

**SUPERIOR COURT OF CALIFORNIA,  
COUNTY OF VENTURA  
VENTURA**

**MINUTE ORDER**

DATE: 02/19/2020

TIME: 10:00:00 AM

DEPT: 20

JUDICIAL OFFICER PRESIDING: Matthew P. Guasco

CLERK: Miriam Hernandez

REPORTER/ERM: Tara Sandford (CSR# 3374)

CASE NO: **56-2018-00519439-CU-BC-VTA**

CASE TITLE: **Jones vs. Chavez**

CASE CATEGORY: Civil - Unlimited

CASE TYPE: Breach of Contract/Warranty

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**EVENT TYPE:** Jury Trial (LC) (3 Day)

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**APPEARANCES**

DOUGLAS J PETTIBONE, counsel, present for Defendant(s).

JOHN A. MARSHALL and TRAVIS R.M. TILLMAN, counsel, present for Plaintiff(s).

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**First Day of Trial**

10:00 a.m. This being the time set for jury trial in the above entitled cause, having been assigned to this department, court convenes with all counsel present as noted.

The Court inquires of defense counsel with respect to proceeding as a court trial given the circumstances as set forth on the record.

10:30 a.m. Court is in recess.

10:45 a.m. Court reconvenes with all counsel present.

After speaking with his client, defense counsel represents to the Court that he waives jury trial on behalf of defendant and would request to proceed as a court trial.

Parties waive jury trial.

**Motions In Limine**

Plaintiff's Motion in Limine #1 re: Bifurcation Before Trial by Jury is WITHDRAWN and rendered moot based on the waiver of jury trial.

Plaintiff's Motion in Limine #2 to Exclude Evidence Sought Through Discovery But Not Produced Prior to Trial is submitted to the Court with argument, and is DENIED WITHOUT PREJUDICE.

Plaintiff's Motion in Limine #3 for an Order Requiring Defendant Samier Cotne Chavez to Produce Financial Information at Trial is submitted to the Court with argument, and is GRANTED to the extent of the stipulation of the parties, through counsel, entered on the record as follows: the subpoena plaintiff served on defendant for production of financial records is deemed a request to appear and produce at trial; defendant shall hold responsive records pending the court trial; if the Court finds that the fraud

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cause of action is proven by clear and convincing evidence, the Court will make further orders directing production of the financial records responsive to the notice at that juncture of the court trial; and the parties shall meet and confer concerning any such production.

There are no motions in limine submitted by Defendants.

The Court hears argument as to defense counsel's issue with respect to the completeness and authenticity of documents produced by Plaintiff during discovery. The Court defers it ruling and directs the parties to meet and confer to reach a possible resolution.

Parties are directed to file trial documents forthwith with the judicial assistant.

Jury Trial (LC) (2 Day) is continued to 03/10/2020 at 10:00 AM in department 20.