

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION

MAXELL, LTD. §
§
V. § CAUSE NO. 5:19-CV-00036-RWS
§
APPLE, INC. §

MINUTES FOR JURY SELECTION
HELD BEFORE JUDGE ROBERT W. SCHROEDER III
MARCH 22, 2021

OPEN: 9:00 a.m.

ADJOURN: 5:47 p.m.

ATTORNEYS FOR PLAINTIFF: Jamie Beaber, Geoffrey Culbertson, Tripp Fussell and Kelly Tidwell

ATTORNEYS FOR DEFENDANT: Mark Fowler, Gil Gillam, Jamie Laird and David Melaugh

LAW CLERK: Susan Stradley

COURTROOM DEPUTY: Shedera Combs

COURT REPORTER: Kate McAlpine

8:50-8:55 a.m. In chambers conference

9:00 a.m. Case called; Parties introduce themselves and announce ready; Court welcomes everyone; Court give preliminary comments and history of the jury system; Court gives length of trial and asks for hardships; Court gives overview of proceedings

9:22 a.m. Panel members introduce themselves

9:33 a.m. Geoff Culbertson introduces himself, co-counsel, client and witnesses; Court questions panel members if anyone knows Mr. Culbertson or anyone mentioned; no response

9:37 a.m. Gil Gillam introduces himself, co-counsel, client and witnesses; Court questions panel members if anyone knows Mr. Gillam or anyone mentioned; no response

9:41 a.m. Court voir dres the panel

10:00 a.m. Recess

10:14 a.m. Mr. Culbertson begins voir dire for the Plaintiff

10:55 a.m. Mr. Gillam begins voir dire for the Defendant

11:40 a.m. Court asks for parties to inform the Court who they believe will require additional questioning; Mr. Culbertson and Mr. Gillam respond

11:42 a.m. Court releases panel except for those whose names were called; Court gives instructions regarding discussing or researching case; Court advises that the selected jury members will be notified later today

11:45 a.m. Panel members dismissed

11:47 a.m. Mr. Culbertson questions Ms. Higdon; Ms. Higdon responds; No questions from Mr. Gillam; Court dismisses Ms. Higdon pending further notification

11:48 a.m. Mr. Culbertson questions Ms. Green; Ms. Green responds; No questions from Mr. Gillam; Court dismisses Ms. Green pending further notification

11:50 a.m. Court confirms with the parties that there are no hardships or cause challenges

11:51 a.m. Recess

2:02 p.m. Case called; Parties introduce themselves and announce ready; Court welcomes everyone; Court give preliminary comments and history of the jury system; Court gives length of trial and asks for hardships; Court gives overview of proceedings

2:24 p.m. Panel members introduce themselves

2:35 p.m. Geoff Culbertson introduces himself, co-counsel, client and witnesses; Court questions panel members if anyone knows Mr. Culbertson or anyone mentioned; response by panel member Ms. Stokes

2:39 p.m. Gil Gillam introduces himself, co-counsel, client and witnesses; Court questions panel members if anyone knows Mr. Gillam or anyone mentioned; no response

2:41 p.m. Court voir dres the panel

3:02 p.m. Recess

3:12 p.m. Court gives additional instructions re parties' voir dire

- 3:14 p.m. Mr. Culbertson begins voir dire for the Plaintiff
- 4:00 p.m. Mr. Gillam begins voir dire for the Defendant
- 4:41 p.m. Court and parties discussion outside the presence of the panel
- 4:45 p.m. Court asks for parties to inform the Court who they believe will require additional questioning; Mr. Culbertson and Mr. Gillam respond
- 4:48 p.m. Court releases panel except for those whose names were called; Court gives instructions regarding discussing or researching case; Court advises that the selected jury members will be notified later today
- 4:52 p.m. Panel members dismissed
- 4:54 p.m. Court questions Ms. Meadows; Ms. Meadows responds; No comments from parties; Court excuses Ms. Meadows from service
- 4:56 p.m. Court questions Mr. Norton; Mr. Norton responds; Mr. Culbertson questions; Mr. Norton responds; Mr. Gillam questions; Mr. Norton responds; Court dismisses Mr. Norton pending further notification; Mr. Culbertson makes cause challenge; Mr. Gillam responds; Court strikes Mr. Norton
- 5:02 p.m. Court questions Ms. Turner; Ms. Turner responds; Mr. Culbertson questions; Ms. Turner responds; Mr. Gillam questions; Ms. Turner responds; Court dismisses Ms. Turner pending further notification
- 5:07 p.m. Court questions Mr. Salivar; Mr. Salivar responds; Mr. Culbertson questions Mr. Salivar; Mr. Salivar responds; Mr. Gillam questions; Mr. Salivar responds; Court dismisses Mr. Salivar pending further notification; Mr. Gillam challenges; Court strikes Mr. Salivar
- 5:11 p.m. Court questions Ms. Yancy; Ms. Yancy responds; Mr. Culbertson questions; Ms. Yancy responds; Court dismisses Ms. Yancy pending further notification
- 5:15 p.m. Court questions Mr. Stanley; Mr. Stanley responds; Mr. Culbertson questions; Mr. Stanley responds; Court dismisses Mr. Stanley pending further notification
- 5:17 p.m. Court questions Mr. Vance; Mr. Vance responds; Court dismisses Mr. Vance pending further notification
- 5:21 p.m. Court questions Mr. Smith; Mr. Smith responds; Mr. Gillam questions; Mr. Smith responds; Court dismisses Mr. Smith pending further notification

5:24 p.m. Court questions Ms. Peek; Ms. Peek responds; Court dismisses Ms. Peek pending further notification

5:28 p.m. Court will allow the parties 15 minutes for strikes

5:28 p.m. Recess

5:43 p.m. Jamie Beaber represents to the Court that the parties have reached a settlement; Mark Fowler confirms; Court asks the parties' preference on how to proceed; Mr. Beaber responds; Court questions; Mr. Fowler responds; Court will stay case pending resolution of final paperwork

5:47 p.m. Adjourned