

Volume 1

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

BEFORE THE HONORABLE LAUREL BEELER, MAGISTRATE JUDGE

DJENEBA SIDIBE, JERRY JANKOWSKI,)
SUSAN HANSEN, DAVID HERMAN,)
OPTIMUM GRAPHICS, INC., and)
JOHNSON POOL & SPA, on behalf of)
themselves and all others)
similarly situated,)

Plaintiffs,)

VS.)

SUTTER HEALTH,)

Defendant.)

NO. 12-cv-4854-LB

San Francisco, California

Wednesday, February 9, 2022

TRANSCRIPT OF TRIAL PROCEEDINGS

APPEARANCES:

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Also Present:

DANIELA ALMEIDA
PAM MARINO
DAVID KLEIN
STEVE TUHOLSKI

JURY VOIR DIRE

11:42 1 Wednesday - February 9, 2022

9:14 a.m.

2 P R O C E E D I N G S

3 (Prospective jurors enter the courtroom.)

4 **THE CLERK:** If I could have you all stand and please
09:14 5 raise your right hand.

6 (Jury panel sworn.)

7 **THE CLERK:** Thank you. Please be seated.

8 **THE COURT:** All right. Good morning, everybody.
9 Thank you for being here.

09:14 10 As I mentioned as you came in, everybody here today --
11 we're a little crowded today -- we're committed in the
12 pandemic. I'm going to introduce everyone in the courtroom in
13 a minute. We're trying to run as safe a courtroom as we can.

14 Today we're a little bit more crowded because there are so
09:14 15 many of you. In the end, we'll seat ten jurors, so there will
16 be many fewer in the courtroom. You will be able to maintain
17 social distancing from you.

18 But as I did say, everybody in the courtroom here today,
19 including all the jurors, we're all fully boosted. So that
09:15 20 sort of demonstrates the commitment we have to running a safe
21 courtroom. And witnesses will be vaccinated during the trial.
22 So that is a little bit by way of the safety.

23 My name is Laurel Beeler. I'm the trial judge assigned to
24 the case, and I'm going to just give you a little bit of an
09:15 25 introduction.

JURY VOIR DIRE

1 Just so you know, the case -- we'll talk a bit more about
2 this in a minute -- is probably about four weeks for evidence,
3 maybe a bit more. That's the time commitment.

4 I know you've all been time screened, but I wanted to let
09:15 5 you know that that's why we're here. We're here for a civil
6 trial, and I'll tell you more about that in a minute.

7 But I've introduced myself. I'm going to introduce other
8 people in the courtroom that you may see during the trial.

9 You met Elaine Kabling, who is my Courtroom Deputy. So
09:15 10 she is in charge of a lot of logistics of the case and is
11 someone that you'll interact with if you're selected for the
12 jury and is the person who can answer your questions.

13 People who are selected for the jury end up wearing juror
14 badges, and it's one of the rules that no one can talk with you
09:16 15 during the trial. So we're not being impolite. But that's --
16 you will see that the lawyers will give you a wide berth if you
17 go to the cafeteria. People will know that you're jurors.
18 Elaine can help navigate all of that. So that's her job.

19 This is Debra Pas, who is one of our two court reporters.
09:16 20 The other is named Belle Ball. And their job is to take down
21 what we say here today. To make a good record you'll find that
22 sometimes, they'll do as you saw Debra do it to me, she said,
23 "Don't forget the mic." It's difficult sometimes for people to
24 hear with the masks that we're wearing, and so that's her job,
09:17 25 to take down the record and she will sometimes interrupt all of

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