Here is the Dialogue immediately preceding this extract (conversational context):

“Attorney: At any time while this is going on, did you grab your hands and say, don't put it here, don't put it there, anything like that?

Attorney: Is that a no?

Witness (Ryan Burns): No, no.

Attorney: And so later on, what did the two of you do?

Witness (Ryan Burns): Later on, we had, I don't know if anything else happened before this, but we had to get to the business briefing.

Witness (Ryan Burns): And where was the business briefing?

Witness (Ryan Burns): Sandy again, same location.

Witness (Ryan Burns): It was the training the night before.

Attorney: And what time was the business briefing?

Witness (Ryan Burns): The business briefing was at 7 p.m.

Attorney: And so you get back probably around 1, so it's 1 to 7 that you and she are together, correct?

Witness (Ryan Burns): Mm-hmm.

Attorney: Is that yes?

Witness (Ryan Burns): Yeah, so 1 to 7 we're together, yeah.

Attorney: And did you finish watching the movie that you guys were in?

Witness (Ryan Burns): I don't know.

Witness (Ryan Burns): I don't know if we did.

Attorney: So what happens with regard to the business briefing?

Attorney: Do you go by yourself or do you go with them?

Witness (Ryan Burns): No, we go together.

Witness (Ryan Burns): I think she drove with me.

Witness (Ryan Burns): I think I was just going to take her back to her car.

Witness (Ryan Burns): She might have followed me there.

Witness (Ryan Burns): I don't remember that.

Witness (Ryan Burns): But we showed up definitely together at the same time.

Witness (Ryan Burns): And she, obviously people were surprised to see her there.

Witness (Ryan Burns): Many people knew, a few people knew who she was and obviously knew she was from California and asked her, you know, said hi and what she was doing in town.

Attorney: With regard to her hair color, when you met her, what was her hair color?

Witness (Ryan Burns): Blonde.

Attorney: When she came over to West Jordan, what was her hair color?

Witness (Ryan Burns): Dark brunette.

Attorney: And during the time that you and she are alone in the afternoon, did you notice her hands?

Witness (Ryan Burns): Yeah.

Attorney: And did you notice whether or not she had any injuries or cuts to one of her hands?

Witness (Ryan Burns): She had two small bandages, it seems like, on one of her fingers, a couple of her fingers.

Attorney: Did you and she talk about that?

Witness (Ryan Burns): Yeah, yeah, either then or, yeah, we did at some point, yes.

Witness (Ryan Burns): And what did she tell you about those cuts?

Witness (Ryan Burns): She worked at Margaritaville.

Witness (Ryan Burns): And I guess she broke a glass and she cut her finger.

Attorney: Well, I'm not asking you to guess.

Attorney: I'm asking you to tell me what she said.

Attorney: We know that you weren't there and you don't know.

Attorney: I'm just telling you what she said.

Witness (Ryan Burns): She told me she worked at Margaritaville and she'd cut her finger.

Attorney: And how did she cut her finger at Margaritaville?

Witness (Ryan Burns): I think she told me she broke a glass and cut her finger.

Attorney: So you go to this training and how long does this training last?

Witness (Ryan Burns): About an hour.

Attorney: And then what happens after that?

Witness (Ryan Burns): We get a whole bunch of buddies again and we go out to Chili's and, you know, that's, we went over there and talked for probably two and a half, two hours, two and a half hours, something like that.

Attorney: At any time during this evening, was she, what was her demeanor like?

Attorney: Was she crying at any time?

Attorney: Was she upset at any time?

Attorney: What was her demeanor like?

Witness (Ryan Burns): I mean the only time I mean she was fine she was laughing out simple little things just like any other person she was I never once felt there's anything

Witness (Ryan Burns): wrong about the day.

Witness (Ryan Burns): I felt like socially the first time I ever saw her in a crowd I thought she was much more comfortable one-on-one.

Witness (Ryan Burns): That was the first time I noticed she was a little awkward in social areas and it seemed like she didn't talk very much to some other people and some other people would talk about that a little bit but it just wasn't the Jodi I knew because one-on-one she was

Witness (Ryan Burns): Very talkative and insightful and very different.

Attorney: So it seemed like in social situations she was a bit more inhibited and shy.

Attorney: A little shyer, yeah.

Attorney: And with you, that's not how she was when you were alone with her, right?

Attorney: Not at all.

Attorney: Did she leave then to go back or did you guys make it back to your place?

Witness (Ryan Burns): We made it back to my place.

Attorney: What time was that?

Witness (Ryan Burns): Later, 11 maybe.

Attorney: And when you got back, what did the two of you do?

Witness (Ryan Burns): I think we turned on a movie again.

Witness (Ryan Burns): Maybe it was the same one we were watching.

Witness (Ryan Burns): Maybe it was a different one.

Witness (Ryan Burns): But we were tired.

Witness (Ryan Burns): We fell asleep.

Witness (Ryan Burns): She had to get back to Margaritaville.

Witness (Ryan Burns): That was why she couldn't come forward with us the next day.

Witness (Ryan Burns): She almost was going to stay with us.

Witness (Ryan Burns): And everybody was telling her to.

Witness (Ryan Burns): But she seemed to think about it.

Witness (Ryan Burns): But it got to a point where she felt like, no, she's got to get back to work.

Witness (Ryan Burns): And so we left.

Witness (Ryan Burns): But sometime as we left, she said, you don't have to leave right now.

Witness (Ryan Burns): And so I said, well, we can go back to my place again if you don't want to leave right away.

Witness (Ryan Burns): And so I went back to my place, and we took a nap.

Attorney: All right.

Attorney: And when you awoke, describe for me what happened.

Witness (Ryan Burns): I don't know how long we were sleeping.

Witness (Ryan Burns): The second we woke up, we were kissing.

Attorney: And what else happened?

Witness (Ryan Burns): She got on top of me pretty aggressively and we were kissing.

Attorney: When she got on top of you pretty aggressively, where was her genital area compared to yours?

Witness (Ryan Burns): She was right on top of me.

Attorney: And you guys were kissing, correct?

Attorney: Is that yes?

Attorney: Yes.

Attorney: And how long did this encounter take?

Witness (Ryan Burns): Maybe a few minutes.

Attorney: And during that time,

Attorney: Was there a decision to go forward or a decision to stop?

Witness (Ryan Burns): We just stopped.

Attorney: And you partly made that decision, correct?

Attorney: Is that yes?

Attorney: Yes.

Attorney: At any time did she say stop, don't go forward, don't do anything else, anything like that?

Witness (Ryan Burns): Neither one of us did.

Witness (Ryan Burns): We just, it was kind of the same feeling I had.

Witness (Ryan Burns): Yeah, I just, we just stopped.

Attorney: Anything about her demeanor that indicated to you that she was upset about anything?

Attorney: At that point?

Witness (Ryan Burns): Not at all.

Attorney: In terms of you were around her for that day, did you form an opinion based on your contact with her and being around her as to her strength and how fit she was?

Witness (Ryan Burns): She's very fit.

Attorney: You said what?

Witness (Ryan Burns): She's very fit.

Witness (Ryan Burns): She was in good shape.

Attorney: And in terms of her strength, did you form an opinion based on that night?

Witness (Ryan Burns): We were...

Witness (Ryan Burns): instant messaging back and forth.

Witness (Ryan Burns): At some point I complimented her on being very feisty and was kind of referring to, she's a lot stronger than she looks.

Attorney: During this encounter after you wake up,

Attorney: Did she ever, and the phrase may have been, adjust you in any way while this encounter is going on?

Witness (Ryan Burns): Well, that's what I mean.

Witness (Ryan Burns): When we woke up, we were kissing, and then she eventually kind of grabbed me and adjusted me a little bit, and that's when she got on top of me and we were kissing.

Attorney: And did that, were you able to feel her strength at that point?

Witness (Ryan Burns): Yeah.

Attorney: And did you form an opinion, again, throughout the day and as part of that, as to her strength?

Witness (Ryan Burns): Yes, she's strong.

Attorney: At any point, did you ever kiss her stomach?

Witness (Ryan Burns): Yes.

Attorney: And were you able to see her stomach in terms of whether or not she was in shape?

Witness (Ryan Burns): Yeah, close to a six-pack, yeah.

Attorney: You said it was close to a six-pack?

Witness (Ryan Burns): That's what she was even talking about in our MSN, our instant messaging through Google.

Witness (Ryan Burns): Yeah.

Attorney: And after you stopped, what happened?

Attorney: Did she stay or did she go?

Witness (Ryan Burns): Yeah, I mean, at that point, I kept on reminding her she had to get to work.

Witness (Ryan Burns): That's what she was telling people at the dinner.

Witness (Ryan Burns): And that was kind of the whole reason she had to go.

Witness (Ryan Burns): And she said she wanted to stay just a little while longer.

Witness (Ryan Burns): And we stayed a little, maybe a few more minutes is all.

Witness (Ryan Burns): And then just kind of walked her out to her car and said goodbye.

Attorney: What time was that?

Witness (Ryan Burns): Any idea?

Witness (Ryan Burns): 12, 1 a.m.

Witness (Ryan Burns): possibly.

Witness (Ryan Burns): It was later.

Witness (Ryan Burns): Could even be later than that.

Witness (Ryan Burns): I don't remember.

Attorney: One of the things that you indicated to me was that there was this sort of instant messaging part or component of your relationship.

Witness (Ryan Burns): Yeah.

Witness (Ryan Burns): Yeah, we would talk, and every once in a while, if I noticed she was online,

Witness (Ryan Burns): or if she noticed I was online.

Witness (Ryan Burns): We both had a Google account, I believe.

Witness (Ryan Burns): And so you can kind of tell when they're on.

Witness (Ryan Burns): And so you can just kind of write a little message.

Witness (Ryan Burns): And a few of our conversations were through that.”

Here is the conversation between Witness Ryan Burns and the judge/attorney that you are supposed to analyze for factuality:

“Attorney: Describe for me how that's different, if you know, from emailing, in other words.

Witness (Ryan Burns): I mean, it pops right up on the screen if you've got your Gmail open.

Witness (Ryan Burns): And so if somebody says, you know, hi, it pops right up and you can reply and then you can almost carry on a conversation while you're doing other things.

Witness (Ryan Burns): But I mean, it's kind of like a text message back and forth.

Witness (Ryan Burns): It's immediate and you're both responding right away.

Witness (Ryan Burns): And sometimes you're even responding to things that are two or three questions away, you know, so it can kind of be kind of confusing.”