

United States District Court
CIVIL MINUTES - TRIAL

Case No. 5:11cv32-RS/CJK

Date: July 2, 2012 - July 3, 2012

In Re SLEP-TONE ENTERTAINMENT CORPORATION, CONSOLIDATED CASES

PROCEEDINGS: Bench Trial Held: **7/2/12 - 7/3/12**

PRESENT: HON. **RICHARD SMOAK**, Presiding Judge

Kristin Cowdell
Deputy Clerk

Lisa Jones
Court Reporter

Attorneys present for Plaintiff
James Harrington (JH)

Attorney present for Defendant
Mitch Dever (MD)

Pro Se Defendants
Robert Paynter, Sr.

Case called and continued to _____.
 COURT TRIAL
 JURY TRIAL

See separate list for witnesses and exhibits

Case continued to _____
Jury Retires to deliberate at _____ on _____. Jury returns at _____ on _____.
Ordered Jury to be taken to _____; _____ Be lodged for night.

FINDINGS BY COURT
JURY VERDICT. See signed Verdict
Jury Polled _____ Polling waived _____ Mistrial Declared _____
JUDGMENT BY COURT for _____ Plaintiff _____ Defendant For \$ _____
 Findings, Conclusions of Law, Judgment to be prepared by Plaintiff Defendant
Briefs to be filed _____
Plaintiff Defendant Reply

Continued to _____ For _____ Setting _____ Trial _____ Further trial

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA

CIVIL MINUTES

JUDGE RICHARD SMOAK
 Kristin Cowdell, Courtroom Deputy
 Lisa Jones, Court Reporter

Case:

Legend: Pla James Harrington (JH)
 Dft Mitch Dever (MD), Robert Paynter (RP)(pro se)

DATE**July 2, 2012 MONDAY****TIME**

9:36 Court in Session
 Counsel update Court on status of the case. (MD)(JH)
Court: Motion to continue trial.

9:41 Plaintiff's Attorney James Harrington Opening Statements (JH)

9:45 Deft's Attorney Mitch Dever Opening Statements (MD)

9:53 Deft Robert Paynter Opening Statements (RP)

9:54 Plaintiff Calls:
Kurt Slep Sworn Direct (JH)
 Plaintiff Exhibit 1 Marked/Admitted
 Plaintiff Exhibit 2 Marked/ Admitted
 Plaintiff Exhibit 3 Marked/ Admitted
 Plaintiff Exhibit 4 Marked/ Admitted
 Plaintiff Exhibit 5 Marked/ Admitted
 Plaintiff Exhibit 6 Marked/ Admitted
 Plaintiff Exhibit 7 Marked Only

10:53 Court in Recess

11:06 Court Resumes
 Continuation of:
Kurt Slep Previously Sworn Direct (JH)
 Plaintiff Exhibit 7 Previously Marked Only/ Admitted
 Plaintiff Exhibit 6 (previously Marked/Admitted)
 Plaintiff Exhibit 8 Marked/ Admitted
 Plaintiff Exhibit 9 Marked/ Admitted
 Plaintiff Exhibit 10 Marked/ Admitted
 Plaintiff Exhibit 11 Marked/ Admitted
 Plaintiff Exhibit 14 Marked Only

11:54 Court in Recess until 1:00 p.m.

1:05 Court Resumes
 Continuation of:
Kurt Slep Previously Sworn Direct (JH)
 Plaintiff Exhibit 6 (previously Marked/ Admitted)

1:11 Cross (MD)
 Defendant Exhibit 1 Marked/ Admitted
 Plaintiff Exhibit 7 (previously Marked/ Admitted)
 Defendant Exhibit 2 Marked/ Admitted
 Defendant Exhibit 3 Marked/ Admitted

2:36 Court in Recess

2:55 Court Resumes
Continuation of:
Kurt Slep Previously Sworn Cross (RP)
3:05 Redirect (JH)
Defendant Exhibit 3 (previously Marked/Admitted)

3:12 Plaintiff Calls:
George Davis Sworn Direct (JH)
Plaintiff Exhibit 8 (previously Marked/Admitted)
Plaintiff Exhibit 9 (previously Marked/Admitted)
Plaintiff Exhibit 10 (previously Marked/Admitted)
3:48 Cross (MD)
Defendant Exhibit 5 Marked Only
Plaintiff Exhibits 8,9,10 (previously Marked/Admitted)

4:02 Plaintiff Calls:
Robert Paynter Sworn Direct (JH)
Plaintiff Exhibit 13 previously Marked Only/ Admitted
Plaintiff Exhibit 14 previously Marked Only/ Admitted
Plaintiff Exhibit 12 previously Marked Only/ Admitted

4:34 Court in Recess until **Tuesday, July 3, 2012, at 9:00 a.m.**

DATE**July 3, 2012 TUESDAY****TIME**

9:01 Court Resumes
Plaintiff Rests

9:01 Defendant Calls:
George Davis Sworn Direct (MD)
Defendant Exhibit 5 Marked/ Admitted
Defendant Exhibit 6 Marked/ Admitted
Defendant Exhibit 7 Marked/ Admitted
9:20 Cross (JH)
Defendant Exhibit 5 (previously Marked/Admitted)
Plaintiff Exhibit 5 (previously Marked/ Admitted)

9:44 Defendants Donovan's Reef and Green Glass Mall Rest (MD)

9:46 Defendant Robert Paynter Rests (RP)

9:47 Plaintiff's Attorney James Harrington Closing Statements (JH)

10:39 Defendants' Attorney Mitch Dever Closing Statements (MD)

10:59 Plaintiff's Attorney James Harrington Rebuttal Argument (JH)

11:27 Defendant Robert Paynter Closing Statements (RP)

11:34 Court: Counsel shall submit findings of fact and conclusions of law by 7/13/12.

11:35 Court Adjourned

**** All exhibits will be maintained in the PC Clerk's Office for a period of 90 days ****