

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff(s),)	
)	2:08-cr-64-RLH-GWF
vs.)	
)	MINUTES OF THE COURT
STEVEN GRIMM,)	
EVE MAZZARELLA,)	DATED: November 9, 2011
MELISSA R. BRECROFT,)	
)	
Defendant(s).)	
_____)	

THE HONORABLE **ROGER L. HUNT** UNITED STATES DISTRICT JUDGE
COURTROOM ADMINISTRATOR KANDY CAPOZZI COURT REPORTER HEATHER NEWMAN
COUNSEL FOR PLAINTIFF(S) BRIAN PUGH; SARAH GRISWOLD
COUNSEL FOR DEFENDANT(S) WILLIAM CARRICO; LAWRENCE SEMENZA
 DOUGLASS MITCHELL; E. ROBERT WALLACH

MINUTES OF PROCEEDINGS: **JURY TRIAL (Day Sixteen)**

The Court convenes at 9:02 a.m. The Defendants are present. FBI Agents Sean Jones is present with the Government.

Mr. Pugh calls **KIMBERLY BROWN** to the stand. The witness is sworn and examined.

The Court recesses from 10:21 a.m. to 10:37 a.m.

Mr. Wallach and Mr. Semenza cross-examine **Ms. Brown**. Following further examination on redirect, the witness is excused.

Ms. Griswold calls **MICHELLE REED** to the stand. The witness is sworn and examined. Mr. Carrico commences cross-examination of the witness.

The Court recesses from 12:01 p.m. to 1:33 p.m.

Mr. Carrico concludes his cross-examination of **Ms. Reed**. Mr. Mitchell and Mr. Semenza cross-examine the witness. Following further examination on redirect and re-cross by Mr. Carrico and Mr. Semenza, the witness is excused. Defendants' Exhibit 612 is marked and admitted into evidence. Defendants' Exhibit 613 is marked.

The Court recesses from 2:57 p.m. to 3:20 p.m.

Ms. Griswold calls **INGRID DEAN** to the stand. The witness is sworn and examined. Mr. Carrico commences cross-examination of the witness. Defendants' Exhibits 600, 606 and 611 are marked and admitted into evidence.

IT IS HEREBY ORDERED the jury trial in this matter shall continue THURSDAY, NOVEMBER 10, 2011 at 1:00 p.m.

The jury is admonished and excused at 4:32 p.m.

OUTSIDE THE PRESENCE OF THE JURY:

The Court informs counsel of its intent to address the privilege issue after excusing the jury at the end of the day tomorrow.

Further, as neither the Court nor the Government have received updated descriptions of the testimony of two of Defendants' proposed experts, the Court advises it is inclined to grant the motions *in limine* with respect to those experts.

Mr. Mitchell advises that Defendants' will be going forward with Mr. Novy and Mr. Swarts only.

ACCORDINGLY, IT IS HEREBY ORDERED the Government's Motion to Exclude Experts (#245) is DENIED as to Novy and Swarts and granted as to Lowe, Clauretie and Butler.

A discussion is held regarding the anticipated time required to conclude the trial. The Government estimates another twelve days of testimony and Defense estimates their case will take approximately one week.

Mr. Pugh advises that the Government does not see the relevancy of Mr. Swarts' testimony and requests permission to brief the issue. The Court will permit briefing and therefore, **rescinds its prior ruling and reserves ruling on the Motion to Exclude (#245) with respect to Mr. Swarts.** The Government shall have until Monday (November 14, 2011) to file its briefing and Defendants shall respond by end of the day next Thursday (November 17, 2011).

The Court adjourns at 4:41 p.m.

LANCE S. WILSON, CLERK
U.S. DISTRICT COURT

BY: /s/ Kandy Capozzi
Courtroom Administrator

