

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

**MINUTE ORDER**

DATE: 01/07/2016

TIME: 10:00:00 AM

DEPT: 43

JUDICIAL OFFICER PRESIDING: Kevin DeNoce

CLERK: Tiffany Froedge

REPORTER/ERM: Nalena Reider

CASE NO: **56-2014-00458073-CU-AS-VTA**

CASE TITLE: **Robert Denyer vs AB Electrolux**

CASE CATEGORY: Civil - Unlimited      CASE TYPE: Asbestos

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

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**APPEARANCES**

Wes Wagnon, counsel for Plaintiff; Barbara Adams, counsel for Defendant Whirlpool; Robert Menchini, counsel for Defendant Gooloe E. Moore

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10:08 a.m. This being the time previously set for further jury trial in the above entitled cause, having been continued from 01/05/16, all parties and counsel appear as noted above and court convenes.

Fourth Day of Trial

The Court states that any stipulations of prospective jurors are to be emailed to the court by 3:30 p.m. The Court also states that by stipulating to that juror to be excused counsel is waiving their right to further question those prospective jurors.

Court and counsel discuss the messages received from Prospective Jurors Michael Hampson (38) and Thurston Hertler (73).

Court and counsel discuss scheduling, the seating of jurors by numbers, court's power point, statement of the case to be read to the prospective jurors, if the court should mention a change in the case name since Defendant Bell has settled. Court and counsel agree that there is no need to read anything to the jury about Bell settling.

Defendants motion in limine Preclue Evidence and/or Argument of Any Post-Sale Duty to Warn is submitted to the Court with argument and is ruled as follows: There is to be no mention of this unless there is a discuss out of the presence of the jury..

Defendants motion in limine to Preclude Plaintiff's Experts from Testifying that "Every Exposure" to

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Asbestos Contributed to Decendent's Lung Cancer or alternatively a 402 EC hearing is submitted to the Court with argument and is ruled on as stated on the court reported record.

Court and counsel discuss juror questionnaires and in camera voir dire.

11:12 a.m. Court is in recess.

3:04 a.m. Court reconvenes with plaintiff(s), defendant(s) and counsel present as noted above.

Counsel are to meet and confer regarding possible stipulations of prospective jurors.

3:05 p.m. Court is in recess.

3:24 p.m. Court reconvenes with plaintiff(s), defendant(s) and counsel present as noted above.

The court excuses the following jurors for stipulation of counsel: Felice Bradley, Michael Hampson, Michal Bouilly, Brian Thoryk, Thurston Hertler, Deidree Wong, Jeffrey Sadler, Anne Nilsen, Pat King, Robert Mays, Patricia Bonnell.

Court and counsel discuss message received from Prospective Juror David Caspari (19).

Defendant Whirlpool states will not stipulate to Prospective Juror Steven Thompson (36)/

Counsel for parties state that an in camera voir dire is required for Prospective Juror Merle Dettmering (51). The Court states that it will perform an in camera voir dire once in the box.

Court and counsel discuss Court's jury selection game plan.

Exhibits are identified on a separate list attached.

Binder of Ojbections to Designations (Tabs 1-5) is marked for identification as Court 1.

As to Tab 2:

Defendant Whirlpool withdraws the following page designations: Page 6, line 112; page 7, line 120.

Defendants Whirlpool and Goodloe E. Moore withdraw the following page designations: Page 8 lines 692-693; page 10, lines 718-722; Page 11, lines 796-798.

As to Tab 3:

Defendant Goodloe E. Moore withdraws the following page designations: Page 2, lines 36-39.

Court and counsel discuss further which are at issue and which are withdrawn. The Court invites argument as to the page designations as to ones at issue. The Court rules on objections as stated on the court reported record.

Court and counsel discuss late jurors.

5:02 p.m. Court is adjourned until 01/08/2016 at 10:00 AM in Department 43.