND ON
2 JEFFREY MAYBERRY'S BREACH OF CONTRACT CLAIM AGAINST
3 TCW? FOR JEFFREY MAYBERRY. FOR TCW.

4 ANSWER: FOR TCW.

5 QUESTION NO. 33. STATE THE DAMAGES, IF
6 ANY, JEFFREY MAYBERRY PROVED WERE CAUSED BY TCW'S
7 BREACH OF CONTRACT.

08:58AM

8 NO ANSWER.

9 QUESTION NO. 34. HOW DO YOU FIND ON
10 JEFFREY MAYBERRY'S CLAIM AGAINST TCW FOR BREACH OF THE
11 COVENANT OF GOOD FAITH AND FAIR DEALING? FOR JEFFREY
12 GUNDLACH [SIC]. FOR TCW.

08:59AM

13 ANSWER: FOR TCW.

14 QUESTION NO. 35. STATE THE DAMAGES, IF
15 ANY, JEFFREY MAYBERRY PROVED WERE CAUSED BY TCW'S
16 BREACH OF THE COVENANT OF GOOD FAITH AND FAIR DEALING.

08:59AM

17 NO ANSWER.

18 QUESTION NO. 36. HOW DO YOU FIND ON
19 JEFFREY MAYBERRY'S CLAIM AGAINST TCW FOR FAILURE TO PAY
20 WAGES DUE UNDER THE LABOR CODE? FOR JEFFREY MAYBERRY.
21 FOR TCW.

08:59AM

22 ANSWER: FOR JEFFREY MAYBERRY.

23 QUESTION NO. 37. STATE THE DAMAGES, IF
24 ANY, JEFFREY MAYBERRY PROVED WERE CAUSED BY TCW'S
25 FAILURE TO PAY WAGES DUE UNDER THE LABOR CODE.

08:59AM

26 ANSWER: PER J.E.G.

27 DATED: SEPTEMBER 15TH, 2011.

28 SIGNED: MATTHEW LANE, FOREPERSON.

1 THE CLERK: LADIES AND GENTLEMEN OF THE JURY,
2 IS THIS YOUR VERDICT?

3
4 (JURY PANEL ANSWERS IN THE AFFIRMATIVE.) +

5
6 THE COURT: MR. QUINN, DOES THE PLAINTIFF WISH
7 TO HAVE THE JURY POLLED?

8 MR. QUINN: YES, PLEASE.

9 THE COURT: MR. BRIAN, DOES THE DEFENSE WISH
10 TO HAVE THE JURY POLLED.

11 MR. BRIAN: NO.

12 THE COURT: AS REQUESTED OF THE PLAINTIFF, THE
13 JURY WILL BE POLLED.

14 AS I INDICATED EARLIER, YOU MAY BE ASKED
15 TO VERIFY YOUR VOTE ON EACH QUESTION.

16 THE PROCESS THAT WE WILL FOLLOW IS THAT
17 MR. SABALBURO WILL READ YOUR ANSWER. HE WILL ASK
18 WHICH, IF ANY OF YOU, DISAGREE WITH THE ANSWER AS SET
19 FORTH IN THE VERDICT FORM.

20 IF YOU DISAGREE, YOU ARE TO RAISE YOUR
21 RIGHT HAND. I WILL NOTE THAT AND WE WILL DETERMINE THE
22 POLL IN THAT MANNER.

23 THE CLERK: QUESTION NO. 1. HOW DO YOU FIND
24 TCW'S CLAIM FOR BREACH OF FIDUCIARY DUTY? A. FOR TCW.
25 FOR JEFFREY GUNDLACH.

26 ANSWER: FOR TCW.

27 LADIES AND GENTLEMEN, IS THERE ANYONE
28 THAT DISAGREES WITH THIS VERDICT. PLEAS RAISE YOUR

09:00AM

09:00AM

09:00AM

09:00AM

09:00AM

1 HAND.

2 THE COURT: SEEING NO HANDS, THE VERDICT IS
3 UNANIMOUS ON QUESTION 1-A, 12 TO ZERO.

4 THE CLERK: QUESTION 1-B. FOR TCW. FOR
5 BARBARA VANEVERY.

09:01AM

6 ANSWER FOR TCW.

7 THE COURT: ANYBODY THAT DISAGREES WITH THE
8 VERDICT AS SET FORTH AND JUST READ BY MR. SABALBURO ON
9 QUESTION 1-B?

10 SEEING NO HANDS, THE VERDICT IS 12/ZERO
11 ON QUESTION 1-A.

09:01AM

12 THE CLERK: QUESTION 1-C, FOR TCW, FOR
13 CRIS SANTA ANA.

14 ANSWER: FOR TCW.

15 THE COURT: ANY JUROR THAT DISAGREES WITH
16 THAT?

09:01AM

17 SEEING NO HANDS, THE POLL IS 12/ZERO ON
18 QUESTION 1-C.

19 THE CLERK: QUESTION 1-D. FOR TCW. FOR
20 JEFFREY MAYBERRY.

09:01AM

21 ANSWER: FOR TCW.

22 THE COURT: IS THERE ANY JUROR THAT DISAGREES
23 WITH THAT?

24 SEEING NO HANDS, THE POLL IS 12 TO ZERO
25 ON QUESTION 1-D.

09:02AM

26 THE CLERK: QUESTION NO. 2. IF YOU FIND ONE
27 OR MORE OF THE DEFENDANT IS LIABLE FOR BREACHING HIS OR
28 HER FIDUCIARY DUTY, DID ANY OF THE FOLLOWING CONSPIRE

1 WITH THAT PERSON OR PERSONS TO BREACH THEIR FIDUCIARY
2 DUTY OR DUTIES?

3 QUESTION 2-A. JEFFREY GUNDLACH. ANSWER
4 YES OR NO ANSWER.

5 ANSWER: YES.

09:02AM

6 THE COURT: ANY JUROR THAT DISAGREES WITH THAT
7 FINDING?

8 SEEING NO HANDS, THE POLL IS 12 TO ZERO
9 ON QUESTION 2-A.

10 THE CLERK: 2-B. BARBARA VANEVERY. ANSWER
11 YES OR NO.

09:02AM

12 ANSWER: YES.

13 THE COURT: ANY JUROR THAT DISAGREES WITH THAT
14 FINDING?

15 SEEING NO HANDS, THE POLL IS 12 TO ZERO
16 ON QUESTION 2-B.

09:02AM

17 THE CLERK: 2-C. CRIS SANTA ANA. YES OR NO.

18 ANSWER: YES.

19 THE COURT: IS THERE ANY JUROR THAT DISAGREES
20 WITH THAT?

09:02AM

21 SEEING NO HANDS, THE POLL IS 12 TO ZERO
22 ON QUESTION 2-C.

23 THE CLERK: 2-D. JEFFREY MAYBERRY. ANSWER
24 YES OR NO.

25 ANSWER: YES.

09:03AM

26 THE COURT: ANY JUROR THAT DISAGREES?

27 SEEING NO HANDS, THE POLL IS 12 TO ZERO
28 ON QUESTION 2-D.

1 THE CLERK: QUESTION NO. 3. IF YOU FIND FOR
2 TCW, WAS TCW DAMAGED? ANSWER YES OR NO.

3 ANSWER: NO.

4 THE COURT: ANY JUROR THAT DISAGREES WITH
5 THAT?

6 JUROR NO. 9. AND 12.

7 SO THE POLL ON QUESTION NO. 3 IS 10 TO 2
8 IN FAVOR THE JURY'S FINDINGS.

9 THE CLERK: QUESTION NO. 4. IF SO, STATE THE
10 DAMAGES, IF ANY, TCW PROVED WERE CAUSED BY THE
11 FIDUCIARY DUTY.

12 NO ANSWER.

13 THE COURT: IS THERE ANY JUROR THAT DISAGREES
14 WITH THE FINDING ON QUESTION NO. 4?

15 JUROR NO. 9. ALL RIGHT.

16 THE POLL IS 11 TO 1 ON QUESTION NO. 4.

17 THE CLERK: QUESTION NO. 5. STATE THE
18 DAMAGES, IF ANY, TCW PROVED WERE CAUSED BY THE BREACH
19 OF FIDUCIARY DUTY AND THAT YOU AWARD AGAINST EACH
20 INDIVIDUAL. 5-A. AGAINST JEFFREY GUNDLACH.

21 NO ANSWER.

22 THE COURT: IS THERE ANY -- I UNDERSTAND FROM
23 MR. LANE NO ANSWER MEANS YOU FELT IT WAS NOT
24 APPLICABLE.

25 JUROR LANE: CORRECT.

26 THE COURT: ANY JUROR DISAGREES WITH THAT
27 FINDING?

28 THE DETERMINATION IS 12 -- THE POLL IS

09:03AM

09:03AM

09:03AM

09:04AM

09:04AM

1 12 TO ZERO IN FAVOR OF THE FINDING.

2 THE CLERK: 5-B. AGAINST BARBARA VANEVERY.

3 NO ANSWER.

4 THE COURT: ANY JUROR THAT DISAGREES WITH THAT
5 AS BEING NOT APPLICABLE?

09:04AM

6 THE POLL IS 12 TO ZERO ON QUESTION 5-B.

7 THE CLERK: 5-C AGAINST CRIS SANTA ANA.

8 NO ANSWER.

9 THE COURT: ANY JUROR THAT DISAGREES WITH THE
10 ANSWERS BEING NONAPPLICABLE ON QUESTION 5-C?

09:04AM

11 SEEING NO HANDS, THE POLL IS 12 TO ZERO.

12 THE CLERK: 5-D. AGAINST JEFFREY MAYBERRY.

13 NO ANSWER TIME.

14 THE COURT: ANY JUROR DISAGREES WITH THE
15 NONAPPLICABLE ANSWER TO QUESTION 5-D?

09:05AM

16 SEEING NO HANDS, THE POLL IS 12 TO ZERO
17 IN FAVOR OF THE FINDING.

18 THE CLERK: QUESTION NO. 6. HOW DO YOU FIND
19 ON TCW'S CLAIM FOR MISAPPROPRIATION OF TRADE SECRETS?

20 6-A. FOR TCW. FOR JEFFREY GUNDLACH.

09:05AM

21 ANSWER: FOR TCW.

22 THE COURT: ANY JUROR THAT DISAGREES WITH THE
23 FINDING ON QUESTION 6-A?

24 SEEING NO HANDS, THE JURY'S FINDING IS
25 12 TO ZERO ON THAT POINT.

09:05AM

26 THE CLERK: 6-B. FOR TCW. FOR
27 BARBARA VANEVERY.

28 ANSWER: FOR TCW.

1 THE COURT: ANY JUROR THAT DISAGREES WITH THE
2 FINDING AS SET FORTH IN THE VERDICT FORM ON QUESTION
3 6-B?

4 SEEING NO HANDS, THE POLL IS 12 TO ZERO
5 ON QUESTION 6-B.

09:05AM

6 THE CLERK: 6-C. FOR TCW. FOR CRIS SANTA
7 ANA.

8 ANSWER: FOR TCW.

9 THE COURT: ANY JUROR THAT DISAGREES WITH THE
10 VERDICT ON QUESTION 6-C?

09:05AM

11 SEEING NO HANDS, THE POLL IS 12 TO ZERO.

12 THE CLERK: 6-D. FOR TCW. FOR
13 JEFFREY MAYBERRY.

14 FOR TCW.

15 THE COURT: IS THERE ANY JUROR THAT DISAGREES
16 ON THE VERDICT AS TO QUESTION 6-D?

09:06AM

17 SEEING NO HANDS, THE POLL IS 12 TO ZERO.

18 THE CLERK: 6-E. FOR TCW. FOR DOUBLELINE
19 CAPITAL LP.

20 ANSWER: FOR TCW.

09:06AM

21 THE COURT: ANY JUROR DISAGREES WITH THE
22 VERDICT AS SET FORTH IN THE FORM FOR QUESTION 6-E?

23 SEEING NO HANDS, THE POLL IS 12 TO ZERO.

24 THE CLERK: QUESTION NO. 7. IF YOU FIND FOR
25 TCW, WAS TCW HARMED BY THE MISAPPROPRIATION? ANSWER
26 YES OR NO.

09:06AM

27 ANSWER: YES.

28 THE COURT: ANY JUROR THAT DISAGREES WITH THE

1 FINDING AS SET FORTH IN THE VERDICT FOR QUESTION NO. 7?
2 JUROR NO. 3 AND 10 INDICATE
3 DISAGREEMENT.

4 THE POLL WILL BE 10 TO 2 IN FAVOR THE
5 JURY'S FINDINGS.

09:06AM

6 THE CLERK: QUESTION NO. 8. IF YOU FIND FOR
7 TCW AGAINST JEFFREY GUNDLACH OR DOUBLELINE, HAS TCW
8 PROVEN BY CLEAR AND CONVINCING EVIDENCE THAT SUCH
9 DEFENDANT ACTED WILLFULLY AND MALICIOUSLY?

10 8-A. JEFFREY GUNDLACH. YES OR NO.

09:07AM

11 ANSWER: NO.

12 THE COURT: IS THERE ANY JURY THAT DISAGREES
13 WITH THE FINDING ON THE VERDICT FORM FOR QUESTION 8-A?

14 JUROR NO. 12.

15 THE POLL IS 11 TO 1 IN FAVOR OF THE
16 FINDING.

09:07AM

17 THE CLERK: 8-B, DOUBLELINE CAPITAL LP. YES
18 OR NO.

19 ANSWER: NO.

20 THE COURT: ANY JUROR THAT DISAGREES WITH THE
21 FINDING SET FORTH IN THE VERDICT FORM ON QUESTION 8-B.

09:07AM

22 THE POLL IS 12 TO ZERO IN FAVOR OF THE
23 FINDING.

24 THE CLERK: QUESTION NO. 9. HOW DO YOU FIND
25 ON TCW'S CLAIM FOR INTENTIONAL INTERFERENCE WITH
26 CONTRACTUAL RELATIONS AGAINST JEFFREY GUNDLACH? FOR
27 TCW. FOR JEFFREY GUNDLACH.

09:07AM

28 ANSWER: FOR TCW.

1 THE COURT: ANY JUROR DISAGREES WITH THE
2 FINDING AS SET FORTH IN THE VERDICT FORM ON QUESTION 9?

3 JUROR NO. 10.

4 THE POLL IS 11 TO 1 IN FAVOR OF THE
5 FINDING.

09:08AM

6 THE CLERK: QUESTION NO. 10. IF YOU FIND FOR
7 TCW, WAS TCW DAMAGED? YES OR NO.

8 ANSWER: NO.

9 THE COURT: ANY JUROR THAT DISAGREES WITH THE
10 FINDING ON QUESTION NO. 10?

09:08AM

11 JURORS NO. 1, 9, AND 12.

12 THE FINDING IS SUPPORTED BY THE JURY ON
13 A POLL OF 9 TO 3.

14 THE CLERK: QUESTION NO. 11. IF SO, STATE THE
15 DAMAGES, IF ANY, TCW PROVED WERE CAUSED BY JEFFREY
16 GUNDLACH'S INTENTIONAL INTERFERENCE WITH CONTRACTUAL
17 RELATIONS AND THAT YOU AWARD.

09:08AM

18 NO ANSWER.

19 THE COURT: MR. LANE HAVING INDICATED THAT NO
20 ANSWER MEANS NOT APPLICABLE, ANY JUROR DISAGREES WITH
21 THE FINDING ON QUESTION NO. 11?

09:08AM

22 JUROR NO. 12. AND NO. 9.

23 THE POLL IS 10 TO 2 IN FAVOR OF THE
24 FINDING.

25 THE CLERK: QUESTION NO. 12. HAS TCW PROVEN
26 MALICE, OPPRESSION, OR FRAUD BY CLEAR AND CONVINCING
27 EVIDENCE AGAINST JEFFREY GUNDLACH?

09:09AM

28 12-A. FOR BREACH OF FIDUCIARY DUTY.

1 ANSWER YES OR NO.

2 ANSWER: NO.

3 THE COURT: ANY JUROR THAT DISAGREES WITH THE
4 FINDING AS SET FORTH IN THE VERDICT FORM?

5 JUROR NO. 1 AND JUROR NO. 12.

09:09AM

6 THE POLL IN FAVOR OF THE FINDING IS 10
7 TO 2.

8 THE CLERK: 12-B. FOR INTERFERENCE WITH
9 CONTRACTUAL RELATIONS. ANSWER YES OR NO.

10 ANSWER: NO.

09:09AM

11 THE COURT: ANY JUROR THAT DISAGREES WITH THE
12 VERDICT FINDING ON QUESTION 12-B?

13 JUROR NO. 1. JUROR NO. 9. AND JUROR
14 NO. 12.

15 THE POLL IN FAVOR OF THE FINDING IS 9 TO
16 3.

09:09AM

17 THE CLERK: QUESTION NO. 13. STATE THE
18 AMOUNT, IF ANY, OF PUNITIVE DAMAGES TCW PROVED AGAINST
19 JEFFREY GUNDLACH.

20 ANSWER: NO ANSWER.

09:10AM

21 THE COURT: NO ANSWER, EQUATING TO NOT
22 APPLICABLE, IS THERE ANY JUROR THAT DISAGREES WITH THAT
23 FINDING?

24 JUROR NO. 12.

25 THE JURY'S FINDING IS POLLED 11 IN
26 FAVOR; ONE OPPOSED.

09:10AM

27 THE CLERK: QUESTION NO. 14. HOW DO YOU FIND
28 JEFFREY GUNDLACH'S BREACH OF CONTRACT AGAINST -- CLAIM

1 AGAINST TCW FOR JEFFREY GUNDLACH FOR TCW?

2 ANSWER: FOR TCW.

3 THE COURT: IS THERE ANY JUROR THAT DISAGREES
4 WITH THAT FINDING?

5 SEEING NO HANDS, THE JURY'S POLLED
6 12/ZERO IN FAVOR OF THE FINDING.

09:10AM

7 THE CLERK: QUESTION NO. 15. STATE THE
8 DAMAGES, IF ANY, JEFFREY GUNDLACH PROVED WERE CAUSED BY
9 TCW'S BREACH OF CONTRACT.

10 ANSWER: NO ANSWER.

09:10AM

11 THE COURT: UNDERSTANDING THAT NO ANSWER MEANS
12 NOT APPLICABLE, ANY JUROR DISAGREES WITH THAT FINDING?

13 THE JURY'S POLLED 12/ZERO IN FAVOR OF
14 THE FINDING.

15 THE CLERK: QUESTION NO. 16. HOW DO YOU FIND
16 ON JEFFREY GUNDLACH'S CLAIM AGAINST TCW FOR BREACH OF
17 THE COVENANT OF GOOD FAITH AND FAIR DEALING? FOR
18 JEFFREY GUNDLACH. FOR TCW.

09:11AM

19 ANSWER: FOR TCW.

20 THE COURT: ANY JUROR THAT DISAGREES WITH THE
21 FINDING ON QUESTION 16?

09:11AM

22 SEEING NO HANDS, THE JURY'S POLLED
23 12/ZERO IN FAVOR OF THE FINDING.

24 THE CLERK: QUESTION NO. 17. STATE THE
25 DAMAGES, IF ANY, JEFFREY GUNDLACH PROVED WERE CAUSED BY
26 TCW'S BREACH OF THE COVENANT OF GOOD FAITH AND FAIR
27 DEALING.

09:11AM

28 ANSWER: NO ANSWER.

1 THE COURT: UNDERSTANDING THAT NO ANSWER MEANS
2 NOT APPLICABLE, IS THERE ANY JUROR THAT DISAGREES WITH
3 THAT FINDING?

4 THE JURY'S POLLED 12/ZERO ON QUESTION
5 NO. 17 IN FAVOR OF THE FINDING.

09:11AM

6 THE CLERK: QUESTION NO. 18. HOW DO YOU FIND
7 JEFFREY GUNDLACH'S CLAIM AGAINST TCW FOR FAILURE TO PAY
8 WAGES DUE UNDER THE LABOR CODE?

9 FOR JEFFREY GUNDLACH. FOR TCW.

10 ANSWER: FOR JEFFREY GUNDLACH.

09:12AM

11 THE COURT: ANY JUROR THAT DISAGREES WITH THE
12 FINDING ON QUESTION NO. 18?

13 SEEING NO HANDS, THE POLL IS 12/ZERO IN
14 FAVOR OF THE FINDING.

15 THE CLERK: QUESTION NO. 19. STATE THE
16 DAMAGES, IF ANY, JEFFREY GUNDLACH PROVED WERE CAUSED BY
17 TCW'S FAILURE TO PAY WAGES DUE UNDER THE LABOR CODE.

09:12AM

18 ANSWER: 66.7 (MILLION) DOLLARS.

19 THE COURT: IS THERE ANY JUROR THAT DISAGREES
20 WITH THE FINDING ON QUESTION NO. 19?

09:12AM

21 SEEING NO HANDS, THE JURY IS POLLED
22 12/ZERO IN FAVOR OF THE FINDING.

23 THE CLERK: QUESTION 20. HOW DO YOU FIND ON
24 BARBARA VANEVERY'S BREACH OF CONTRACT CLAIM AGAINST
25 TCW? FOR BARBARA VANEVERY. FOR TCW.

09:12AM

26 ANSWER: FOR TCW.

27 THE COURT: ANY JUROR THAT DISAGREES WITH THE
28 VERDICT FINDING ON QUESTION NO. 20?

1 SEEING NO HANDS, THE JURY'S POLLED
2 12/ZERO IN FAVOR OF THE FINDING.

3 THE CLERK: QUESTION NO. 21. STATE THE
4 DAMAGES, IF ANY, BARBARA VANEVERY PROVED WERE CAUSED BY
5 TCW'S BREACH OF CONTRACT.

09:13AM

6 ANSWER: NO ANSWER.

7 THE COURT: UNDERSTANDING THAT NO ANSWER
8 EQUATES TO NOT APPLICABLE, IS THERE ANY JUROR THAT
9 DISAGREES WITH THE FINDING ON QUESTION NO. 21?

10 SEEING NO HANDS, THE JURY IS POLLED
11 12/ZERO IN FAVOR OF THE FINDING.

09:13AM

12 THE CLERK: QUESTION NO. 22. HOW DO YOU FIND
13 ON BARBARA VANEVERY'S CLAIM AGAINST TCW FOR BREACH OF
14 THE COVENANT OF GOOD FAITH AND FAIR DEALING? FOR
15 BARBARA VANEVERY. FOR TCW.

09:13AM

16 ANSWER: FOR TCW.

17 THE COURT: ANY JUROR THAT DISAGREES WITH THE
18 FINDING ON QUESTION NO. 22?

19 SEEING NO HANDS, THE JURY'S FINDING IS
20 12/ZERO IN FAVOR OF THE FINDING.

09:13AM

21 THE CLERK: QUESTION NO. 23. STATE THE
22 DAMAGES, IF ANY, BARBARA VANEVERY PROVED WERE CAUSED BY
23 TCW'S BREACH OF THE COVENANT OF GOOD FAITH AND FAIR
24 DEALING.

25 ANSWER: NO ANSWER.

09:13AM

26 THE COURT: UNDERSTANDING THAT NO ANSWER MEANS
27 NOT APPLICABLE, DOES ANY JUROR DISAGREE WITH THE
28 FINDING ON QUESTION NO. 23?

1 SEEING NO HANDS, THE JURY IS POLLED
2 12/ZERO IN FAVOR OF THE FINDING.

3 THE CLERK: QUESTION NO. 24. HOW DO YOU FIND
4 ON BARBARA VANEVERY'S CLAIM AGAINST TCW FOR FAILURE TO
5 PAY WAGES DUE UNDER THE LABOR CODE? FOR BARBARA
6 VANEVERY. FOR TCW.

09:14AM

7 ANSWER: FOR BARBARA VANEVERY.

8 THE COURT: ANY JUROR DISAGREES WITH THE
9 FINDING ON QUESTION NO. 24?

10 SEEING NO HANDS, THE JURY'S POLLED
11 12/ZERO IN FAVOR OF THE FINDING.

09:14AM

12 THE CLERK: QUESTION NO. 25. STATE THE
13 DAMAGES, IF ANY, BARBARA VANEVERY PROVED WERE CAUSED BY
14 TCW'S FAILURE TO PAY WAGES DUE UNDER THE LABOR CODE.

15 ANSWER: PER J.E.G.

09:14AM

16 THE COURT: ANY JUROR DISAGREES WITH THE
17 FINDING ON QUESTION NO. 25 PER J.E.G.?

18 SEEING NO HANDS, THE JURY'S POLLED
19 12/ZERO IN FAVOR OF THE FINDING.

20 THE CLERK: QUESTION NO. 26. HOW DO YOU FIND
21 ON CRIS SANTA ANA'S BREACH OF CONTRACT CLAIM AGAINST
22 TCW? FOR CRIS SANTA ANA. FOR TCW.

09:14AM

23 ANSWER: FOR TCW.

24 THE COURT: ON QUESTION NO. 26, IS THERE ANY
25 JUROR THAT DISAGREES WITH THE FINDING AS SET FORTH IN
26 THE VERDICT FORM?

09:15AM

27 SEEING NO HANDS, THE JURY IS POLLED
28 12/ZERO IN FAVOR OF THE FINDING.

1 THE CLERK: QUESTION NO. 27. STATE THE
2 DAMAGES, IF ANY, CRIS SANTA ANA PROVED WERE CAUSED BY
3 TCW'S BREACH OF CONTRACT UNDER THE LABOR CODE.

4 ANSWER: NO ANSWER.

5 THE COURT: UNDERSTANDING NO ANSWER EQUATES TO
6 NOT APPLICABLE, ANY JUROR DISAGREES WITH THIS FINDING?

09:15AM

7 SEEING NO HANDS, THE JURY'S POLLED
8 12/ZERO ON QUESTION NO. 27.

9 THE CLERK: QUESTION NO. 28. HOW DO YOU FIND
10 ON CRIS SANTA ANA'S CLAIM AGAINST TCW FOR BREACH OF THE
11 COVENANT OF GOOD FAITH AND FAIR DEALING? FOR JEFFREY
12 GUNDLACH [SIC]. FOR TCW.

09:15AM

13 ANSWER: FOR TCW.

14 THE COURT: IS THERE ANY JUROR WHO DISAGREES
15 WITH THE VERDICT FINDING ON QUESTION NO. 28?

09:15AM

16 SEEING NO HANDS, THE JURY IS POLLED
17 12/ZERO IN FAVOR OF THE FINDING.

18 THE CLERK: QUESTION 29. STATE THE DAMAGES,
19 IF ANY, CRIS SANTA ANA PROVED WERE CAUSED BY TCW'S
20 BREACH OF THE COVENANT OF GOOD FAITH AND FAIR DEALING.

09:15AM

21 ANSWER: NO ANSWER.

22 THE COURT: UNDERSTANDING THAT NO ANSWER
23 EQUATES TO NOT APPLICABLE, IS THERE ANY JUROR THAT
24 DISAGREES WITH THAT FINDING?

25 SEEING NO HANDS, THE JURY IS POLLED
26 12/ZERO IN FAVOR OF THE FINDING.

09:16AM

27 THE CLERK: QUESTION NO. 30. HOW DO YOU FIND
28 CRIS SANTA ANA'S CLAIM AGAINST TCW FOR FAILURE TO PAY

1 WAGES DUE UNDER THE LABOR CODE? FOR CRIS SANTA ANA.
2 FOR TCW?

3 ANSWER: FOR CRIS SANTA ANA.

4 THE COURT: QUESTION NO. 30. IS THERE ANY
5 JUROR THAT DISAGREES WITH THE FINDING AS SET FORTH IN
6 THE VERDICT FORM?

09:16AM

7 SEEING NO HANDS, THE JURY IS POLLED
8 12/ZERO IN FAVOR OF THE FINDING ON QUESTION 30.

9 THE CLERK: QUESTION 31. STATE THE DAMAGES,
10 IF ANY, CRIS SANTA ANA PROVED WERE CAUSED BY TCW'S
11 FAILURE TO PAY WAGES DUE UNDER THE LABOR CODE.

09:16AM

12 ANSWER: PER J.E.G.

13 THE COURT: YES. NO. 31. IS THERE ANY JUROR
14 THAT DISAGREES WITH THE FINDING PER J.E.G. AS SET FORTH
15 IN THE VERDICT FORM?

09:16AM

16 SEEING NO HANDS, THE JURY IS POLLED
17 12/ZERO IN FAVOR OF THE FINDING.

18 THE CLERK: QUESTION NO. 32. HOW DO YOU FIND
19 ON JEFFREY MAYBERRY'S BREACH OF CONTRACT CLAIM AGAINST
20 TCW? FOR JEFFREY GUNDLACH [SIC]. FOR TCW.

09:16AM

21 ANSWER: FOR TCW.

22 THE COURT: ANY JUROR THAT DISAGREES WITH THE
23 FINDING AS SET FORTH IN THE VERDICT FORM ON QUESTION
24 NO. 32?

25 SEEING NO HANDS, THE JURY IS POLLED
26 12/ZERO IN FAVOR OF THE FINDING.

09:17AM

27 THE CLERK: QUESTION NO. 33. STATE THE
28 DAMAGES, IF ANY, JEFFREY MAYBERRY PROVED OR WERE CAUSED

1 BY TCW BREACH OF CONTRACT.

2 ANSWER: NO. ANSWER.

3 THE COURT: ON QUESTION NO. 33 IS THERE ANY
4 WHO JUROR DISAGREES WITH THE VERDICT FINDING,
5 UNDERSTANDING THAT NO ANSWER IS THE EQUIVALENT OF NOT
6 APPLICABLE?

09:17AM

7 SEEING NO HANDS, THE JURY IS POLLED
8 12/ZERO IN FAVOR OF THE FINDING.

9 THE CLERK: QUESTION 34. HOW DO YOU FIND ON
10 JEFFREY MAYBERRY'S CLAIM AGAINST TCW FOR BREACH OF THE
11 COVENANT OF GOOD FAITH AND FAIR DEALING? FOR JEFFREY
12 GUNDLACH. FOR TCW.

09:17AM

13 ANSWER: FOR TCW.

14 THE COURT: ON QUESTION 34, IS THERE ANY JUROR
15 THAT DISAGREES WITH THE FINDING AS SET FORTH IN THE
16 VERDICT FORM?

09:17AM

17 SEEING NO HANDS, THE JURY IS POLLED
18 12/ZERO IN FAVOR OF THE FINDING ON QUESTION 34.

19 THE CLERK: QUESTION NO. 35. STATE THE
20 DAMAGES, IF ANY, JEFFREY MAYBERRY PROVED WERE CAUSED BY
21 TCW'S BREACH OF THE COVENANT OF GOOD FAITH AND FAIR
22 DEALING.

09:18AM

23 ANSWER: NO ANSWER.

24 THE COURT: UNDERSTANDING THAT NO ANSWER MEANS
25 NOT APPLICABLE, IS THERE ANY JUROR THAT DISAGREES WITH
26 THE FINDING AS SET FORTH IN THE VERDICT FORM?

09:18AM

27 SEEING NO HANDS, THE JURY IS POLLED
28 12/ZERO IN FAVOR OF THE FINDING.

1 THE CLERK: QUESTION NO. 36. HOW DO YOU FIND
2 ON JEFFREY MAYBERRY'S CLAIM AGAINST TCW FOR FAILURE TO
3 PAY WAGES DUE UNDER THE LABOR CODE? FOR
4 JEFFREY MAYBERRY. FOR TCW.

5 ANSWER: FOR JEFFREY MAYBERRY.

09:18AM

6 THE COURT: QUESTION NO. 36. IS THERE ANY
7 JUROR THAT DISAGREES WITH THE FINDING AS SET FORTH IN
8 THE VERDICT FORM?

9 SEEING NO HANDS, THE JURY IS POLLED
10 12/ZERO IN FAVOR OF THE FINDING.

09:18AM

11 THE CLERK: QUESTION 37. STATE THE DAMAGES,
12 IF ANY, JEFFREY MAYBERRY PROVED WERE CAUSED BY TCW'S
13 FAILURE TO PAY WAGES DUE UNDER THE LABOR CODE.

14 ANSWER: PER J.E.G.

15 THE COURT: IS THERE ANY JUROR THAT DISAGREES
16 WITH THE FINDING PER J.E.G. IN RESPONSE TO QUESTION
17 NO. 37 AS SET FORTH IN THE VERDICT FORM?

09:18AM

18 SEEING NO HANDS, THE JURY IS POLLED
19 12/ZERO IN FAVOR OF THAT FINDING.

20 ALL RIGHT. THE CLERK IS DIRECTED TO
21 RECORD AND ENTER THE VERDICT.

09:19AM

22 MR. QUINN: YOUR HONOR, MAY WE APPROACH?

23
24 (SIDE-BAR CONFERENCE HELD) +

09:19AM

25
26 THE COURT: THE QUESTION IS, MR. QUINN HAS
27 INDICATED HE DOES NOT KNOW WHAT "PER J.E.G." MEANS.

28 MR. BRIAN, YOU WANT TO BE HEARD ON THAT?

1 I HAVE A COMMENT ON IT.

2 MR. BRIAN: I CAN INTERPRET IT. I THINK WHAT
3 THEY'RE SAYING IS THEY'VE AWARDED DAMAGES OR WAGES TO
4 JEFFREY GUNDLACH, AND THAT THE -- THEY FOUND IN FAVOR
5 OF THE OTHER CLAIMANTS, THAT THEIR SHARES COME OUT OF
6 JEFFREY GUNDLACH'S PAYMENT.

09:19AM

7 THAT'S WHAT I UNDERSTOOD.

8 MR. QUINN: WITHIN HIS DISCRETION.

9 THE COURT: I THINK IT'S WITHIN HIS
10 DISCRETION. THE EVIDENCE THAT WAS OFFERED WAS IN THE
11 ALTERNATIVE. EITHER YOU COULD -- YOU ARGUED THAT THE
12 STAFF SALARIES, OTHER PEOPLE, SHOULD BE DEDUCTED BY
13 PUTTING "PER J.E.G."

09:20AM

14 I THINK THEY ARE GIVING A GROSS NUMBER
15 THAT IS TO BE ALLOCATED. YOU KNOW, IT'S A JUDGMENT --

09:20AM

16 MR. QUINN: SO NO -- WE HAVE AN UNDERSTANDING.

17 THE COURT: IT'S A JUDGMENT IN FAVOR OF
18 MR. GUNDLACH SOLELY. AND IT'S WITHIN HIS DISCRETION TO
19 DISTRIBUTE THAT AS HE SEES FIT TO THE OTHER FOUR
20 PLAINTIFFS.

09:20AM

21 AND I THINK THAT --

22 MR. BRIAN: IF YOUR QUESTION, MR. QUINN, IS
23 WHETHER WE WOULD ARGUE THAT THERE IS AN AMOUNT ABOVE
24 THE AMOUNT, OR DID MR. GUNDLACH OWE TO THOSE PEOPLE, I
25 THINK THE ANSWER'S NO.

09:20AM

26 THE COURT: NO.

27 MR. QUINN: I HAD TO ASK.

28 THE COURT: THAT'S MY UNDERSTANDING AND MY

1 INTERPRETATION.

2 SO, NO OBJECTION TO ENTERING THE VERDICT
3 AS READ --

4 MR. QUINN: NO OBJECTION.

5 MR. BRIAN: NO OBJECTION.

09:20AM

6 THE COURT: ALL RIGHT.

7

8 (PAUSE) +

9

10 THE COURT: THE CLERK IS DIRECTED TO ENTER AND
11 RECORD THE VERDICT.

09:20AM

12 DO THE PARTIES WAIVE READING OF THE
13 VERDICT AS RECORDED AND ENTERED?

14 MR. BRIAN: YES, YOUR HONOR.

15 MR. QUINN: YES, YOUR HONOR.

09:21AM

16 THE COURT: LADIES AND GENTLEMEN OF THE JURY,
17 AND OUR ALTERNATES, THIS CONCLUDES YOUR JURY SERVICE IN
18 THIS CASE.

19 YOU HAVE THE COURT'S THANKS, AS WELL AS
20 THE APPRECIATION AND THANK YOU OF ALL THE PARTIES AND
21 THE LAWYERS.

09:21AM

22 JURY SERVICE IS A CIVIC RESPONSIBILITY.
23 IT IS DEFINITELY A BURDEN. AND IN A CASE OF THIS
24 NATURE WHERE YOU'VE SPENT EIGHT WEEKS WITH US, WORKING
25 DILIGENTLY ON THIS CASE, TAKING YOU AWAY FROM YOUR
26 FAMILIES, YOUR WORK, YOUR HOMES, IT IS AN IMPOSITION.
27 AND YOU ARE TO BE COMMENDED FOR YOUR SERVICE.

09:21AM

28 I KNOW EVERY ONE OF YOU, EACH AND EVERY

1 ONE OF YOU COMMITTED A LOT OF TIME AND RESOURCES TO
2 THIS CASE. YOU HAVE OUR THANKS.

3 THE JURY PROCESS IS THE CORNERSTONE OF
4 OUR JUSTICE SYSTEM. WITHOUT PEOPLE LIKE YOU, WHO ARE
5 WILLING TO DO THIS, WHETHER IT'S FOR THE RICH OR POOR,
6 WHATEVER TYPE OF CASE WE HAVE, OUR SYSTEM WOULDN'T
7 WORK.

09:21AM

8 SO MY SINCERE THANKS TO YOU.

9 I'M GOING TO EXCUSE YOU ALL NOW. ASK
10 YOU TO RETURN TO THE JURY ROOM IN THE BACK HERE.
11 MS. PIEDRA WILL TAKE YOU IN THERE AND COLLECT YOUR
12 BADGES.

09:22AM

13 THE LAWYERS WOULD LIKE -- SOME OF THE
14 LAWYERS WOULD LIKE TO SPEAK WITH YOU ABOUT YOUR VERDICT
15 AND ABOUT THE CASE. YOU ARE FREE TO DO SO, IF YOU
16 WISH, ALTHOUGH YOU'RE UNDER NO OBLIGATION TO TALK WITH
17 ANYBODY ABOUT THIS CASE.

09:22AM

18 WE WILL MAKE A ROOM AVAILABLE FOR YOU TO
19 SPEAK WITH THE LAWYERS IF YOU WISH TO DO SO. WE CAN
20 TALK ABOUT THAT FURTHER WHEN WE GO IN THE JURY ROOM.

09:22AM

21 YOU ARE EXCUSED FROM JURY SERVICE, AND
22 THANK YOU FOR YOUR SERVICE.

23

24 (PAUSE) +

25

09:23AM

26 THE COURT: HAVING EXCUSED THE JURY, I WOULD
27 LIKE TO PERSONALLY THANK COUNSEL, ALL OF THE STAFF,
28 THE COURT STAFF, FOR WHAT HAS BEEN A DIFFICULT AND

1 LENGTHY TRIAL.

2 BUT WE'VE HAD THE PLEASURE OF HAVING
3 OUTSTANDING LAWYERS. I'D LIKE TO THANK THE PARTIES FOR
4 THEIR EFFORTS IN MAKING THIS CASE GO FORWARD THE WAY IT
5 DID.

09:23AM

6 I'M GOING TO SET A POST VERDICT
7 SCHEDULING CONFERENCE NEXT TUESDAY, 9-21, AT 9 O'CLOCK.
8 THERE ARE OTHER MATTERS THAT WILL HAVE TO BE TAKEN UP
9 IN VIEW OF THE VERDICT. I DO NOT INTEND TO ADDRESS
10 THOSE AT THIS TIME.

09:23AM

11 ARE THERE ANY OTHER MATTERS?

12 MR. HELM.

13 MR. HELM: JUST, COULD YOU REPEAT WHEN -- THE
14 DATE AND TIME OF THE SCHEDULING CONFERENCE.

15 THE COURT: I THINK IT'S WEDNESDAY, 9-21, AT
16 9 O'CLOCK. I CAN DO TUESDAY OR WEDNESDAY. I GOT MY
17 DATES WRONG.

09:23AM

18 MR. BRIAN: I'D PREFER TUESDAY IF YOU COULD.

19 THE COURT: THAT'S FINE.

20 MR. QUINN: AS I INDICATED, YOUR HONOR, I WILL
21 BE OUT OF TOWN, BUT SOMEONE -- MADISON MAY NOT BE BACK,
22 BUT SOMEONE WILL BE HERE.

09:24AM

23 THE COURT: BASICALLY, IT'S A SCHEDULING
24 CONFERENCE TO PLAN AHEAD ON WHAT WE NEED TO DO.

25 MR. QUINN: UNDERSTOOD.

09:24AM

26 THE COURT: 9-20 AT 9 O'CLOCK. ANY OTHER
27 MATTERS ANYBODY WISHES TO MAKE TAKE UP?

28 MR. BRIAN: WE APPRECIATE THE COURT'S

1 ATTENTION AND THE STAFF'S HARD WORK.

2 MR. QUINN: I ECHO THAT, YOUR HONOR.

3 THE COURT: WE'LL STAND ADJOURNED, AND I'LL
4 SEE YOU NEXT WEEK OR IN THE FUTURE.

5 THANK YOU.

09:24AM

6

7 (PROCEEDINGS CONCLUDED.) +

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