UNITED STATES DISTRICT COURT DISTRICT OF NEW MEXICO

Clerk's Minutes Before the Honorable Judith C. Herrera

Case No. Crim. No. 06-538 Date: August 21-23, 2006

Title: United States v. Danuel Dean Quaintance, Mary Helen Quaintance, Timothy Jason

Kripner, and Joseph Allen Butts

Courtroom Clerk: Yvonne Co Court Reporter: Paul Baca

Court in Session: See below Court in Recess: See below

Type of Proceeding: Hearing on Motion to Dismiss Indictment

Court's Rulings/Disposition: Motion Taken Under Advisement

Attorney(s) Present for Plaintiff(s): Attorney(s) Present for Defendant(s):

Luis Martinez, Assistant U.S. Attorney Marc H. Robert, Esq., Attorney for Danuel

Dean Quaintance

Amanda Gould, Special Assistant U.S.

Attorney

Steve Almanza, Esq., Attorney for Mary Helen

Quaintance

Bernadette Sedillo, Esq., Attorney for Joseph

Allen Butts

Proceedings:

Court in Session:

	Monday, August 21, 2006
10:42 a.m.	Court in session; parties state appearances.
10:45 a.m.	Mr. Robert addresses the Court regarding two witnesses and potential self-incrimination.
10:47 a.m.	Mr. Martinez addresses same.
10:48 a.m.	Mr. Robert presents additional argument and objects to government's witness on grounds of relevancy.
10:52 a.m.	Court will rule upon relevancy objections in the context of testimony.

10:53 a.m. Mr. Robert calls Deborah Pruitt, and Dr. Pruitt sworn. 10:55 a.m. Mr. Robert conducts direct examination of Dr. Pruitt. 11:54 a.m. Court in recess. 11:54 a.m. Court in session. 11:14 p.m. Ms. Gould conducts cross-examination of Dr. Pruitt. 2:09 p.m. Mr. Robert conducts redirect examination of Dr. Pruitt. 2:29 p.m. Ms. Gould conducts re-cross-examination of Dr. Pruitt. 2:30 p.m. Mr. Robert conducts re-redirect examination of Dr. Pruitt. 2:31 p.m. Mr. Robert conducts re-redirect examination of Dr. Pruitt. 2:33 p.m. Mr. Robert calls Richard Mack, and Mr. Mack sworn. 2:33 p.m. Mr. Robert conducts direct examination of Mr. Mack. 2:37 p.m. Mr. Robert conducts direct examination of Mr. Mack. 2:39 p.m. Mr. Robert calls Michael Senger, and Mr. Senger sworn. 4:40 p.m. Mr. Robert conducts direct examination of Mr. Senger. 2:40 p.m. Mr. Robert conducts direct examination of Mr. Senger. 3:21 p.m. Court in recess. 3:21 p.m. Court in session. 4:12 p.m. Mr. Robert continues to conduct direct examination of Mr. Senger. 4:12 p.m. Court discusses schedule with parties. 4:13 p.m. Court in recess. Tuesday, August 22, 2006 9:42 a.m. Court in session. Parties and court discuss scheduling. 9:50 a.m. Mr. Robert conducts direct examination of Ms. Dibble. 10:14 a.m. Ms. Gould conducts recross-examination of Ms. Dibble. 10:27 a.m. Mr. Robert conducts redirect examination of Ms. Dibble. 10:30 a.m. Ms. Gould conducts re-redirect examination of Ms. Dibble. 10:34 a.m. Mr. Robert conducts re-redirect examination of Ms. Dibble.		I
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10:40 a.m.	Mr. Robert calls Danuel Quaintance, and Mr. Quaintance sworn.
10:40 a.m.	Mr. Robert conducts direct examination of Mr. Quaintance.
11:00 a.m.	Court in recess.
12:44 p.m.	Court in session.
12:44 p.m.	Mr. Robert continues to conduct direct examination of Mr. Quaintance.
1:30 p.m.	Court in recess.
3:25 p.m.	Court in session.
3:26 p.m.	Mr. Robert continues to conduct direct examination of Mr. Quaintance.
4:16 p.m.	Mr. Martinez conducts cross-examination of Mr. Quaintance.
4:34 p.m.	Mr. Robert rests.
4:35 p.m.	Counsel for Mary Quaintance makes proffer of client's testimony. Counsel for Joseph Butts makes proffer of client's testimony. Government accepts both proffers.
4:38 p.m.	Government discusses admissions of certain evidence and counsel present argument.
4:42 p.m.	Ms. Gould calls Timothy Kripner.
4:43 p.m.	Court in recess.
4:51 p.m.	Court in session.
4:52 p.m.	Mr. Kripner sworn.
4:52 p.m.	Ms. Gould conducts direct examination of Mr. Kripner.
5:16 p.m.	Mr. Robert conducts cross examination of Mr. Kripner.
5:26 p.m.	Court in recess.
	Wednesday, August 23, 2006
9:35 a.m.	Court in session.
9:40 a.m.	Mr. Martinez calls Dr. Jehan Bagli, and Dr. Bagli sworn.
9:41 a.m.	Mr. Martinez conducts direct examination of Dr. Bagli.
10:10 a.m.	Mr. Robert conducts cross-examination of Dr. Bagli.
10:26 a.m.	Mr. Martinez conducts redirect examination of Dr. Bagli.
10:30 a.m.	Mr. Robert conducts re-cross-examination of Dr. Bagli.
10:30 a.m.	Ms. Gould calls Jesus Hernandez, and Mr. Hernandez sworn.
10:31 a.m.	Ms. Gould conducts direct examination of Mr. Hernandez.

10:45 a.m.	Mr. Robert conducts cross-examination of Mr. Hernandez.
10:50 a.m.	Mr. Almanza conducts cross-examination of Mr. Hernandez.
10:55 a.m.	Ms. Gould conducts redirect examination of Mr. Hernandez.
10:56 a.m.	Government rests.
10:56 a.m.	Mr. Robert calls Agent Ivan Zarate, and Agent Zarate sworn.
10:57 a.m.	Mr. Robert conducts rebuttal examination of Agent Zarate.
11:04 a.m.	Mr. Almanza conducts rebuttal examination of Agent Zarate.
11:12 a.m.	Mr. Robert calls Danuel Quaintance, and conducts rebuttal examination of Mr. Quaintance.
11:13 a.m.	Mr. Almanza calls Mary Quaintance and Ms. Quaintance sworn.
11:17 a.m.	Mr. Martinez conducts cross-examination of Ms. Quaintance.
11:17 a.m.	Court takes motion under advisement. Court will accept Defense counsel's written closing argument by August 30, 2006. Government may submit its written closing argument by September 1, 2006.
11:19 a.m.	Court in recess.