

IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT  
IN AND FOR HIGHLANDS COUNTY, FLORIDA

CASE NO.: 11-000026GHS

ANGELA SUE DURRANCE, Personal  
Representative of the Estate of  
TOTSIE FLEMING,

Plaintiff,

vs.

R.J. REYNOLDS TOBACCO COMPANY,

Defendant.

\_\_\_\_\_ /

TRANSCRIPT OF TRIAL PROCEEDINGS

VOLUME 5 (Pages 686 - 827)

DATE TAKEN: Wednesday, January 25, 2017  
TIME: 1:19 p.m.  
PLACE: Highlands County Courthouse  
430 South Commerce Avenue  
Sebring, Florida  
BEFORE: JOHN MARSHALL KEST, Circuit Judge

This cause came on to be heard at the time and  
place aforesaid, when and where the following  
proceedings were stenographically reported by:

Ninette Butler  
RPR, CRR, RSA, CRC, CLR, FPR

1     **APPEARANCES:**2     **On behalf of Plaintiff:**

3

4           GORDON & DONER, P.A.  
5           10650 Florida 84  
6           Suite 210  
7           Davie, Florida 33324  
8           (754) 333-3333  
9           BY: GARY M. PAIGE, ESQ.  
10          gpaige@fortheinjured.com

7

8           SEARCY DENNEY SCAROLA  
9           BARNHART & SHIPLEY, PA  
10          2139 Palm Beach Lakes Blvd  
11          P.O. Drawer 3626  
12          West Palm Beach, Florida 33402-3626  
13          (561) 686-6300  
14          BY: BRIAN R. DENNEY, ESQ.  
15          brd@searcylaw.com

11

12

13          THE ALVAREZ LAW FIRM  
14          355 Palmero Avenue  
15          Coral Gables, Florida 33134  
16          (305) 444-7675  
17          BY: PHILLIP E. HOLDEN, ESQ.  
18          phillip@integrityforjustice.com  
19          BY: MICHAEL A. ALVAREZ, ESQ.  
20          Michael.Alvarez@integrityforjustice.com

16

17

18

19

20

21

22

23

24

25

1 On behalf of Defendant/R.J. Reynolds Tobacco  
2 Company:

3 JONES DAY  
4 901 Lakeside Avenue  
5 Cleveland, Ohio 44114  
6 (216) 586-7113  
7 BY: KEVIN D. BOYCE, ESQ.  
8 kdboyce@jonesday.com

9 JONES DAY  
10 325 John H. McConnell Boulevard  
11 Suite 600  
12 Cleveland, Ohio 43215  
13 (614) 469-3939  
14 BY: JOYCE D. McKINNISS, ESQ.  
15 jdmckinniss@jonesday.com  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

## I N D E X

1		
2	<b>Examination</b>	<b>Page</b>
3	<b>VOLUME 5 (Pages 686 - 827)</b>	
4	<b>Voir Dire (continued) The Court</b>	<b>690</b>
5	<b>Voir Dire Mr. Paige</b>	<b>698</b>

6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

1     The following proceedings continued at 1:19 p.m.:

2             THE COURT:   Are we ready to go on the  
3     record?

4             MR. PAIGE:   Yes.

5             MR. BOYCE:   Yes.

6             THE COURT:   From our conversations  
7     earlier, we had 80 jurors.  There are 13 that  
8     have been identified to be excused for cause,  
9     but it's been requested they not be excused at  
10    this point.  They'll be excused at a later  
11    point.

12            MR. BOYCE:   Thank you, Your Honor.

13            THE COURT:   And I think counsel is going  
14    to refrain from asking questions of those  
15    jurors; is that correct?

16            MR. BOYCE:   That's correct.

17            THE COURT:   Let's go ahead and bring our  
18    panel in.  We really won't know who all is here  
19    and who is not until we get them all seated,  
20    so ...

21            COURT DEPUTY:  Yes, Your Honor.

22                         (Jurors entered the courtroom.)

23                         CONTINUED VOIR DIRE EXAMINATION

24            THE COURT:   Please be seated, folks.

25                         We're missing at least one.  Oh, no.

1           Okay, folks, welcome back. Thank you for  
2           coming back. Thank you for being on time.  
3           With this crowd, we were taking bets up here as  
4           to how many of you would show up.

5           Well, Jason has a firearm, so --

6           Thank you all for coming back.

7           I kind of told you I would warn you -- I  
8           warned you I would ask you this question  
9           anytime you come in from outside. Has anybody  
10          approached you or contacted you about this case  
11          since you left here for lunch? If they have,  
12          please raise your hands. No hands.

13          And has anybody conducted any research,  
14          accidentally or intentionally, on any of the  
15          issues, the parties, the attorneys, or the  
16          witnesses?

17          THE PANEL: No, sir.

18          THE COURT: I'll tell you, this is very,  
19          very difficult for me up here because I am  
20          looking at juror number 5, and I am a staunch  
21          Seminole, and here he is in his blue -- his  
22          Gator colors there. So he's flaming at me with  
23          those colors.

24          RYDER, LARRY 32: Excuse.

25          THE COURT: No. The problem is next year

1 we may have some problems with the Gators.

2 I do want to ask you, sometimes when you  
3 get up and move around, you think about  
4 something that you said over the last couple of  
5 days or this morning, and you feel like, you  
6 know, I really should have explained that a  
7 little more or I should have changed my answer.  
8 I should have added something.

9 Does anybody need to change anything that  
10 you have told us or any answer that you've  
11 given or add anything in these matters? If you  
12 do, please raise your hand.

13 Okay. Yes, ma'am, number 40.

14 KNUTH, BENITA 270: I didn't mention  
15 anything about the fact that I was volunteering  
16 at the hospital. I don't know if that makes  
17 any difference or not.

18 THE COURT: Important we know that. Thank  
19 you.

20 Anybody else? Yes, ma'am, number 7.

21 LARSEN, KAREN 27: Your question about the  
22 medical field, I was a home health aide, and I  
23 took care of people and distributed  
24 medications. I don't know if that was what you  
25 were looking for.

1 THE COURT: Good to know. Thank you. Any  
2 information like that is helpful, yes.

3 I saw a couple of others. Yes, number 1,  
4 number 2. Number 1 first.

5 MILLER, SALLY 07: Yes. On the question  
6 of -- on the question of would I be -- have a  
7 problem maybe with prejudice or whatever --

8 THE COURT: Okay.

9 MILLER, SALLY 07: -- I really feel that I  
10 might.

11 THE COURT: Okay. Well, let me let the  
12 attorneys address that with you. Okay?

13 Number 2?

14 NELSON, BARBARA 12: Well, about 30-some  
15 years ago, I did have a workers' comp case, and  
16 I also --

17 THE COURT: You must have been three years  
18 old at that point.

19 NELSON, BARBARA 12: Thank you.

20 And I also, in my business, have the  
21 opposite too. So I've been on both ends of  
22 that.

23 THE COURT: Thank you.

24 Anybody else? Yes, way in the back  
25 corner, we lost you back there, number 50.



1           WARNER, JOAN 308: On the questionnaire  
2           that we filled out --

3           THE COURT: Yes.

4           WARNER, JOAN 308: -- one of the answers I  
5           need to switch.

6           THE COURT: Okay. Can you tell us which  
7           answer that was?

8           WARNER, JOAN 308: If I knew anyone that  
9           had COPD.

10          THE COURT: Okay. And you do know  
11          somebody?

12          WARNER, JOAN 308: Yeah. I said no, but  
13          it was a yes.

14          THE COURT: And who was that?

15          WARNER, JOAN 308: It's my past  
16          mother-in-law.

17          THE COURT: Mother-in-law. Okay. Thank  
18          you.

19          Anybody else? Yes, ma'am, number 12.

20          ZUZEK, DEBORAH 36: I have the same issue,  
21          COPD.

22          THE COURT: Somebody you knew?

23          And you are number 12; is that correct?

24          ZUZEK, DEBORAH 36: Yes.

25          THE COURT: Thank you.

1 Anybody else? Number 61.

2 STEVENS, ADRIEN 412: Earlier you were  
3 speaking about a law, about whether you agreed  
4 with it --

5 THE COURT: Whether -- if you agreed with  
6 it, yes.

7 STEVENS, ADRIEN 412: Right. I just want  
8 to make sure that I -- I have a faith and I  
9 will not break my faith.

10 THE COURT: I understand that.

11 STEVENS, ADRIEN 412: But I can look at  
12 whether I agree with it or not, based on the  
13 law. So I just wanted to make sure that's  
14 clear.

15 THE COURT: Thank you. Thank you.

16 Anybody else? Yes. 63.

17 NIEVES NEGRON, NAKZALI 505: Remember on  
18 that morning I said I have a little problems  
19 with the English?

20 THE COURT: Yes.

21 NIEVES NEGRON, NAKZALI 505: Is it a  
22 problem that I'm guessing some of -- parts of  
23 the sentence when you talk?

24 THE COURT: All right. Thank you, ma'am.  
25 I appreciate that.

1           Anybody else? I'm not forgetting you  
2           guys. 78.

3           WHITMAN, EMILY 593: I know that the trial  
4           is supposed to take about like three weeks, and  
5           I know it's going to be hard on my coworkers if  
6           I'm gone for that long.

7           THE COURT: Yes, ma'am.

8           WHITMAN, EMILY 593: And I'm also in  
9           college. I have to take exams there. And one  
10          of the exams falls the week of February 6th. I  
11          have to take it.

12          THE COURT: Is it a tough exam?

13          WHITMAN, EMILY 593: It's philosophy.

14          THE COURT: Would you rather have an  
15          excuse so you can be here?

16          Have you talked with your professor at all  
17          about that?

18          WHITMAN, EMILY 593: Not yet.

19          THE COURT: We may need you to do that at  
20          some point, okay? Thank you for telling us  
21          that and good luck on the exam.

22          Anybody else? Yes, sir, number 70.

23          COONEY, ADAM 532: We realized afterwards,  
24          juror number 67 and I used to work together.

25          THE COURT: And what kind of work?

1 COONEY, ADAM 532: At the school board.

2 THE COURT: Anything about that  
3 relationship that might make it difficult for  
4 you?

5 COONEY, ADAM 532: No.

6 THE COURT: How about juror number 67? No  
7 problems at all?

8 ADAMS, JAMIE 560: No.

9 THE COURT: Anybody else? Yes, ma'am,  
10 number 12.

11 ZUZEK, DEBORAH 36: I have a medical issue  
12 I need to speak with you about.

13 THE COURT: We'll try to do that at a  
14 break. Thank you.

15 What's going to happen now is I'm going to  
16 call on somebody to go first. Who goes first?

17 THE PANEL: The Plaintiff.

18 THE COURT: The Plaintiff. Okay. It was  
19 a test to see if you were listening. The  
20 Plaintiff is going to go first. We're going to  
21 give you a break, I told you about every hour,  
22 hour and 15 minutes to hour and a half. But by  
23 the same token, we don't want you uncomfortable  
24 sitting. So while Mr. Paige is asking you  
25 questions, instead of doing the dance here if

1           you need to use the restroom, just raise your  
2           hand even though it's 45 minutes and it's not  
3           the time, and he'll let me know, and we'll be  
4           happy to take a break, okay?

5           Please proceed.

6           MR. PAIGE: Thank you, Your Honor.

7                        VOIR DIRE EXAMINATION

8           MR. PAIGE: May it please the Court?

9           THE COURT: Yes, sir.

10          MR. PAIGE: Counsel?

11          Good afternoon, everybody.

12          THE PANEL: Good afternoon.

13          MR. PAIGE: Again, my name is Gary Paige.  
14          I represent the Plaintiff, and along with the  
15          people helping me and our client -- she will be  
16          here on Friday. I don't want to forget you  
17          guys.

18                 And along with the Defense, and I know  
19          they agree, we all appreciate everybody being  
20          here. And both sides, the Plaintiff and the  
21          Defense, we know that everybody has jobs and  
22          families, and it's not the most convenient  
23          thing to be here. We know that and we  
24          appreciate it and I appreciate your patience.  
25          This may take a little while and your attention

1           here.

2           So at this point, I'm going to ask some  
3           questions. When I get done, Mr. Boyce is going  
4           to ask some. I'm going to ask some general  
5           questions of the crowd and then some individual  
6           questions.

7           Just like the judge told you, if there's  
8           anything at all that either I or Mr. Boyce ask  
9           that's personal or embarrassing, it won't be  
10          either of our intention to do that. I doubt  
11          that will happen, but if it happens, you know,  
12          please let us know, and we'll make sure that we  
13          go sidebar with the judge and we accommodate  
14          everybody, okay?

15          And so we know, you know, this is a case  
16          involving a smoker, a family of a smoker who's  
17          suing a cigarette company, and we know that  
18          these issues, the issues of smokers, lawsuits,  
19          suing cigarette companies, people have strong  
20          opinions and we know that. And we only need  
21          really at the end of the day, you know -- how  
22          many people were here on Monday and Wednesday,  
23          and we got those people down, and now we have  
24          about 80 of you all in here. And at the end of  
25          the day, we only need or we only will have

1           somewhere between seven to ten jurors to listen  
2           to the evidence in this case.

3           So we know, we have a lot of people here  
4           for a reason, and the reason is that we know  
5           that in these type of cases, a lot of people do  
6           have opinions. And what I will tell you, and  
7           what Mr. Boyce I'm sure will tell you and what  
8           he'll agree with me is that we know that  
9           everybody comes here with your own life  
10          experiences, your own beliefs, your own  
11          opinions, and nobody's asking you not to  
12          express them. In fact, we're asking you to  
13          please express them, not to hold back, because  
14          that would be actually wrong if you don't tell  
15          us how you're feeling.

16          So when we ask questions, we would just  
17          ask everybody, you're not going to offend me if  
18          you have a feeling about a smoker or a feeling  
19          about a cigarette company, me and Mr. Boyce,  
20          we've heard it before. I have thick skin and  
21          so does he.

22          So anything that you would say where we  
23          ask an opinion question, I know sometimes it's  
24          awkward, you know, to speak in front of a crowd  
25          or to raise your hand in front of strangers,

1           although a lot of you all know each other, but  
2           if you have something that's responsive to a  
3           question, it's very important that you all tell  
4           us how you feel. I'm not going to tell you how  
5           to feel. The judge can't tell you how to feel.  
6           So it's an opinion question.

7           Will everybody commit, promise that if I  
8           ask a question and it pertains to you, that  
9           you'll let us know how you feel? Can everybody  
10          commit to do that, please?

11          THE PANEL: Yes.

12          MR. PAIGE: Okay. And so the judge went  
13          over some things and I'm not going to rehash  
14          again. It's our burden of proof. The  
15          Plaintiff brings a lawsuit. And so we start  
16          out even with the Defense. Everybody starts  
17          out even, or you're supposed to, and that's why  
18          we want to hear people's opinions. Nobody's  
19          supposed to start out a little bit ahead or a  
20          little bit behind each other. If somebody has  
21          a bias or a feeling, that's what we want to  
22          know. But it is our burden of proof, and we  
23          look forward to meeting that burden of proof  
24          and putting on the evidence for whoever is  
25          going to be the jury in the case.



1           But if we were to ask you right now, who  
2           were to win the case, it would have to be the  
3           Defendant, right? Because I haven't met my  
4           burden of proof and you haven't heard any  
5           evidence.

6           Does everybody understand that?

7           THE PANEL: Yes.

8           MR. PAIGE: Okay. And the judge explained  
9           the greater weight of the evidence. I won't go  
10          through that again.

11          And I want to go -- I'm going to get into  
12          opinions about smokers, lawsuits, people suing  
13          for a lot of money, you know, people suing for  
14          a large amount of money when they get sick from  
15          smoking. We're going to talk about that.

16          One thing I want to talk about before  
17          that, in Florida, there's a law. It's called  
18          comparative fault. And so it means, if two --  
19          if there's two parties, like a Plaintiff and a  
20          Defendant, or a person and another person, you  
21          could -- you can listen to the evidence and on  
22          two of the claims, because we have four claims,  
23          you'll hear a little bit about them.

24          We have some claims based on fraud but we  
25          have claims that are based on what's called

1 strict liability, negligence. You'll hear  
2 about that. On those claims, there's a legal  
3 doctrine, comparative fault, that would apply.  
4 And that means if you hear the evidence, a jury  
5 can apportion some fault to the Plaintiff, some  
6 fault to the Defendant, or all to one party or  
7 the other.

8 So an example is if somebody's driving a  
9 car and they're texting, right, and they get in  
10 an accident with somebody who's speeding and  
11 running a stop sign, and then the jury will be  
12 asked: Who's at fault? Are they both at  
13 fault? How do you apportion fault? Is it  
14 50/50 or whatever?

15 And in this claim, in our very first --  
16 one of the very first pleadings that were  
17 filed, the Plaintiff or the lawyers on behalf  
18 of the Plaintiff's family admitted partial  
19 responsibility on a couple of the claims. So I  
20 just want to tell you that because I have to  
21 tell you that before I get to the next  
22 question. Okay. But everybody understand that  
23 whole concept with comparative fault?

24 THE PANEL: Yes.

25 MR. PAIGE: Okay. So now we talk about

1 smokers because we know that a lot of you all  
2 did raise your hand about strong feelings about  
3 smokers or lawsuits like this, and that's what  
4 we really want to talk about or one of the  
5 things we want to talk about. So in this case,  
6 all that you all really know right now, you  
7 don't know much about the case but you do know,  
8 we've admitted partial responsibility on two of  
9 the claims, right? You know that.

10 You know that we represent a family who's  
11 suing a cigarette company because she got sick  
12 from smoking, the mother got sick from smoking.  
13 They're suing and they're going to be asking  
14 for a lot of money, okay? You all know that.  
15 And we know that it's our burden of proof and  
16 we know that cigarettes are a legal product,  
17 right? Cigarettes are a legal product in our  
18 country.

19 So I'm going to start with this side.  
20 I'll ask you all first and then I'll ask you  
21 all and then I'll ask you all last, and then  
22 next time I'll ask you all first. Don't feel  
23 like you're going last.

24 Okay. So the question is, before hearing  
25 any evidence or law in this case, by a show of

1 hands, in these four rows, how many of you feel  
2 that smokers have a choice whether to smoke or  
3 not to smoke; and, therefore, the family of a  
4 smoker should not really be able to bring this  
5 type of lawsuit, or you feel that these type of  
6 lawsuits are frivolous or lack merit? By a  
7 show of hands or numbers, can you raise your  
8 hand if that pertains to you and I'll write it  
9 down.

10 Okay. And it's actually better -- I'm  
11 sorry, sir, I said hands, I mean numbers.

12 Perfect. So just if you could keep it up  
13 for a second. Okay.

14 So number 1, you feel that way? Yes?

15 MILLER, SALLY 07: I do.

16 MR. PAIGE: Okay. Number 3, you feel that  
17 way? And I'm going to come back to you. But  
18 that's how you feel?

19 BECK, GLADYS 13: Yes.

20 MR. PAIGE: And I appreciate that.

21 Number 6, you feel that way?

22 CHAMBERLAIN, KEVIN 598: Yes, sir.

23 MR. PAIGE: Okay. Number 17, correct?

24 Yes?

25 EBERLE, VICKIE 44: Yeah.

1 MR. PAIGE: Okay. Thank you.

2 Number 35, number 38, number 39. You all  
3 feel that way?

4 WALKER, DONALD 253: Yes.

5 MR. PAIGE: 52, 53, 54, 55, 56, you all  
6 feel that way; correct?

7 UNIDENTIFIED SPEAKER: Yes.

8 MR. PAIGE: Okay. And I'm going to come  
9 back and follow up with you all. But I'm going  
10 to ask this side the same question and then  
11 I'll ask you all, then I'm going to come talk  
12 to you all, okay?

13 And so the same question for you all on  
14 this side. And let me ask before I do that, I  
15 just want to ask -- if I ask a question, before  
16 we ask, I want to ask two people because I know  
17 number 8 is -- I'm not going to say your name  
18 but you were going to check with work. Is  
19 everything okay there?

20 FIELDS, BRITNEY 20: No, I don't.

21 MR. PAIGE: You do not get paid.

22 THE COURT: Let me see who that is.

23 MR. PAIGE: Number 8. That's something we  
24 need to talk about.

25 FIELDS, BRITNEY 20: Yeah. Also, the

1 family member that I mentioned was sick, he  
2 died last night.

3 MR. PAIGE: Okay. I'm sorry to hear that.  
4 Okay.

5 And then I know there was somebody else  
6 who was going to check with work, and I think  
7 that's number 47. Were you going to check with  
8 your work?

9 BROWN, ANDEM 338: Yes. I don't get paid.

10 MR. PAIGE: You do not get paid. Okay.  
11 So we'll talk to you about that as well. Okay.  
12 Thank you.

13 So then coming back -- so the question is  
14 to this side. It's going to be the same  
15 question but I'll just rephrase it so you all  
16 remember it.

17 Before hearing any of the evidence or the  
18 law in this case, by a show of hands, how many  
19 of you feel that smokers have a choice to smoke  
20 or not to smoke; and, therefore, a family of a  
21 smoker should not be able to bring this type of  
22 lawsuit, or you feel that these types of  
23 lawsuits are frivolous or lack merit? Can you  
24 raise your hand or show us?

25 And so number 8, you feel that way?

1           FIELDS, BRITNEY 20: Yes, sir.

2           MR. PAIGE: 9.

3           ASHBAY, RICHARD 19: Yes.

4           MR. PAIGE: 10, you feel that way. 11,  
5 12, 13, 15, 16, you all feel that way.

6           Second row?

7           28, you feel that way. 31, you feel that  
8 way. Thank you. 40, you feel that way. 42,  
9 you feel that way. 43, -4, -6 -- 46, thank  
10 you. 39, thank you.

11           57, 59. Did I miss 58? I'm sorry, I  
12 missed it.

13           HILTS, ROBERT 486: Only half of what you  
14 said.

15           MR. PAIGE: Okay. So you're half.

16           HILTS, ROBERT 486: I'm halfway.

17           MR. PAIGE: Okay. You let me know which  
18 half when we talk?

19           HILTS, ROBERT 486: Sure, I certainly  
20 well.

21           MR. PAIGE: Thank you.

22           63, 64 and 65. Okay.

23           And then on this side, you all want me to  
24 repeat the question or you know it?

25           Okay. So who feels that way? Can you

1           raise your paddles?

2                   And it's 67, 68, 69, 77, 78, and 80.

3           Okay. Thank you all very much.

4                   So I'm going to have to come back and  
5           speak to you all just a little bit about it.  
6           And, again, like -- not many people understand  
7           this in a minute, so it's for me to -- I'm  
8           going to do my best to keep track but I'll go  
9           through this.

10                   So number 1, how are you, ma'am?

11                   MILLER, SALLY 07: I'm fine, thank you.

12                   MR. PAIGE: And so can you tell me how you  
13           feel?

14                   MILLER, SALLY 07: I just feel like  
15           there's consequences for your choices. It  
16           would be anything like tobacco. If you choose,  
17           you know what can happen.

18                   MR. PAIGE: And so before the trial starts  
19           at this time, is somebody starting out ahead or  
20           is my client starting out behind in your mind?

21                   MILLER, SALLY 07: In my mind, behind.

22                   MR. PAIGE: Okay. And would it be  
23           difficult for you to set those feelings aside?

24                   MILLER, SALLY 07: Probably, yes. I have  
25           to hear a lot of, you know, pros.



1           MR. PAIGE: Okay. But it would be hard  
2 for me to convince you otherwise?

3           MILLER, SALLY 07: Maybe.

4           MR. PAIGE: And let me ask you this,  
5 despite your best efforts, regardless of the  
6 evidence and the law, do you think that it  
7 would be difficult for you to be an impartial  
8 juror in this type of case?

9           MILLER, SALLY 07: Yes, sir.

10          MR. PAIGE: Okay. Thank you for your  
11 honesty.

12          Number 3. Good afternoon. How are you,  
13 ma'am?

14          BECK, GLADYS 13: Good. How are you?

15          MR. PAIGE: Good, thank you.

16          So how do you feel?

17          BECK, GLADYS 13: Like she said, I mean,  
18 it's just choice, I mean, and you know the  
19 consequences, so -- but I don't know the whole  
20 story, so I really don't, you know -- I need to  
21 hear the story and is someone smoking and the  
22 other person was inhaling. I don't know.

23          MR. PAIGE: Okay. But I guess this is a  
24 case about a smoker, right?

25          BECK, GLADYS 13: Yeah.

1           MR. PAIGE: And so what we want to know  
2 is, remember the judge explained to you that we  
3 want to be starting out even, right?

4           BECK, GLADYS 13: Yeah.

5           MR. PAIGE: And so because of your  
6 feelings, are you biased in favor of one party  
7 over the other at this point?

8           BECK, GLADYS 13: Uh-huh.

9           MR. PAIGE: And who are you biased in  
10 favor of at this point in time?

11          BECK, GLADYS 13: The Plaintiff. I  
12 mean --

13          MR. PAIGE: You're biased -- and maybe I  
14 didn't explain it. Are you leaning -- is one  
15 party starting out behind in your mind at this  
16 point?

17          BECK, GLADYS 13: Yeah.

18          MR. PAIGE: And who's starting out behind?

19          BECK, GLADYS 13: The person that is  
20 suing.

21          MR. PAIGE: Okay. And so the question is,  
22 then: Regardless of the evidence and the law  
23 and despite your best efforts, would it be  
24 difficult for you to be an impartial juror in  
25 this case? There's other types of cases --

1 BECK, GLADYS 13: Yeah.

2 MR. PAIGE: -- but in this case, would it  
3 be?

4 BECK, GLADYS 13: Maybe.

5 MR. PAIGE: Okay. You have it psyched out  
6 in your mind?

7 BECK, GLADYS 13: Uh-huh.

8 MR. PAIGE: Yes or no?

9 BECK, GLADYS 13: Yes.

10 MR. PAIGE: Okay. Thank you, ma'am.

11 BECK, GLADYS 13: Uh-huh.

12 MR. PAIGE: And then number 6,  
13 Mr. Chamberlain? I don't think -- am I not  
14 supposed to say the names, Your Honor?

15 THE COURT: We're okay. Let's try and use  
16 the numbers.

17 MR. PAIGE: A lot of times we do use the  
18 names, but at some point there will be cameras.  
19 It's not today. And we only heard your name.

20 CHAMBERLAIN, KEVIN 598: Primary person  
21 responsible is the person who makes the choice.

22 MR. PAIGE: Okay. And so at this time are  
23 you bias in favor of -- are you -- is one party  
24 starting out behind in your mind?

25 CHAMBERLAIN, KEVIN 598: Yes.

1 MR. PAIGE: Who is that?

2 CHAMBERLAIN, KEVIN 598: The one who  
3 smoked.

4 MR. PAIGE: Let me ask you this: Despite  
5 your best efforts, regardless of the evidence  
6 and the law, would it be difficult for you in  
7 this case to be a fair and impartial juror?  
8 I'm sorry?

9 CHAMBERLAIN, KEVIN 598: Yes.

10 MR. PAIGE: Okay. Thank you for your  
11 honesty, sir.

12 Number 17, you raised your hand? Good  
13 afternoon, ma'am. Can you tell us how you  
14 feel.

15 EBERLE, VICKIE 44: I just think everybody  
16 has to make that choice whether you're a smoker  
17 or not a smoker. I have to hear the whole  
18 story before I can judge, decide, but I do feel  
19 that you do have that choice.

20 MR. PAIGE: Well, let me ask you this:  
21 Before hearing the evidence or the law in this  
22 case, is one party starting out behind?

23 MR. BOYCE: Objection, Your Honor. Could  
24 we approach real quick?

25 THE COURT: You may.

1 (Sidebar discussion held:)

2 MR. BOYCE: So my objection is both the  
3 Court and Mr. Paige just told the whole panel  
4 about the burden of proof and how it's all on  
5 Plaintiffs, and then we go to the jurors and  
6 say, does somebody start out a step behind?  
7 The Plaintiffs do start out a step behind based  
8 on the way we've articulated the burden of  
9 proof to them. And so I don't want there to be  
10 any confusion when it's over. And I think so  
11 far we're moving on and trying to make a  
12 different record. But here, if the Plaintiffs  
13 do start out a step or more than a step behind  
14 because they have the entire burden of proof, I  
15 think there's confusion here when you're just  
16 asking, hey, does one side start out behind,  
17 given what the Court and Mr. Paige told them  
18 about the burden of proof.

19 MR. PAIGE: I'll just respond quickly.  
20 First of all, that's not my only question. I'm  
21 asking that. But, secondly, we do not start  
22 out behind. We start out even, and then I have  
23 the burden of proof. That doesn't mean I start  
24 out behind, so I disagree with you. In fact,  
25 there's case law on point that gives that as a

1           reason. But I'm not going to debate it with  
2           you. That's your own prerogative. But I'm  
3           also asking other questions, and I have a lot  
4           of questions to ask --

5           MR. BOYCE: Yeah. Okay. No, I agree that  
6           there are cases that say if a juror says one  
7           party starts out behind, that that's a basis  
8           for a cause challenge. My objection in this  
9           context, when we just told them the burden is  
10          all on them and that -- in fact, Mr. Paige told  
11          them, if we stop right now, I lose. Okay?  
12          That's what he told them.

13          And so now we say, if I stop right now,  
14          you haven't heard any evidence, a version of  
15          the same question, am I a step behind? The  
16          answer to that is yes. But he already told  
17          them, if the case stopped right now and you  
18          don't hear any evidence, I lose. And that's  
19          the basis of the objection here because I don't  
20          think it's going to be enough without other  
21          stuff. So that's it.

22          MR. PAIGE: I would have to tell them  
23          about burden of proof. In fact, if I don't  
24          tell them about burden of proof, you will say I  
25          didn't tell them about burden of proof.

1           MR. BOYCE: No, I agree. I agree you've  
2 got to tell them about it. I'm just saying  
3 this half a step behind after telling them if  
4 the case stopped now you'd lose is not the same  
5 step behind that happens in those cases talking  
6 about the cause challenge. So I think it's  
7 rehabilitatable on this record because it's  
8 based on a confusion of the law.

9           THE COURT: It may be. There is some  
10 problem with the way it's -- if you're trying  
11 to set up a cause strike -- and I don't mean  
12 that in an unkind way -- the question is not  
13 complete because of the way they tie in.

14           So, again, I think you can make your  
15 questions if you want, but the fact that  
16 somebody at this point is saying that you may  
17 be a step behind may not be sufficient.

18           MR. PAIGE: I agree that may not be  
19 sufficient on its own, but that's why I want to  
20 ask them. I asked these people -- I'll go back  
21 and ask it again if you guys are saying I  
22 should.

23           MR. BOYCE: No, no.

24           MR. PAIGE: I said, regardless of the  
25 evidence and the law, would it be difficult for

1           you to be an impartial juror? They're saying  
2           yes.

3           MR. BOYCE: That's right. That's a  
4           different matter.

5           THE COURT: That's the real question. I'm  
6           going to overrule the objection for right now,  
7           with that understanding.

8           MR. BOYCE: Thank you.

9           (Sidebar concluded.)

10          THE COURT: Hang on just a second. Folks,  
11          I should tell you, anytime that we have a bench  
12          conference -- that's what it's called, a  
13          sidebar or bench conference -- it's a perfect  
14          time -- we're over here talking. Ninette can  
15          hear us. You're welcome to stand up and  
16          stretch at that point, so feel free to do that,  
17          okay? Please proceed.

18          MR. PAIGE: Ma'am, and I'm sorry. I  
19          forgot your number. Let me ask you -- number  
20          17, correct? Let me just ask you this, and I  
21          appreciate your honesty. Regardless of the  
22          evidence and the law in this case, despite your  
23          best efforts, would it be difficult for you to  
24          be an impartial juror in this case?

25          EBERLE, VICKIE 44: It wouldn't be



1           difficult.

2           MR. PAIGE: I'm sorry?

3           EBERLE, VICKIE 44: It would not be  
4           difficult. I would have to hear the whole  
5           story.

6           MR. PAIGE: Okay. And so the Plaintiff is  
7           not -- I wouldn't have an extra burden of  
8           proof, or I'm not starting out with my  
9           client -- because you understand it's my  
10          client's only day in Court, right, and she  
11          can't come back. So we're looking for  
12          somewhere between probably seven to ten jurors  
13          who are impartial to these issues to both  
14          parties. Do you have any concern in your mind  
15          that you wouldn't be able to do that?

16          EBERLE, VICKIE 44: I don't think so.

17          MR. PAIGE: Okay. Do you have any doubt  
18          in your mind? Do you have a slight doubt at  
19          all?

20          EBERLE, VICKIE 44: No.

21          MR. PAIGE: Thank you.

22          Number 35. I think 35. You had your  
23          paddle. Did you raise your paddle?

24          TINAJERO, ANJELICA 244: Yes.

25          MR. PAIGE: Good afternoon. Can you tell

1           us how you feel on that issue?

2           TINAJERO, ANJELICA 244: I feel the same  
3           way.

4           THE COURT: You need to speak up a little  
5           bit, ma'am, if you would, please.

6           TINAJERO, ANJELICA 244: I feel that  
7           tobacco is something you choose to use, as well  
8           as drugs. If you're using it, you should  
9           assume the consequences of your actions.

10          MR. PAIGE: Okay. So the question that I  
11          initially asked was: Despite the evidence and  
12          the law, do you think that a Plaintiff should  
13          not have a right to bring this type of lawsuit,  
14          or do you feel this type of lawsuit are  
15          frivolous or lacking merit?

16          TINAJERO, ANJELICA 244: Yes.

17          MR. PAIGE: How do you feel about that?

18          TINAJERO, ANJELICA 244: I agree with  
19          that.

20          THE COURT: Your voice is dropping again,  
21          ma'am. I'm sorry.

22          TINAJERO, ANJELICA 244: I agree with that  
23          statement. I don't see why to sue for  
24          something you chose to do.

25          MR. PAIGE: And so despite your best

1           efforts and, again, we -- both parties, we know  
2           that it's not the most convenient thing to be  
3           here. We understand everybody's going to try  
4           to be fair as best as you can, and we know  
5           that. Most people are fair, right? But  
6           sometimes there might be a divorce case or a  
7           criminal case or an auto case that might be a  
8           better case for somebody. Some cases aren't  
9           the best case for everybody. That's why,  
10          again, we have so many people here.

11                 So the question to you, ma'am, is, and  
12           I'll ask you: Despite your best efforts,  
13           regardless of the evidence and the law, do you  
14           think that you could be an impartial juror in  
15           this case?

16                 TINAJERO, ANJELICA 244: In this case,  
17           yes.

18                 MR. PAIGE: You can be impartial?

19                 TINAJERO, ANJELICA 244: I'm sorry. I  
20           just -- I don't agree with the fact of suing a  
21           tobacco company.

22                 MR. PAIGE: Would it be difficult for you  
23           to be impartial in this case?

24                 TINAJERO, ANJELICA 244: Yes.

25                 MR. PAIGE: Do you have a reasonable doubt

1 in your mind as to whether you could be fair in  
2 this type of case? I mean, is there a doubt --  
3 I guess the question is: If you're chosen as a  
4 juror, those feelings that you have, are those  
5 strong feelings that you would most likely  
6 bring back to the jury room with you?

7 TINAJERO, ANJELICA 244: Yes.

8 MR. PAIGE: It would difficult to set them  
9 aside?

10 TINAJERO, ANJELICA 244: Yes.

11 MR. PAIGE: Thank you. I appreciate your  
12 honesty.

13 Number 38, you have your hand raised, sir?

14 EURES, AARON 255: Yes, sir.

15 MR. PAIGE: How are you?

16 EURES, AARON 255: Good.

17 MR. PAIGE: So the question again was:  
18 Regardless of the evidence and the law, do you  
19 feel that a smoker or a smoker's family  
20 shouldn't have a right to bring these type of  
21 lawsuits or that these type of lawsuits are  
22 frivolous or lack merit, right? And so if  
23 you'd tell me how you feel about that.

24 EURES, AARON 255: I just feel that you  
25 understand the risks of smoking. My problem

1 is, depending on the age, they might have not  
2 known when they started, the risk.

3 MR. PAIGE: Okay. So you -- and that's  
4 why -- so depending on the age, it might matter  
5 to you if you hear more evidence?

6 EURES, AARON 255: It would be different.

7 THE COURT: Is that juror 38? I'm sorry.

8 EURES, AARON 225: Yes.

9 THE COURT: Thank you.

10 MR. PAIGE: So is there -- do you have  
11 any -- then I guess the question is: Do you  
12 have any doubt in your mind whether you could  
13 be a fair and impartial juror? Do you think  
14 you can do that?

15 EURES, AARON 255: I feel like I can be  
16 fair, to listen.

17 MR. PAIGE: Okay. And understanding it's  
18 my client's only day in court, she cannot come  
19 back here, you feel comfortable you don't feel  
20 that you're bias in favor of one side or the  
21 other?

22 EURES, AARON 255: I don't feel that way.

23 MR. PAIGE: Okay. Thank you, sir.

24 Number 39, how do you feel?

25 WALKER, DONALD 253: Yes, sir. I'm a --

1           MR. PAIGE: Oh, okay. You can tell me.  
2           Go ahead. I'm sorry.

3           WALKER, DONALD 253: I'm an ex-smoker.  
4           I've known, since at least the late '60s, that  
5           cigarettes, they called them "coffin nails" and  
6           "cowboy killers" when I was a little kid. So  
7           I've known that. I smoked anyway for a few  
8           years, then I quit. And I just -- I had a very  
9           strong opinion about these kind of cases where  
10          people want a large corporation to pay for  
11          their choices.

12          MR. PAIGE: Okay. And that's how you  
13          feel, right?

14          EURES, AARON 255: That's how I feel.

15          MR. PAIGE: All right. Thank you, sir,  
16          Number 52? Good afternoon. How do feel?

17          SHELDON, JULEANA 450: I, like this  
18          gentleman, am a former smoker, and I quit 25  
19          years ago. We knew then that it was -- I will  
20          follow the law, I will do that, but I think I'm  
21          going in with a little bit of bias.

22          MR. PAIGE: Okay. And bias against who?

23          SHELDON, JULEANA 450: Against the  
24          Plaintiff.

25          MR. PAIGE: And why are you biased against

1 the Plaintiff?

2 SHELTON, JULEANA 450: Because I made the  
3 choice to quit and no one tried to stop me from  
4 quitting. I chose that. So I think anybody  
5 can. If I can do it, anybody can.

6 MR. PAIGE: And so -- okay. And so  
7 despite your best efforts, do you think that --  
8 would you have a difficult time being a fair  
9 and impartial juror in this case?

10 SHELTON, JULEANA 450: Like I said, I  
11 would follow the law, that's the kind of person  
12 I am, but there's going to be that little on  
13 the side --

14 MR. PAIGE: I'm sorry?

15 SHELTON, JULEANA 450: I would be just a  
16 little on the side of the Defendant to start  
17 with.

18 MR. PAIGE: And do you have some doubt in  
19 your mind as to whether this is the right type  
20 of case for you?

21 SHELTON, JULEANA 450: Yes, I have doubt.

22 MR. PAIGE: And do you have some doubt in  
23 your mind as to whether you could be a fair and  
24 impartial juror in this case, or this type of  
25 case, a smoker case?

1           MR. BOYCE: Objection. Asked and  
2 answered.

3           THE COURT: Overruled. You can answer,  
4 ma'am, if you can.

5           SHELDON, JULEANA 450: I will follow the  
6 law.

7           MR. PAIGE: Okay. And so if the law is --  
8 if you follow the law -- I mean I guess it's  
9 the facts and the law. So the facts is I guess  
10 more of what I'm concerned about. Regardless  
11 of the facts in this case --

12          SHELDON, JULEANA 450: And I don't know  
13 the facts in the case. I'm just letting you  
14 know that I'm going to start with a little bit  
15 of the Plaintiff made some bad choices.

16          MR. PAIGE: Okay. And are those strong  
17 feelings that you would most likely bring back  
18 to the jury room with you?

19          SHELDON, JULEANA 450: Yes.

20          MR. PAIGE: And it would be difficult for  
21 you to set those aside?

22          SHELDON, JULEANA 450: Yes.

23          MR. PAIGE: Thank you.

24                 And you were 52, correct?

25          SHELDON, JULEANA 450: Yes.



1           MR. PAIGE: And I think 53, you had raised  
2 your hand earlier. 53, I think I know how you  
3 feel, but I don't want you to think I'm  
4 skipping you either.

5           CARTOS, TONYIA 446: No, it's a little  
6 different. I am a smoker, and I do understand  
7 the consequences, but everybody has to have  
8 their day in court. So to be impartial, it's  
9 whatever wins the best case.

10          MR. PAIGE: Okay. Thank you.

11          And then number 54, you had raised your  
12 paddle?

13          McAFEE, THOMAS 440: Can we talk in  
14 private?

15          MR. PAIGE: Sure, we can do that. Thank  
16 you, sir.

17          And number 55, you had raised your paddle?

18          ROUCO, LORELEYS 439: Yeah. I know --

19          MR. PAIGE: I'm sorry.

20          ROUCO, LORELEYS 439: Sorry.

21          My father died from smoking. Everybody in  
22 the family say, you need to stop. He never  
23 stopped. He continued to smoke -- he died --  
24 for a long time.

25          MR. PAIGE: So the original question

1           was --

2                   ROUCO, LORELEYS 439: He know the  
3           consequences.

4                   MR. PAIGE: So do you feel that Plaintiffs  
5           or smokers do not have a right to bring this  
6           type of lawsuit?

7                   ROUCO, LORELEYS 439: No.

8                   MR. PAIGE: Pardon me?

9                   ROUCO, LORELEYS 439: No.

10                  MR. PAIGE: That's how you feel?

11                  ROUCO, LORELEYS 439: Yeah.

12                  MR. PAIGE: And regardless of your best  
13           efforts, would it be difficult for you to set  
14           those feelings aside? Pardon me?

15                  ROUCO, LORELEYS 439: I don't know.

16                  MR. PAIGE: Would you be able to be a fair  
17           and impartial juror in this case?

18                  ROUCO, LORELEYS 439: No.

19                  MR. PAIGE: Okay. Thank you, ma'am.

20                  THE COURT: Is that juror number 55?

21                  MR. BOYCE: Yes, Your Honor.

22                  THE COURT: Let me see counsel at the  
23           bench, please, for just a moment.

24                  COURT DEPUTY: Folks, if you will, keep  
25           the volume down. The court reporter still has

1 to hear.

2 (Sidebar discussion held:)

3 THE COURT: That's the third juror that  
4 has just made a comment to all of the venire  
5 that you guys have already decided to excuse,  
6 and that's causing me some major concerns.

7 MR. PAIGE: Here's my problem, Your Honor:  
8 And that's why I would rather that we dismiss  
9 them because I don't want to be perceived as  
10 being rude. And they want to talk and I can't  
11 let them talk, so I almost would prefer at some  
12 point that if they are gone, that we let them  
13 go.

14 MR. BOYCE: They are excused. But, I  
15 mean, we want want to keep them in the panel,  
16 we've articulated. But I thought we just  
17 started with 53 is the way to do it. I know  
18 how you feel, I don't want to rude. I'm going  
19 to move on.

20 MR. PAIGE: Okay.

21 MR. BOYCE: And then 55, there was no  
22 reason to ask her any direct questions at all.

23 MR. PAIGE: Yeah. Well, I'll be honest  
24 with you. I missed because 54 --

25 THE COURT: No. And you didn't bring it

1 out. She said it. But the problem is we're  
2 opening that door. That's where we've got to  
3 be careful.

4 MR. PAIGE: Maybe at the end of the day,  
5 we can let them go.

6 MR. BOYCE: I object to letting them go.  
7 I tell you why. The jury sits through this.  
8 They hear somebody say you're a step behind.  
9 They come back. The guy next to him --

10 MR. PAIGE: Here's what happened.

11 COURT REPORTER: Mr. Paige, can you move  
12 that paper, please? It's causing rustling  
13 sounds.

14 MR. BOYCE: It makes my job harder.

15 MR. PAIGE: Here's what happened. I  
16 looked on the chart. It's not the neatest  
17 chart. So when I went to 54, I said, I think I  
18 know how you feel, but it was -- I had them  
19 mixed up. So I actually have to go back to 54.

20 THE COURT: Okay. I'm not being critical.  
21 I'm just saying, we've got to be careful about  
22 that. So I think we just -- I think the way  
23 you did handle it before was fine: "I know how  
24 you feel. I have notes on it. I hope I'm not  
25 offending you, but I'm going to move to the

1           next person."   Something like that.

2           MR. PAIGE:   Okay.   All right.   Thank you.

3           (Sidebar concluded.)

4           MR. PAIGE:   Okay.   And number 56, good  
5           afternoon, ma'am.   How are you?   Can you tell  
6           me or us how you feel about that?

7           MARTINEZ RODRIGUEZ, RHONNA 432:   Well, I  
8           would start with a bias against the Plaintiff  
9           because first I never been -- I'm not a smoker,  
10          and like everybody say, that it's a choice.

11          MR. PAIGE:   Okay.   And let me ask you,  
12          regardless of the evidence and the law, will it  
13          be difficult for you to set those feelings  
14          aside?

15          MARTINEZ RODRIGUEZ, RHONNA 432:   It  
16          probably will.

17          MR. PAIGE:   Okay.   And despite your best  
18          efforts, do you think it would be difficult for  
19          you to be an impartial juror in this case?

20          MARTINEZ RODRIGUEZ, RHONNA 432:   Probably,  
21          yes.

22          MR. PAIGE:   Okay.   Thank you for your  
23          honesty.   I appreciate it.

24          You know, I just want to say this:   With  
25          what she said, it's not my job or even my

1 intention to have a debate with her over that.  
2 You could see, I'm not -- I'm not going to try  
3 to convince you otherwise. And like I said,  
4 everybody comes in here with their own opinions  
5 or own beliefs, and that's really how it works,  
6 and I do appreciate that. Sometimes it might  
7 be awkward to tell a lawyer who is representing  
8 the family that you feel that way, but I  
9 appreciate you telling me that. So thank you.

10 Okay. Number 8. How are you?

11 FIELDS, BRITNEY 20: I'm well. How are  
12 you?

13 MR. PAIGE: Good.

14 And so again, the question that you  
15 answered, you all responded to was whether or  
16 not the client has a right to bring these  
17 lawsuits or whether you feel these type of  
18 lawsuits are frivolous or lack merit.

19 So how do you feel in that regard?

20 FIELDS, BRITNEY 20: I'm not biased at  
21 all, but I do think that we all understand, you  
22 know, obviously, tobacco has killed many  
23 people, so unless they were part of some sort  
24 of trial period where they didn't know that,  
25 I'm not quite sure how they are able to sue a

1           company when they knew what was going to happen  
2           going in. Do you know what I mean?

3           I think about people suing doughnut  
4           companies for becoming obese.

5           So it's weird, but I'm sure that there's a  
6           valid reason for why they are trying to sue, so  
7           I can put my feelings aside, I guess.

8           MR. PAIGE: Okay. Thank you.

9           Number 9. Good afternoon, sir.

10          ASHBAY, RICHARD 19: Good afternoon.

11          MR. PAIGE: And so you remember the  
12          question?

13          ASHBAY, RICHARD 19: Yep.

14          MR. PAIGE: So can you tell me how why you  
15          feel that way?

16          ASHBAY, RICHARD 19: I am a smoker, and I  
17          think that the person had a right -- or they  
18          had a choice on whether they wanted to smoke or  
19          not. And society nowadays is getting so  
20          sue-happy that I think it's a waste of time.

21          MR. PAIGE: Okay. And regardless of the  
22          evidence and the law, do you think it would be  
23          difficult for you to be an impartial juror in  
24          this case?

25          ASHBAY, RICHARD 19: Yes, sir.

1           MR. PAIGE: Is the Plaintiff starting out  
2 with a strike against it?

3           ASHBAY, RICHARD 19: Yes, sir.

4           MR. PAIGE: Thank you.

5           Number 10.

6           GREGIS, RONALD 17: Well, I feel this is  
7 the perfect example of what's wrong with our  
8 court system, and we need court reform -- or  
9 tort reform. These cases should never be  
10 brought to enrich the attorneys at the cost of  
11 the consumer.

12          MR. PAIGE: And that's how you feel?

13          GREGIS, RONALD 17: Oh, absolutely.

14          MR. PAIGE: And are those strong feelings  
15 that you've held for a while?

16          GREGIS, RONALD 17: Well, if you give me a  
17 soap box, I'll stand on it.

18          MR. PAIGE: Well, now is your chance, but  
19 I think I know how you feel.

20          So let me ask you this. And that's  
21 totally fine. It's America, right?

22          GREGIS, RONALD 17: Yes.

23          MR. PAIGE: And so you have your opinions  
24 and you're telling them to me and I appreciate  
25 that. I'm not going to debate it with you.



1           But despite your best efforts, regardless  
2           of the evidence and the law, would it be fair  
3           to say it would be difficult for you to be  
4           impartial?

5           GREGIS, RONALD 17: Yes. I feel people  
6           are responsible for their actions and not the  
7           consumer [sic].

8           MR. PAIGE: Okay. Thank you. Thank you,  
9           sir. I appreciate that.

10          Number 11, I think I know how you feel.

11          LESICZKA, ELAINE 34: Yes.

12          MR. PAIGE: We've asked you some before.

13          Number 12, I think we know how you feel.

14          I don't want to be perceived as being  
15          rude.

16          LESICZKA, ELAINE 34: That's fine.

17          MR. PAIGE: You are okay?

18          LESICZKA, ELAINE 34: Yes. I'm fine with  
19          that.

20          ZUZEK, DEBORAH 36: I have an issue.

21          MR. PAIGE: I think we know because  
22          earlier because of -- you raised your hand to a  
23          different question, so I know how you feel on  
24          this. So I don't want to waste your time at  
25          this point on this.

1                   Number 13, how are you, ma'am?

2                   STODDART, ELSIE 38: I'm fine.

3                   MR. PAIGE: Good. So the question again,  
4                   you know, whether we have a right to bring a  
5                   lawsuit or whether these lawsuits are  
6                   frivolous, lack merit. How do you feel about  
7                   that?

8                   STODDART, ELSIE 38: I think everybody has  
9                   a right to do what they want, but as far as the  
10                  smoking goes, everybody knows that it's bad and  
11                  it's still their right to do it.

12                  MR. PAIGE: But do you feel -- you raised  
13                  your hand. Do you feel -- do you have a  
14                  feeling one way or the other whether these  
15                  types of lawsuits are frivolous or lack merit?

16                  STODDART, ELSIE 38: I think they lack  
17                  merit.

18                  MR. PAIGE: Why do you feel that way?

19                  STODDART, ELSIE 38: Because I think that  
20                  everybody has gone too happy about suing for  
21                  the least little thing nowadays. And smoking  
22                  is bad but so is drinking and eating. But, I  
23                  mean, you do what you want with your body and  
24                  everything else. Nobody has a right to tell  
25                  you that.

1 MR. PAIGE: Okay.

2 STODDART, ELSIE 38: But you've got to  
3 suffer the consequences of that.

4 MR. PAIGE: And so we talked about this.  
5 Everybody has their opinion, right?

6 STODDART, ELSIE 38: Right.

7 MR. PAIGE: Are those strongly held  
8 beliefs that you've had for a while?

9 STODDART, ELSIE 38: Yes.

10 MR. PAIGE: And would it be difficult for  
11 you to set those aside?

12 STODDART, ELSIE 38: No.

13 MR. PAIGE: Well, let me ask you this: Is  
14 my client in your mind starting out with a  
15 strike against her?

16 STODDART, ELSIE 38: Probably because she  
17 knew when she started it was bad.

18 MR. PAIGE: Okay. And regardless of the  
19 evidence and the law in this case, do you think  
20 it would be difficult, not impossible, but  
21 difficult for you to be an impartial juror to  
22 both sides?

23 STODDART, ELSIE 38: That's iffy. I would  
24 have to hear everything about it and what  
25 happened and stuff.

1           MR. PAIGE:   Okay.   Do you have some  
2           reasonable doubt in your mind as to whether you  
3           could be fair and impartial in this case?

4           STODDART, ELSIE 38:   No, I think I could  
5           be fair about it.   It's just -- it's going to  
6           be hard to understand everything that happened  
7           and stuff.   You have to really listen to what  
8           the case is about.

9           MR. PAIGE:   Okay.   You heard the judge  
10          tell you about burden of proof?

11          STODDART, ELSIE 38:   Right.

12          MR. PAIGE:   Remember about burden of  
13          proof?

14          STODDART, ELSIE 38:   That's right.

15          MR. PAIGE:   And greater weight of the  
16          evidence?   I just have to tip the scales in my  
17          favor.   Would you hold me -- because of your  
18          beliefs, would you hold me to a slightly higher  
19          burden of proof?

20          STODDART, ELSIE 38:   Probably, because I  
21          do believe smoking is bad.

22          MR. PAIGE:   Okay.   I appreciate your  
23          honesty.   Thank you.

24          Number 15.   Good afternoon.

25          EULER, SHARON 41:   Good afternoon.

1 MR. PAIGE: How are you?

2 EULER, SHARON 41: Good.

3 MR. PAIGE: So tell me how you feel about  
4 that question or your answer?

5 EULER, SHARON 41: I have also taught  
6 advanced placement environmental science for 15  
7 years, and so I have difficulty with just one  
8 thing that may cause death. I feel that  
9 there's many environmental factors, which I  
10 measured and talk to my students, so I have a  
11 little bit of a bias, yes.

12 MR. PAIGE: Okay. And that would be in  
13 favor of the --

14 EULER, SHARON 41: (Indicating).

15 MR. PAIGE: -- R.J. Reynolds? You have to  
16 say, for the court reporter. In favor of  
17 the -- no, you're pointing.

18 EULER, SHARON 41: Oh, I'm sorry. Not the  
19 Plaintiff.

20 MR. PAIGE: Okay. And so because of your  
21 feelings and your knowledge that you're coming  
22 into Court with, regardless of the evidence and  
23 the law, would it be difficult for you to be a  
24 fair and impartial juror in this case?

25 EULER, SHARON 41: I'm afraid it would be,

1           yes.

2           MR. PAIGE:   Okay.   And despite your best  
3           efforts, you might not be able to do that?

4           EULER, SHARON 41:   (Nods head.)

5           MR. PAIGE:   Okay.   Thank you very much.

6           And then number 16, good afternoon, ma'am.  
7           How are you?

8           BOWNGARDEN-ANDERSON, CINDY 43:   Good.  
9           Thank you.

10          I believe I could be fair and just.   I'd  
11          have to hear the law on it.   And I'd have to  
12          know the year in which she started smoking  
13          because a long time ago, they didn't put  
14          warnings on the packages and people didn't  
15          know, you know.   And they'd start smoking and  
16          then they would get addicted, addictive, you  
17          know -- substance in the cigarettes.

18          MR. PAIGE:   Okay.   I'm going to tell you  
19          this.   I'm going to talk a little bit about  
20          addiction later and we're going to talk about  
21          warnings later, but I think I understand how  
22          you feel on this question so I appreciate it.  
23          Thank you.

24          BOWNGARDEN-ANDERSON, CINDY 43:   Yes.

25          MR. PAIGE:   Number 28.

1 RODRIGUES, RAPHAEL 111: Yes.

2 MR. PAIGE: See, I could barely recognize  
3 you without your yellow shirt.

4 RODRIGUES, RAPHAEL 111: It must be the  
5 shiny hair.

6 MR. PAIGE: You snuck in here today.

7 RODRIGUES, RAPHAEL 111: I feel --

8 MR. PAIGE: For the record, I just want to  
9 repeat it so I know what you're responding to.  
10 I just want it to be clear.

11 So the question was: Who here believes  
12 that a smoker and the family shouldn't have a  
13 right to bring this type of lawsuit or they  
14 feel these type of lawsuits are frivolous or  
15 lack merit?

16 And you raised your hand. How do you feel  
17 in that regard?

18 RODRIGUES, RAPHAEL 111: I don't feel it's  
19 frivolous because we don't know the whole  
20 facts. Everybody has their own choice to smoke  
21 or not to smoke knowing that it is dangerous to  
22 smoke. And it's to each individual's position  
23 to smoke or not smoke and I'm not bias on any  
24 part and I feel like they make a rational  
25 decision.

1           MR. PAIGE:   Okay.   So you raised your  
2           hand.   Just so I'm understanding, you feel that  
3           you have a right to bring a lawsuit, right?  
4           You don't have a problem with -- you don't have  
5           a problem with smokers --

6           RODRIGUES, RAPHAEL 111:   No, I don't have  
7           a problem with smokers.

8           MR. PAIGE:   -- bringing a lawsuit, asking  
9           for a lot of money even though it's a legal  
10          product?   That doesn't bother you?

11          RODRIGUES, RAPHAEL 111:   No.

12          MR. PAIGE:   And you don't feel that this  
13          is a frivolous lawsuit at this point in time?

14          RODRIGUES, RAPHAEL 111:   No, because I  
15          don't know the full facts.

16          MR. PAIGE:   But of the facts that you  
17          know, that a smoker is suing, that doesn't  
18          concern you?

19          RODRIGUES, RAPHAEL 111:   No.

20          MR. PAIGE:   Okay.   Thank you, sir.   I  
21          appreciate that.

22          And then number 31.   Good afternoon.   And  
23          you raised your hand.   Tell me how you feel.

24          GREER, WAYNE 180:   It's an absolute choice  
25          whether you smoke or you don't.



1 THE COURT: I can't hear, I'm sorry, sir.

2 MR. PAIGE: Do you mind standing up a  
3 little just so the judge can hear you?

4 THE COURT: Let me tell you what we're  
5 trying to do. It's the acoustics in here.  
6 It's not you guys. The ceiling is not really  
7 designed for this. We are going to try to get  
8 a microphone if we can. But if you can, just  
9 raise your voice, just yell at me, if you  
10 would, please. I've been married 44 years.  
11 I'm used to it, believe me.

12 MR. PAIGE: And sometimes I might not  
13 speak that loud either. So I've had sometimes  
14 jurors, hey, can you speak up? And I apologize  
15 too. It's not the easiest thing to do in  
16 court.

17 So tell us how you feel.

18 GREER, WAYNE 180: It's an absolute choice  
19 whether you take that cigarette smoking or you  
20 don't. People know the risk. They know what  
21 it's about, and yet people still do it anyway.  
22 And, no, I don't feel they should be able to  
23 sue a company for something they made the  
24 choice for.

25 MR. PAIGE: Okay. Are those strong

1 feelings that you've held for a while?

2 GREER, WAYNE 180: Absolutely.

3 MR. PAIGE: And would it be difficult for  
4 you to set them aside?

5 GREER, WAYNE 180: It would be.

6 MR. PAIGE: And regardless of the evidence  
7 and the law, would it be fair to say it would  
8 be difficult for you to be an impartial juror  
9 in this case?

10 GREER, WAYNE 180: Yes, it would.

11 MR. PAIGE: Okay. I appreciate your  
12 honesty, sir. Thank you.

13 Number 40.

14 KNUTH, BENITA 270: That would be me.

15 MR. PAIGE: Did you raise your hand? Did  
16 you put your number up? You did?

17 KNUTH, BENITA 270: Yes.

18 MR. PAIGE: Okay. How are you?

19 KNUTH, BENITA 270: I'm fine, thank you.

20 MR. PAIGE: I'm okay. My back will  
21 probably be hurting me in a couple of hours.

22 Can you tell us how you feel?

23 KNUTH, BENITA 270: I believe smoking is a  
24 choice. I smoked for 33 years quite heavily  
25 and, quite frankly, I've never smoked a

1 cigarette I didn't like. Sixty years ago I  
2 quit but it took probably five efforts to quit.  
3 And I know how difficult it is.

4 To say that these types of cases are  
5 frivolous I think would make things rather  
6 oversimplified. A narrative of what we're  
7 talking about here because I don't think  
8 they're frivolous. I believe that there's two  
9 sides to every story and I don't know. I  
10 really think I could probably be fair and  
11 impartial.

12 MR. PAIGE: Okay. Thank you, ma'am. And  
13 you're number 40, correct?

14 KNUTH, BENITA 270: Yes.

15 MR. PAIGE: And then number 42, I think I  
16 know how you feel, I think you expressed  
17 something before. Thank you.

18 You're not mad at me for skipping over  
19 you? If you're mad, Mr. Boyce asked that I  
20 skip over you. I'm kidding. It's a joke.

21 I think we know how you feel. So thank  
22 you, sir.

23 And then number 43. Good afternoon, sir.

24 DAVIS, WILLIAM 284: Good afternoon. I do  
25 think the Plaintiff is starting out on a lower

1           end of the scale for me. I think everybody is  
2           responsible for their actions and that's the  
3           problem with society today, is people don't  
4           want to. But I haven't heard the preponderance  
5           of evidence. Was there something added to that  
6           cigarette to make it more addictive? I don't  
7           know. So I think I could be -- I could listen  
8           to the case fully and be, you know, come to the  
9           conclusion on either side, depending on the  
10          evidence.

11           MR. PAIGE: Okay. So, again, we represent  
12          the family of a smoker, right? Cigarettes are  
13          a legal product --

14           DAVIS, WILLIAM 284: Right.

15           MR. PAIGE: -- in our country, right?

16           DAVIS, WILLIAM 284: Yep.

17           MR. PAIGE: We're suing for, I'll tell  
18          you, a substantial amount of money --

19           DAVIS, WILLIAM 284: Right.

20           MR. PAIGE: -- right, for the wrongful  
21          death of a woman, right? And so on behalf of  
22          my client, I just want to know: Does that  
23          concern you to where you don't think you could  
24          be fair and impartial in this case regardless  
25          of the evidence and law?

1           DAVIS, WILLIAM 284: I think I could be  
2 fair once I've heard all the evidence.

3           MR. PAIGE: Okay. Thank you, sir.

4           Number 44. How are you, ma'am?

5           MOTA, DIANA 347: Yes, I -- I think that  
6 everyone makes a choice and there's  
7 consequences.

8           THE COURT: I need you to keep your choice  
9 up a little bit.

10          MOTA, DIANA 347: Sorry. I believe that  
11 everyone has a choice to smoke and again,  
12 there's consequences for everything that we do.  
13 So I don't believe anyone is starting ahead  
14 because I don't know the evidence, I don't know  
15 the story, I don't know the law. So I can't  
16 say anyone is starting ahead.

17          MR. PAIGE: Okay. And so -- and, again,  
18 it's my client's only day in court, right?

19          MOTA, DIANA 347: Uh-huh.

20          MR. PAIGE: And we have to decide on very  
21 few of you of the people that are here, at the  
22 end of the day. Again, we have a jury of 80  
23 people.

24          MOTA, DIANA 347: Right.

25          MR. PAIGE: Can't have a jury of 80

1 people. I'd hate to see 80 people  
2 deliberating, but I guess the question is:  
3 Should my client, or Mr. Boyce or my client  
4 have any concern with you being on the jury?  
5 Do you have any reservations about this type of  
6 case? Do you feel that you would hold me to  
7 any additional burden or anything like that?

8 MOTA, DIANA 347: No.

9 MR. PAIGE: Okay. Thank you.

10 46. Hello, ma'am. How are you?

11 TIEDER, GRACE 497: I'm fine.

12 MR. PAIGE: You raised your hand. And  
13 tell me why you raised your hand and why you  
14 feel that way.

15 TIEDER, GRACE 497: My mom and dad smoked.  
16 My dad quit after he retired. My mom did not.  
17 She was addicted, and she died of COPD. I feel  
18 that that was their choice. Mom tried hard,  
19 but she just couldn't. And I feel like -- I  
20 feel like I could be impartial.

21 MR. PAIGE: Okay. So I guess when you  
22 raised your hand -- and, again, like I was  
23 saying to one of these gentlemen, it's America,  
24 right? Everybody's entitled to their opinion.  
25 I'm not here to try to change your opinion. I

1 just want to know what it is.

2 TIEDER, GRACE 497: Right.

3 MR. PAIGE: And so when I asked you  
4 initially, I said, do you feel, you know, a  
5 relative in the family who's a smoker was suing  
6 for a lot of money, was suing the R.J. Reynolds  
7 Tobacco Company, who's selling a legal product.  
8 My question was: Do you feel we shouldn't  
9 really have the right to bring this type of  
10 lawsuit? Do you feel any way about that?

11 TIEDER, GRACE 497: I feel -- I feel if  
12 the family thinks that's what they should do,  
13 then I think they should do it.

14 MR. PAIGE: And the next part of the  
15 question was: Without hearing any of the  
16 evidence or the law, do you start out with the  
17 belief that these type of lawsuits are most  
18 likely frivolous or lack merit? No, you do not  
19 feel that way?

20 TIEDER, GRACE 497: No.

21 MR. PAIGE: Okay. Thank you, ma'am. So I  
22 appreciate that you didn't feel that way and  
23 then other people feel the other way, right?  
24 And that's what we're just trying to find out  
25 with a lot of questions, and I appreciate

1           everybody's patience with it. Thank you.

2           Number 49. Hello, ma'am.

3           ARRICO, SUZANNE 315: As far as I'm  
4           concerned, I have a husband that smoked for 30  
5           years, and he died of lung cancer. As far as  
6           the smoking association, I look at it this way:  
7           I mean, like you say, it's your choice to smoke  
8           or not to smoke. But as far as I'm concerned,  
9           I don't believe in it, and I just think that  
10          this is totally wrong.

11          There are so many things that go on in  
12          this world, and if this is the last thing they  
13          have to do is to sue for something that they  
14          know was wrong, then there's definitely  
15          something wrong in this country because, I  
16          mean, there's absolutely no reason why this  
17          should be happening. This is like the case  
18          where the coffee, the one that spilled a cup --  
19          McDonald's for spilling her coffee, and she got  
20          millions of dollars for this. What is wrong  
21          with this?

22          MR. PAIGE: And so I'm not going to debate  
23          the coffee case with you either or this case,  
24          but I think I know how you feel.

25          ARRICO, SUZANNE 315: Yes.



1           MR. PAIGE: And I'm not going to say, tell  
2 me how you really feel. Regardless of the  
3 evidence and the law, would it be difficult for  
4 you to set these feelings aside?

5           ARRICO, SUZANNE 315: I probably could set  
6 them aside, but as far as deep inside of me  
7 would be saying no.

8           MR. PAIGE: And so despite your best  
9 efforts, you're saying deep inside of you, do  
10 you think it would be difficult for you to be  
11 an impartial juror in this type of case?

12          ARRICO, SUZANNE 315: Probably not.

13          MR. PAIGE: It would not be difficult for  
14 you?

15          ARRICO, SUZANNE 315: No. I would just  
16 try to set my feelings aside.

17          MR. PAIGE: I know you would try. Ma'am,  
18 I know you'd try. I know you would try. I'm  
19 not just saying I know you're saying it. I  
20 have every bit of confidence that you would  
21 try.

22          ARRICO, SUZANNE 315: Yes.

23          MR. PAIGE: But, again, in all fairness to  
24 my client's only day in court, do you have some  
25 slight doubt or reasonable doubt in your mind

1 as to whether you could set those feelings  
2 aside?

3 ARRICO, SUZANNE 315: Yes.

4 MR. PAIGE: I appreciate that. Ma'am, I'm  
5 sorry. I don't mean to pick on you, number 49.  
6 Is it fair to say is the Plaintiff is starting  
7 out with at least a strike against her before  
8 we move on?

9 ARRICO, SUZANNE 315: Yes.

10 MR. PAIGE: All right. Thank you.

11 ARRICO, SUZANNE 315: You're welcome.

12 MR. PAIGE: Number 57, did you raise your  
13 paddle? You did? And how do you feel?

14 HODGE, LYNDIA 485: I've had three family  
15 members die of emphysema and COPD, or whatever  
16 they call it now. One was a smoker. Two were  
17 not. So I just don't understand -- I mean, I  
18 don't -- I don't know. I just don't know. I  
19 can't say I would. I just don't know.

20 MR. PAIGE: Okay.

21 HODGE, LYNDIA 485: I mean, one was from  
22 secondhand smoke from the person that died from  
23 emphysema, my dad. My grandmother was a  
24 smoker. My dad had severe asthma as a child,  
25 and they couldn't figure out that that's why he

1           was sick all the time, because they smoked a  
2           pipe and cigarette in the house. So she died  
3           when I was young, and probably six years ago  
4           Dad got COPD from secondhand smoke. My  
5           father-in-law died, and we think -- he never  
6           smoked. We think it was from his job, inhaling  
7           stuff.

8           MR. PAIGE: What did he -- what did he do?

9           HODGE, LYNDA 485: Worked in a radiator  
10          shop.

11          MR. PAIGE: Okay. And so --

12          HODGE, LYNDA 485: And I also feel like  
13          choices have consequences, so I just don't -- I  
14          just don't know --

15          MR. PAIGE: Okay.

16          HODGE, LYNDA 485: -- how I would feel  
17          because I don't know the law, and I don't know  
18          the circumstances.

19          MR. PAIGE: Okay. So like some people are  
20          saying, I feel very strongly -- I feel these  
21          types of cases shouldn't be brought, I feel  
22          they're frivolous, and that's how I feel, and  
23          honestly I would have -- to be fair with  
24          everybody --

25          HODGE, LYNDA 485: To be fair with you, I

1           just do not know.

2           MR. PAIGE:   Okay.   And that's what I was  
3           going to ask you.

4           HODGE, LYNDIA 485:   I just don't know how I  
5           would feel.

6           MR. PAIGE:   Do you have any -- I guess  
7           what we need to know is -- I'm taking it that  
8           you would try to be a fair juror, right?

9           HODGE, LYNDIA 485:   Oh, yeah.

10          MR. PAIGE:   And you'd try your best?

11          HODGE, LYNDIA 485:   Yes.

12          MR. PAIGE:   And do you have any doubt in  
13          your mind as to whether you could be a fair and  
14          impartial juror in this case?

15          BROWN, ANDEM 338:   Oh, no.   No doubt.

16          MR. PAIGE:   No doubt?

17          BROWN, ANDEM 338:   No doubt.

18          MR. PAIGE:   Thank you.

19          THE COURT:   Let me interrupt you for just  
20          a second.   We have a microphone we can pass  
21          around back there.   I'm going to warn all of  
22          you, no singing.   No singing.

23          But juror number 40, where is juror number  
24          40?

25          KNUTH, BENITA 270:   That's me.

1           THE COURT: Could we ask you to be the  
2 holder of the microphone? You'll be home base,  
3 and then you're just passing it around to the  
4 different people that need it, okay?

5           COURT DEPUTY: The Price is Right. To  
6 save the battery on it, there's a switch on the  
7 side that turns it off and on. I'm going to  
8 leave it off. The light comes on whenever it's  
9 on. You don't have to hold it right up to your  
10 mouth.

11          THE COURT: Thank you very much. We will  
12 pass it down to anybody, if you need to.  
13 Please proceed.

14          MR. PAIGE: Number 57, let me ask you  
15 something. I may have misunderstood you. I  
16 don't think I did, but maybe I did. I just  
17 want to know: As we are starting this trial,  
18 are the parties starting out even, or is the  
19 Plaintiff starting out with a strike against  
20 them, in your mind?

21          HODGE, LYNDIA 485: Even. I just don't  
22 have --

23          MR. PAIGE: Okay.

24          HODGE, LYNDIA 485: I'm undecided, I guess.

25          MR. PAIGE: Okay. 58 and 59, I think I

1 know how you guys feel, so thank you. I'm  
2 going to skip over you. Don't get mad.

3 And then 61, did you raise your paddle or  
4 no? You did not.

5 And then 63, you raised your paddle?

6 NIEVES NEGRON, NAKZALI 505: Yes.

7 MR. PAIGE: And so do you need a  
8 microphone?

9 THE COURT: Let's go ahead and pass it  
10 down. It helps me a lot to be able to hear, so  
11 if you can use it.

12 NIEVES NEGRON, NAKZALI 505: I can talk  
13 louder.

14 MR. PAIGE: If you'd like to stand, you  
15 can stand.

16 NIEVES NEGRON, NAKZALI 505: Oh, yeah. I  
17 prefer to stand.

18 MR. PAIGE: That's probably easier. And  
19 so tell us how you feel.

20 NIEVES NEGRON, NAKZALI 505: I think I can  
21 be partial because all the people that I know  
22 that smoke, when they talk about it, they said  
23 the same thing. I know the consequence. I  
24 know I can be sick. I can have different  
25 conditions, but not now, so I'm still doing it.

1 Others take a choice, like my dad, too.  
2 He'd say, I don't want to smoke no more. He  
3 passed almost two month buying cigarettes, and  
4 he'd say, wait a minute, I buy cigarettes for  
5 everyone. Everyone who pass by, oh, you have a  
6 cigarette? And he buys cigarette for everyone,  
7 and he's understanding that he will need it  
8 more.

9 My sister's doing it, but she say, I want  
10 it. I do it because I like it. So everyone  
11 have the choice, and I can't be partial because  
12 I don't understand.

13 MR. PAIGE: You can or you cannot?

14 NIEVES NEGRON, NAKZALI 505: No, I cannot.  
15 I cannot because I understand that they have  
16 the choice. They understand the consequences  
17 they can have, and they still doing it. So I  
18 don't understand what the -- I don't know the  
19 evidence, but I can't go by the company, if my  
20 sister have a condition for smoke because she  
21 don't have the time to read the box or she  
22 don't care or whatever. So I can't be partial  
23 on that.

24 MR. PAIGE: You cannot? So let me ask  
25 you, just so the record's clear, regardless of

1           the evidence and the law, will it be difficult  
2           for you to set those feelings aside?

3           NIEVES NEGRON, NAKZALI 505: Uh-huh.

4           MR. PAIGE: Yes?

5           NIEVES NEGRON, NAKZALI 505: Yes.

6           MR. PAIGE: Okay. And dispute your best  
7           efforts, you think it would be difficult for  
8           you to be an impartial juror in this case?

9           NIEVES NEGRON, NAKZALI 505: Yes.

10          MR. PAIGE: Thank you for your honesty.

11          And then number 64 and 65, I think we know  
12          how you all feel.

13          Is that correct?

14          MR. BOYCE: Yes.

15          MR. PAIGE: And then is the microphone way  
16          back there?

17          REIMER, KARL 488: I have a question. How  
18          come you skipped over us?

19          MR. PAIGE: How come I skipped over you?

20          THE COURT: I don't know, which juror is  
21          that?

22          MR. PAIGE: Number 59, right? Okay.

23          THE COURT: Let me tell you what happens  
24          with a lot of this. I asked you questions over  
25          the last couple of days. Some have been asked



1           before and sometimes we have the information  
2           that we need based on prior responses.

3           And what we're trying to do again, there's  
4           80 of you, and we're trying to be judicious of  
5           your time. So if we're skipping you, instead  
6           of saying, why are you skipping me, you should  
7           be saying, thank God he skipped me.

8           REIMER, KARL 488: We did say that.

9           THE COURT: Obviously, if there's  
10          something important, we need to hear it. But  
11          counsel has some specific reasons for going to  
12          different people. Maybe, if his writing is as  
13          bad as mine, I don't know, I can't read my  
14          writing sometimes. That's the reason I go  
15          back. But sometimes I can, and that's why I  
16          don't need to ask.

17          So please proceed.

18          REIMER, KARL 488: I thought maybe he  
19          didn't like my face.

20          MR. PAIGE: So number 67, you don't need a  
21          microphone, right?

22          ADAMS, JAMIE 560: No.

23          I did raise my paddle because I feel  
24          everybody has a choice. I don't necessarily  
25          think that it's frivolous, it's not wasting

1           everybody's time. So I feel like I can be  
2           impartial.

3           MR. PAIGE: Thank you, ma'am.

4           And then 68.

5           ANGLERO, STEPHANIE 556: I feel the same  
6           way. I also feel that it's a choice. You  
7           decide whether you want to or not. You know  
8           the consequences.

9           I do have a family member who always says,  
10          oh, I want to quit, I want to quit, but it  
11          never happens, you know. So I just --

12          MR. PAIGE: And I'll probably speak to you  
13          about that in a little bit. I guess just for  
14          this point, it's like -- when we do this,  
15          there's different steps we have to get to. If  
16          I told you guys how many hours of questions I  
17          have, you'd probably be angry right now.

18          Let me ask you this: Right now, are the  
19          parties starting out even or is one party  
20          starting out behind in your mind?

21          ANGLERO, STEPHANIE 556: I don't know.

22          MR. PAIGE: Okay. And I guess what I want  
23          to know, in the back of my mind -- probably a  
24          lot of the questions I ask, we'll save him some  
25          time later, I'm sure he has additional

1           questions when I get done.

2           So what I want to know is at this point,  
3           is there anything that my client should be  
4           concerned about having you as a juror, or do  
5           you think right now we are starting out even  
6           and you could be fair and impartial?

7           ANGLERO, STEPHANIE 556: I think I could  
8           be fair and impartial.

9           MR. PAIGE: Okay. Thank you.

10          And 69, how are you, sir?

11          ACEVEDO, WILFREDO 553: Yes. I'm  
12          wonderful.

13          I don't feel that a lawsuit should be able  
14          to be filed --

15          THE COURT: Can I get you to speak a  
16          little louder?

17          MR. PAIGE: Maybe you could stand.

18          ACEVEDO, WILFREDO 553: I don't feel that  
19          a lawsuit should be made based upon a risk and  
20          a decision made to smoke.

21          MR. PAIGE: Okay. Thank you. And so  
22          regardless of the evidence and the law in this  
23          case, would it be difficult for you to set  
24          these feelings aside?

25          ACEVEDO, WILFREDO 553: Actually, no.

1           MR. PAIGE: It would not be difficult for  
2           you?

3           ACEVEDO, WILFREDO 553: No.

4           MR. PAIGE: Could you be a fair and  
5           impartial juror in this case?

6           ACEVEDO, WILFREDO 553: Uh-huh.

7           MR. PAIGE: You can? You cannot.

8           ACEVEDO, WILFREDO 553: No.

9           MR. PAIGE: I feel like I'm being cross  
10          examined.

11          Let me just for the record so we're clear,  
12          it sounds like you feel that this lawsuit  
13          should not have been brought.

14          ACEVEDO, WILFREDO 553: Yeah.

15          MR. PAIGE: And, again, like number 10,  
16          this gentleman, he had some strong feelings,  
17          you remember? Do you feel similar to the way  
18          he felt?

19          ACEVEDO, WILFREDO 553: Yes.

20          MR. PAIGE: And despite your best efforts,  
21          would it be difficult for you to set those  
22          aside and would you most likely bring those  
23          back with you into the jury room if you were a  
24          juror?

25          ACEVEDO, WILFREDO 553: I would.

1           MR. PAIGE: And so despite your best  
2           efforts, regardless of the evidence and the  
3           law, would it be difficult for you to be an  
4           impartial juror in this case?

5           ACEVEDO, WILFREDO 553: Yeah.

6           MR. PAIGE: Okay. Thank you.

7           And then I'll add two more, and then we'll  
8           move on to another question, which I may skip  
9           because it's very similar to this one, but  
10          we'll see.

11          Number 77.

12          DAVIS, RODNEY 595: I feel the same way.  
13          I think that everybody has a choice.

14          I think I have more of a problem with the  
15          settlement end of it. I have a father who  
16          smoked for 40 years, and he had a surgery done  
17          on his throat, and the doctor killed him on the  
18          table.

19          And they told him at that point in time,  
20          when he was 80 years old, that his life was  
21          only worth \$100,000. And I think that is  
22          totally wrong when we're sitting here talking  
23          about the type of settlement that you're  
24          talking.

25          But as far as being partial with this, I

1           could be. I think you're starting out even and  
2           we'd go with the facts at that point.

3           MR. PAIGE: Okay. So I'm not sure if I  
4           understood that. So you have a problem with --

5           DAVIS, RODNEY 595: The settlement side.

6           MR. PAIGE: So if later, when we talk  
7           about money and things like that, you might  
8           have a problem with that?

9           DAVIS, RODNEY 595: Right.

10          MR. PAIGE: You feel that we have a right  
11          to bring the lawsuit, right?

12          DAVIS, RODNEY 595: Correct.

13          MR. PAIGE: But whether we're suing for a  
14          lot of money for pain and suffering, you have a  
15          problem with that.

16          DAVIS, RODNEY 595: Yes.

17          MR. PAIGE: And those type of feelings,  
18          because of your experience with your father,  
19          would it be difficult for you to set that  
20          aside?

21          DAVIS, RODNEY 595: I can set that aside,  
22          yes.

23          MR. PAIGE: And so if the evidence and the  
24          law supported a verdict, a large verdict for a  
25          substantial amount of money for pain and

1 suffering, is that something you could do?

2 DAVIS, RODNEY 595: Again, I'd have to  
3 listen to the facts.

4 MR. PAIGE: Do you have any doubt in your  
5 mind?

6 DAVIS, RODNEY 595: No.

7 MR. PAIGE: Thank you, sir.

8 Number 78, I'm going to skip you, okay. I  
9 think we know how you feel, okay?

10 And then last but not least, number 80,  
11 did you have your --

12 WALTON, LATOYA 590: I feel like it's a  
13 choice, but I also feel kind of biased toward  
14 the company because I feel like why are you  
15 producing products to put people in that  
16 situation in the first place? So I'm kind of  
17 like straddling the fence.

18 MR. PAIGE: So in your mind, you -- and  
19 again, you haven't heard the evidence and the  
20 law in this case, right? And you don't know  
21 what they've done yet, right?

22 WALTON, LATOYA 590: No.

23 MR. PAIGE: So at this point, are the  
24 parties starting out even?

25 WALTON, LATOYA 590: Right.

1 MR. PAIGE: Okay. Thank you.

2 WALTON, LATOYA 590: I would be open just  
3 hearing the evidence and going from there.

4 MR. PAIGE: Okay. Thank you.

5 And so, Your Honor, is it a good time for  
6 a break?

7 THE COURT: I was just going to ask you,  
8 Mr. Paige. It sounded like you were at a  
9 breaking point.

10 Folks, you've been sitting here an hour  
11 and 15 minutes. We're going to go ahead and  
12 give you a break. We have 80 of you and  
13 limited restrooms. So if I told you we had a  
14 10-minute break, that wouldn't go over very  
15 well. What we're going to do is give you 15 or  
16 20 minutes. If you need more time, let the  
17 deputy know. But now is a good time to stretch  
18 your legs.

19 Do not do any research about any of the  
20 issues. Do not discuss the case amongst  
21 yourselves or with anybody else. Leave your  
22 paddles on your chairs, please.

23 (Jurors exited the courtroom.)

24 THE COURT: I understand there's restrooms  
25 on every floor, so if there's some of you that



1 want to go up or down, that will help a little  
2 bit.

3 (Recess 2:30 p.m. until 2:31 p.m.)

4 THE COURT: It looks like the door is now  
5 closed. Is there a matter we need to go over?

6 MR. PAIGE: There were a couple jurors  
7 that needed to check on their wages, and it  
8 looks like they're not going to get paid.  
9 Remember that from yesterday?

10 MR. BOYCE: So it's the juror in seat 8  
11 and seat 47.

12 THE COURT: Seat 8 and seat 47?

13 MR. BOYCE: Yes. And we've agreed both  
14 can be excused for cause.

15 I don't have a preference on how the Court  
16 proceeds with juror 47, but I have -- I have no  
17 problem letting 8 go now. As you may recall,  
18 she works in that business where the son of the  
19 person that passed away had to cover for her.

20 THE COURT: Yes.

21 MR. BOYCE: I have no problem with letting  
22 her go now. She told us on the record that --

23 THE COURT: Yeah. I have a note.

24 MR. BOYCE: And 47 can be excused for  
25 cause as well.

1 THE COURT: Same reason?

2 MR. BOYCE: Same reason.

3 THE COURT: Mr. Paige, you said you have  
4 no objection?

5 MR. PAIGE: No objection, Your Honor.

6 THE COURT: I will let them go when they  
7 come back in. Number 8 and number 47.

8 There was -- 14 needed to talk about  
9 something?

10 COURT DEPUTY: Yes, but she needed to go  
11 to the restroom first.

12 THE COURT: Okay. We'll deal with that.

13 Let me give everybody a break here.

14 We're going to keep the jury out for about  
15 10 minutes. So if anybody needs to use the  
16 restroom, go ahead and do that.

17 (Recess 2:34 p.m. until 2:39 p.m.)

18 THE COURT: We have one juror that has a  
19 question on something, so I want to bring her  
20 in first.

21 Jason, do you have any idea what it was  
22 she was asking about?

23 COURT DEPUTY: She mentioned something  
24 about tomorrow and having to make some phone  
25 calls to make plans or something.

1 THE COURT: She's number 14?

2 COURT DEPUTY: Yes.

3 THE COURT: Are you ready to take an  
4 individual question? Mr. Paige?

5 MR. PAIGE: Pardon me?

6 THE COURT: Yeah. We've got one coming in  
7 that just wanted to talk to me about something.

8 MR. PAIGE: Yes.

9 COURT DEPUTY: Time is of the essence and  
10 she needed to make a call.

11 THE COURT: Okay. Let me bring her in for  
12 just a minute. Go ahead and bring her in.

13 MR. PAIGE: What number is she?

14 THE COURT: 14. Seat 14. I think it's  
15 just a phone call she needs to make about  
16 something.

17 Come on in, ma'am. Just have a seat in  
18 one of those front seats there, if you would.

19 What was the issue that you had?

20 ROSENBERG, NAROLA 40: I just wanted to  
21 know if you anticipate wrapping this up today  
22 or if we should plan on returning tomorrow?  
23 Tacky as it sounds, I have an early morning tee  
24 time.

25 THE COURT: The wrapping it up today is an

1           impossibility with regard to the case itself.  
2           Getting a jury selected probably is not going  
3           to -- it's going to go into tomorrow.

4           ROSENBERG, NAROLA 40:   Okay.   So I'd  
5           better cancel my tee time.

6           THE COURT:   Either that or move it later  
7           to the day.   I don't know which would be better  
8           for you.

9           ROSENBERG, NAROLA 40:   No problem.   Thank  
10          you so very much.

11          THE COURT:   Okay.   No problem.   We'll get  
12          you back here in just a minute.   Did everybody  
13          seem like they've done what they needed to do  
14          out there?

15          COURT DEPUTY:   It appears to be, Judge.

16          THE COURT:   Okay.   Let's go ahead and  
17          bring them back in.

18          MR. PAIGE:   Your Honor, we have some more  
19          that we can agree to.   So can we stay on the  
20          record?

21          THE COURT:   Well, hold on just a second.

22          All right.   I've got right now you both  
23          agreed that number 8 and number 47 need to be  
24          excused.   Are you talking about excusing them  
25          now or excusing them later?

1           MR. PAIGE: He was talking about excusing  
2           them now.

3           MR. BOYCE: Again, I leave it up to you.  
4           8 is the one I thought we could excuse now,  
5           given what she told us before about what was  
6           going on at the business. So I have no  
7           objection to letting her go now. I have no  
8           objection to letting 47 go now.

9           THE COURT: I think I'm going to let both  
10          of them go but Mr. Paige was talking about  
11          there are some other ones that you're agreeing  
12          on?

13          MR. BOYCE: Just some other people for  
14          cause that we'd like to keep around for the --

15          THE COURT: Okay. And tell me who those  
16          are.

17          MR. PAIGE: It's one, number 6.

18          THE COURT: Go slow here. Number 6.

19          MR. PAIGE: 9.

20          THE COURT: Okay.

21          MR. PAIGE: 10.

22          THE COURT: Okay.

23          MR. PAIGE: 15.

24          THE COURT: Okay.

25          MR. PAIGE: 31?

1 THE COURT: 31?

2 MR. PAIGE: 35.

3 THE COURT: Wait a minute. 31, you said?

4 MR. PAIGE: Yes, sir.

5 THE COURT: 31.

6 MR. PAIGE: 35.

7 THE COURT: 35 you had already told me  
8 about.

9 MR. PAIGE: Oh, did we?

10 THE COURT: Yep.

11 MR. PAIGE: Okay. 49.

12 THE COURT: Let me get there. 49.

13 MR. PAIGE: 56.

14 THE COURT: 56. Okay.

15 MR. PAIGE: 63.

16 THE COURT: 63.

17 MR. PAIGE: And 69.

18 THE COURT: 69?

19 MR. PAIGE: And then 8 and 47 we talked  
20 about.

21 THE COURT: Wait a minute hold on. 69.

22 Who was the next one?

23 MR. PAIGE: 8 and 47 are the ones that we  
24 agreed to.

25 THE COURT: Right.

1           MR. PAIGE: And then 54 wanted to come in  
2 and tell us something privately about that  
3 question. Remember, I had asked him the  
4 question and he didn't want to say it in person  
5 than in front of everybody, so if we can call  
6 him in before we -- 54.

7           THE COURT: Yeah. I see that.

8           Yeah. Let me deal, first of all, we've  
9 got the one taken care of. Yeah. Let's go  
10 ahead and bring in 54, if you would. 54.  
11 Seat -- placard 54.

12           Thank you, sir. Appreciate it.

13           Were you placard number 54, juror number  
14 440?

15           McAFEE, THOMAS 440: Uh-huh.

16           THE COURT: Is that a yes?

17           McAFEE, THOMAS 440: Yes.

18           THE COURT: Remember you need to answer  
19 out loud for the court reporter.

20           McAFEE, THOMAS 440: Oh, okay.

21           THE COURT: There was something you wanted  
22 to tell me in private and I know that this  
23 doesn't look very private, but none of the  
24 other jurors are in here, and all the attorneys  
25 and the parties have a right to be here. So

1           can you share with us what that was?

2           McAFEE, THOMAS 440:   Okay.  I have trouble  
3           speaking in front of a lot of people, so that's  
4           why --

5           THE COURT:   Just ignore us.

6           McAFEE, THOMAS 440:   That's why I didn't  
7           want to say.

8           THE COURT:   That's okay.  Can you tell me  
9           what it is now?

10          McAFEE, THOMAS 440:   It's just that -- I  
11          think people's known about the dangers of  
12          tobacco for a while and I think suing for that  
13          is -- I just don't believe in it.

14          THE COURT:   If -- what would be happening  
15          is if you're on the panel, you would be  
16          instructed in the law.  You would listen to the  
17          testimony, listen to the evidence, and be  
18          instructed in the law.  And we would ask you to  
19          follow the law in deciding what you would  
20          recommend in this case and in the verdict.

21          Do you think you would be able to do that  
22          or would that be a problem for you?

23          McAFEE, THOMAS 440:   Well, I just don't  
24          see me changing my mind about it.

25          THE COURT:   Changing your mind about what?



1           McAFEE, THOMAS 440: About suing for  
2           the --

3           THE COURT: I'm not sure I understand what  
4           you're saying. Are you saying that you don't  
5           think somebody ought to be able to sue? I need  
6           you to answer out loud.

7           McAFEE, THOMAS 440: Yes.

8           THE COURT: So if -- you don't think  
9           anybody ought to be able -- if they are injured  
10          in some manner, ought to be able to file a  
11          lawsuit, come into a courthouse and sue  
12          somebody alleging that something was done wrong  
13          and caused an injury and then six people or  
14          eight people decide that case?

15          McAFEE, THOMAS 440: Well, what I said  
16          that -- about the dangers have been known for a  
17          while now, so -- and there's ways you can quit,  
18          so I don't believe it's totally their fault.

19          THE COURT: Do you understand that the  
20          testimony may be -- I don't know what the  
21          testimony is going to be as to how long the  
22          dangers would be known or whether you could  
23          quit or whether you cannot quit? You don't  
24          think you could be in a position where you  
25          could listen to that testimony and decide from

1           that testimony?

2           McAFEE, THOMAS 440: No.

3           THE COURT: Do you have any questions on  
4           this particular area?

5           MR. PAIGE: I don't think so. Can we  
6           agree?

7           MR. BOYCE: Yeah, I agree. I don't have  
8           any questions.

9           THE COURT: All right. Thank you, sir.  
10          If you'll just step outside, we'd appreciate  
11          it.

12          So he's going to be excused later on?

13          MR. PAIGE: Yes.

14          THE COURT: All right. Let's go ahead and  
15          bring everybody else in. I am going to excuse  
16          two of them when they come in but not the  
17          others. That was seat 54, juror number 440,  
18          will subsequently be excused by agreement of  
19          counsel.

20          (Jurors entered the courtroom.)

21          THE COURT: Please be seated, folks.  
22          Please be seated.

23          Ladies and gentlemen, thank you so much.  
24          Sorry it took so long. Hopefully you all got  
25          the use of the restroom that needed to.

1           Our system of jury selection is really not  
2           a system of jury selection. It's a system of  
3           jury deselection. It's not to make you feel  
4           bad. But there are -- during this process  
5           sometimes we're going to excuse people for  
6           different reasons. The reasons are not really  
7           important. We're going to seat number 8, you  
8           are free to go and you have to go downstairs.  
9           Don't cheer.

10           FIELDS, BRITNEY 20: Oh, I'm sorry.

11           THE COURT: You got some mean smirks from  
12           some people.

13           And number 47. Juror 47? There you are.  
14           You're free to go too, sir. Thank you very  
15           much.

16           And the one other individual I'm going to  
17           excuse right now, juror 78, this is your last  
18           chance on the philosophy test. Are you sure  
19           you want to get out of here?

20           WHITMAN, EMILY 593: Yes.

21           THE COURT: Okay. You've got to pass it  
22           now. You've got a lot of people counting on  
23           you. Thank you. You're excused. Go ahead.

24           I'm sure Mr. Paige will tell you this and  
25           later on Mr. Boyce will tell you the same

1           thing. If when you come back in -- just as he  
2           has now, he's going to start up asking you  
3           questions, Mr. Paige is. But if you have any  
4           changes to what you've already told him that  
5           you need to add or some information you need to  
6           provide, please let him know that. He's not  
7           always going to ask that of you but please let  
8           him know. He wants to know that.

9           Go ahead.

10          MR. PAIGE: Thank you, Your Honor.

11          Okay. So this case, it's a little bit  
12          different than a regular case, not only because  
13          it's a smoker case but it's part of, as the  
14          judge told you, a prior class action. You  
15          remember the judge told everybody about that in  
16          the little facts, that this was a -- there was  
17          a prior class action that was filed sometime in  
18          the '90s on behalf of certain smokers in  
19          Florida. Do you remember that?

20          And so one of the issues in this case, you  
21          have to understand, is that one of the things  
22          that you're going to determine individuals now  
23          have rights to bring these lawsuits in Florida,  
24          and then the jury decides if they are members  
25          of this class. And then if they are members of

1 the class, there are certain findings from a  
2 different jury, that the Florida Supreme Court  
3 has approved that would be applied. So it's a  
4 little complicated but you all will hear that.

5 So the question is -- one of the questions  
6 that the jury will be asked is to determine  
7 whether or not -- her name was Totsie Fleming,  
8 who was the smoker who died. And I don't know  
9 if I asked, by the way, when we went through  
10 the witnesses, does anybody know or did anybody  
11 know Totsie Fleming here, by any chance?

12 No. Okay.

13 And so one of the issues is going to be is  
14 she a class member? And to be a class member,  
15 there was a lawsuit that was filed in the '90s  
16 and it was for certain residents, smokers in  
17 Florida, during a certain time period who were  
18 injured from smoking between '90 and 96,  
19 actually. And the question will be, was she --  
20 two of the questions are: Was she addicted to  
21 nicotine and --

22 MR. BOYCE: Objection, Your Honor. Case  
23 specific preview.

24 THE COURT: Sustained.

25 MR. PAIGE: Well, I'm going to be asking

1 the jury about whether -- questions about  
2 addiction and nicotine. Addiction and nicotine  
3 will be an issue in the case, okay? So whether  
4 a smoker is addicted to nicotine is an issue.

5 And so part of your job, as I said, will  
6 be to determine whether she was a class member.  
7 And so because addiction and nicotine is going  
8 to be an issue, an important issue, to both  
9 parties. It'll be important to the Plaintiff  
10 and very important to the Defendant -- we'll be  
11 talking about a lot during trial, but -- so the  
12 question is whether it's smoking or whether  
13 it's exercise, some people believe that there  
14 are many people who just make excuses, a lot of  
15 excuses for their choices in life. They say,  
16 hey, I'm addicted to this or I'm addicted to  
17 that and they don't believe in addiction. They  
18 don't believe in nicotine addiction.

19 So the question I'm going to have and I'm  
20 going to do the same thing, I'm going to ask  
21 you all -- no, I'm going to ask you all first.  
22 And then I'm going to go backwards, you all and  
23 you all.

24 So regardless of the evidence in the case,  
25 the question is: How many of you feel that

1           most smokers, most smokers who claim that they  
2           smoke because they're addicted to nicotine are  
3           merely making excuses for their choices and you  
4           would have a difficult time finding that  
5           somebody is smoking because they were addicted  
6           to nicotine?

7           MR. BOYCE:  Objection, Your Honor.  It's  
8           asking for a precommitment.

9           THE COURT:  Sustained as worded.

10          MR. PAIGE:  I'll rephrase it.

11                 Is there anybody here -- I'll go through  
12           it again.  Some people think that people are  
13           making excuses for their choices, some people  
14           would have a difficult time finding that  
15           somebody's smoking merely because they're  
16           addicted to nicotine.  And so who here on this  
17           side doesn't really believe in -- who here  
18           doesn't believe in nicotine addiction, that  
19           people smoke because they're addicted to  
20           nicotine?  Can you raise your hand?

21                 Does anybody feel that way, that people --  
22           you don't believe that people smoke because  
23           they're addicted to nicotine?  Nobody?

24                 Okay.  How about over here?  Is there  
25           anybody here who feels, again, feel people make

1       excuses for their behaviors, people make  
2       excuses for their smoking? A lot of smokers  
3       say, "I'm addicted to nicotine." Is there  
4       anybody over here who would have a hard time --  
5       has a hard time believing that smokers smoke  
6       because they're addicted to nicotine? Anybody?

7               Number 58? Thank you. 59.

8               You can't hear me?

9               HAHN, MISHA 523: No, I'm not sure if I'm  
10       understanding the question.

11              COURT REPORTER: Number please.

12              TIDER, GRACE 497: Are you asking if  
13       smokers smoke because they're addicted? Is  
14       that what your question is? I believe that  
15       smokers smoke because they are addicted, for  
16       the most part. Not 100 percent of them do but  
17       for the most part, yes.

18              MR. PAIGE: What number are you, ma'am?  
19       46?

20              TIEDER, GRACE 497: I was asking the same  
21       question, and I agree also.

22              MR. PAIGE: Okay. And then over here, is  
23       there anybody who would have a difficult time  
24       finding that smokers -- that a smoker is  
25       smoking because they're addicted to nicotine?



1           MR. BOYCE: Same objection, Your Honor.  
2           Asking for a --

3           THE COURT: Same ruling. Sustained.

4           MR. PAIGE: Is there anybody here who  
5           doesn't believe that smokers smoke because  
6           they're addicted to nicotine?

7           MILLER, SALLY 07: I think some.

8           THE COURT: We need to get the microphone  
9           over there.

10          MILLER, SALLY 07: I just wanted to  
11          clarify that I feel some do have an addiction,  
12          and some do it because they like to.

13          MR. PAIGE: Thank you, ma'am.

14          So in this case, in the trial, the trial  
15          is going to be, as the judge told you all, it's  
16          going to probably go three weeks, starting from  
17          Monday, so not three weeks from today, and  
18          maybe a little bit into a fourth week. There's  
19          a lot of issues in the case, a lot of things  
20          that go on. But if the jury who's chosen does  
21          find that Totsie Fleming was addicted to  
22          nicotine, and her addiction was a cause of her  
23          death, she would be a class member, and then  
24          there are certain findings that the Supreme  
25          Court of Florida has approved, okay?

1           So the jury in this case would have to  
2           find binding on this case -- the jury would be  
3           bound for them, and they would have to apply  
4           them as if they found them themselves, okay?  
5           It's kind of difficult because you weren't part  
6           of the original jury in this class action, but  
7           it went to the Supreme Court, and these are  
8           findings. I'm going to read them to you all,  
9           okay, and then I'm going to ask you some  
10          questions about them.

11          So if -- if -- and again, it's our burden  
12          of proof, right? But if we meet our burden of  
13          proof that Totsie Fleming was a class member of  
14          this class of smokers in Florida, the findings  
15          that are binding, the judge will instruct you  
16          that the law in the State of Florida are as  
17          follows:

18                 Number one, cigarettes with nicotine are  
19                 addictive.

20                 Number two, the Defendant's product causes  
21                 diseases, including COPD and emphysema.

22                 Number three, R.J. Reynolds was negligent.  
23                 That's a finding in the case that would be  
24                 binding on you if she was a class member.

25                 Number four, R.J. Reynolds concealed and

1           omitted material information not otherwise  
2           known or available, knowing that the material  
3           was false or misleading or failed to disclose a  
4           material fact concerning the health effects or  
5           addictive nature of smoking cigarettes or both.

6           And number six, the last one -- I skipped  
7           one? Oh, I skipped one. Thank you.

8           R.J. Reynolds placed cigarettes on the  
9           market that were defective and unreasonably  
10          dangerous is another finding.

11          And the last one is, R.J. Reynolds agreed  
12          with other tobacco companies to conceal or omit  
13          material information concerning the health  
14          effects of cigarettes or their addictive nature  
15          with the intention that smokers and the public  
16          would rely on that information to their  
17          detriment. Okay?

18          And so does everybody understand that?  
19          Does anybody have a problem following what I'm  
20          saying? It's a little complicated. It's  
21          something that we do, and I'm just reading it  
22          and throwing it out there.

23          Does anybody have a problem following  
24          that? Over here and over here. Number 63?  
25          Okay.

1           And everybody over here? Okay. So let me  
2           see if I can explain it to you.

3           Can you tell me what -- is there something  
4           that you don't understand or --

5           NIEVES NEGRON, NAKZALI 505: I don't  
6           understand.

7           MR. PAIGE: Okay. 'Cause of my English,  
8           or am I speaking too fast or is it just the  
9           whole concept?

10          NIEVES NEGRON, NAKZALI 505: The whole  
11          concept.

12          MR. PAIGE: So I'll try it one more time.  
13          I'm sure it's probably my fault, and maybe I'll  
14          help some people. There was a class action in  
15          Florida that was filed on behalf of smokers who  
16          were injured during a certain time period,  
17          okay? It was filed as a class action. It went  
18          to the Supreme Court. The Supreme Court held  
19          that individuals had to file their cases, but  
20          if they prove that they were a member of this  
21          class, which had to do with that addiction  
22          issue and other issues that I told you about,  
23          if they find that, there are certain findings  
24          that the other jury found and the Appellate  
25          Courts and the Supreme Court affirmed, and

1           those findings are those six things that I just  
2           read to you, and those are binding against R.J.  
3           Reynolds. They cannot be disputed. They  
4           cannot be contested, and they are -- it's the  
5           law in this case, okay? And the law had to do  
6           with a defective product, that they were  
7           concealing information, that they were making  
8           agreements, that stuff, okay? Follow me so  
9           far?

10           NIEVES NEGRON, NAKZALI 505: Yeah.

11           MR. PAIGE: Okay. And so what I want to  
12           tell you all, that these findings -- those  
13           findings mean nothing at this stage. The fact  
14           that I told you that these are findings, you  
15           can't rely -- the juries chosen in the case,  
16           they can't rely on those findings in  
17           determining whether somebody's a class member,  
18           okay? The class member questions have to do  
19           with addiction and disease, and they're  
20           separate from those findings. Does everybody  
21           understand that? Those findings only apply,  
22           and you can only benefit from them in Florida  
23           if you are a class member. Fair enough? Okay.  
24           And so right now, under the eyes of law,  
25           the findings don't apply to Totsie Fleming.

1           They don't apply to her, and they cannot be  
2           applied against R.J. Reynolds right now. Fair  
3           enough? Okay.

4           And so if I were to ask you right now, you  
5           know, these findings about defective product  
6           and concealing information and agreeing with  
7           other tobacco companies, because of those,  
8           would you find against R.J. Reynolds, you all  
9           understand the answer would have to be no  
10          because I have not met my burden of proof, and  
11          I haven't yet proved that she's a class member.  
12          Does everybody agree with that?

13          THE PANEL: Yes.

14          MR. PAIGE: Is there anybody here who  
15          says, those findings, you know, that's not  
16          right, and I don't care if Mr. Paige and  
17          Mr. Denney meet their burden of proof. I'm  
18          going to hold it against R.J. Reynolds anyway.  
19          Does everybody feel that way? Do you feel that  
20          way? Okay. So even if the judge, in fairness  
21          to my opposing counsel, Mr. Boyce and his  
22          client, the judge is going to instruct you, you  
23          can't consider those findings in determining  
24          class membership. You could only consider them  
25          later, okay? Everybody understand that? You

1           can only consider them if they're a class  
2           member. It's a little complicated. It's a  
3           little different than every -- than other  
4           cases. That's the way it is, and if you follow  
5           the law that the judge instructs you, it's not  
6           that difficult. It's actually pretty easy.

7           Other than number 7 -- I appreciate it --  
8           will everybody agree and everybody understand  
9           that and everybody follow the law in that  
10          regard as the judge instructs you? Can  
11          everybody commit to doing that?

12          THE PANEL: Yes.

13          MR. PAIGE: And likewise, if I meet my  
14          burden of proof or we meet our burden of proof,  
15          and you find that Totsie Fleming was addicted,  
16          and her addiction was the legal cause of her  
17          COPD and death, and you find that she was a  
18          class member, those findings are binding  
19          against R.J. Reynolds and in favor of my  
20          client's family.

21          Is there anyone here that would have  
22          difficulty, if we meet our burden of proof, and  
23          we prove our client's a class member, is there  
24          anybody here who would have difficulty applying  
25          those findings or holding them to those

1 findings because you did not find them  
2 yourself? Is there anybody here who could not  
3 do that? No?

4 Everybody promises that if she's a class  
5 member, and you're chosen to the jury, you will  
6 apply those findings against his client? Yes?

7 And over here, is there anybody who could  
8 not apply those findings because you did not  
9 find them yourself? Anybody here have a  
10 problem with that?

11 Okay. Now, if my client's family -- or if  
12 we meet our burden of proof, and we prove that  
13 the smoker was a class member, right, and we  
14 prove to you, hey, she's a class member, she's  
15 entitled to these findings, one of the things  
16 that the jury will consider is what I spoke  
17 about before, comparative fault. Do you  
18 remember that? Apportioning fault. So kind  
19 of -- was she a class member? Yes. Okay, here  
20 are the findings. And now you get to compare  
21 the fault between the smoker and what the  
22 cigarette companies have done, okay?

23 And so my question is -- I'm going to  
24 start over here on the left -- some of you all  
25 have said -- we talked about do we have a right



1 to bring a lawsuit, and a lot of people said --  
2 some people said no. Some people said, yeah,  
3 you have a right to bring a lawsuit, right?

4 But some of you may believe that even  
5 though you have a right to bring a lawsuit, I  
6 have a problem with comparing fault. I have a  
7 problem. I think it should be all or nothing.

8 If a smoker smokes, somebody smokes, I'm  
9 going to have a difficult time apportioning any  
10 fault to a cigarette company because for  
11 whatever reason. I feel it's her choice or I  
12 feel it's her own personal responsibility, and  
13 I'm just going to have a hard time doing that.

14 So who here on this side feels -- and I  
15 hope -- okay. Who here feels if someone smokes  
16 that they just couldn't or would have a really  
17 hard time apportioning any fault to a tobacco  
18 company who sells a legal product? Is there  
19 anybody over here? If you could raise your  
20 paddle. Number 39. Is there anybody else?  
21 35?

22 Okay. So I'll rephrase it again. I want  
23 to make sure that it's -- I know it's late,  
24 it's been a long day, and --

25 And again, if you raised your paddle

1 earlier for a different question, it's okay to  
2 raise it again because we still need to get all  
3 the information.

4 So who here feels that if somebody smokes,  
5 they just couldn't or would have a really hard  
6 time apportioning any fault to a tobacco  
7 company who sells a legal product? If you'd  
8 raise your paddles.

9 Okay number 3 -- if you would just keep it  
10 up if you don't mind.

11 Number 1, number 3, number 35, and 39.  
12 Okay.

13 I'll just ask -- 3, 35, 39. Okay. I know  
14 how 35 and 39 feel. I know how number 1 feels.

15 Number 3, the one who's not positive how  
16 you feel, tell me how you feel about that.

17 BECK, GLADYS 13: I choose to be like I  
18 have to hear the whole story, you know, in  
19 order for me to make a decision whose fault was  
20 it or if it's the person, you know.

21 MR. PAIGE: I guess the question to you  
22 was if we -- if we prove that we're a class  
23 member and you're asked to apportion fault,  
24 would you have a difficult time apportioning  
25 fault between the Plaintiff and the tobacco

1           company, or do you think that the Plaintiff  
2           would, regardless of the evidence and the law,  
3           bear sole responsibility for her choices?

4           BECK, GLADYS 13: I don't know.

5           MR. PAIGE: Okay. Is there any doubt in  
6           your mind as to whether you could be fair or  
7           not?

8           BECK, GLADYS 13: Oh, I would be fair,  
9           yeah.

10          MR. PAIGE: So are you leaning one way or  
11          the other?

12          MR. BOYCE: Objection. Asked and  
13          answered.

14          THE COURT: Sustained.

15          MR. PAIGE: On the issue of comparative  
16          fault, do you have any problems with that?

17          BECK, GLADYS 13: No.

18          MR. PAIGE: Okay. And so if the  
19          evidence -- let me ask you this.

20          BECK, GLADYS 13: The evidence and, you  
21          know, I hear --

22          MR. PAIGE: Let me ask you this. If the  
23          evidence was that the client was a class  
24          member, the Plaintiff smoker was a class  
25          member, that's the law in Florida, and the

1 evidence is they did some bad things and they  
2 should bear a part of the fault and  
3 responsibility for what they did, would you  
4 have a problem apportioning fault against a  
5 tobacco company --

6 MR. BOYCE: Objection, Your Honor. Asking  
7 for a precommitment.

8 THE COURT: Sustained.

9 MR. PAIGE: Do you have any problem  
10 apportioning fault against a tobacco company  
11 who's selling a legal product?

12 If the evidence and the law support a  
13 verdict for a large amount of fault on the  
14 tobacco company, is that something you would be  
15 hesitant to do if the law supports that?

16 MR. BOYCE: Objection, Your Honor. Same  
17 objection.

18 THE COURT: Sustained.

19 MR. PAIGE: Okay. Thank you, ma'am,  
20 number 3.

21 Okay. On this side, I'm going to ask the  
22 same question here. Who here feels that if  
23 somebody smokes, they would just have a hard  
24 time apportioning fault, any fault, to a  
25 tobacco company who's selling a legal product

1 in our country?

2 Number 11 -- number 9. Number 9, thank  
3 you. Number 11, thank you. Number 12, thank  
4 you.

5 Number 13, no?

6 STODDART, ELSIE 38: I'm not sure.

7 MR. PAIGE: You have a doubt?

8 STODDART, ELSIE 38: Yeah.

9 MR. PAIGE: You may have a difficult time  
10 with that?

11 STODDART, ELSIE 38: I would have a  
12 difficult time with that.

13 MR. PAIGE: I just want to make it clear  
14 for the record, would it be fair to say you  
15 would have a difficult time apportioning any  
16 fault against the tobacco company because  
17 they're selling a legal product in our country?

18 MR. BOYCE: Objection, Your Honor.

19 THE COURT: Legal basis.

20 MR. BOYCE: Asking for a precommitment.

21 THE COURT: Sustained as worded.

22 MR. PAIGE: How do you feel?

23 STODDART, ELSIE 38: Not sure.

24 MR. PAIGE: Okay. Again, you're hesitant  
25 and have doubt on that issue?

1 STODDART, ELSIE 38: Yes, I do.

2 MR. PAIGE: Thank you, ma'am.

3 And then in the way back, way back, 63 and  
4 64, I think I know how you all feel.

5 Anybody else? No? No.

6 And then over here, I'll read it one more  
7 time to you all in the jury box here. Who here  
8 feels that if somebody smokes, they would have  
9 a really hard time apportioning any fault  
10 against the tobacco company who's selling a  
11 legal product in our country? Anybody? No?  
12 Okay. Thank you.

13 Okay. And the flip side of that is, if  
14 you were asked, if the Plaintiff proves that  
15 they were -- in this case, before hearing any  
16 of the evidence or any of the law in this case,  
17 you haven't heard any evidence or any law in  
18 this case, right? You've only heard about  
19 findings that would apply if you were a class  
20 member.

21 If you were asked right now, if the  
22 Defendant is even 1 percent at fault, 1 percent  
23 at fault, you haven't heard the evidence. You  
24 haven't heard the law. I haven't met my burden  
25 of proof. Does everybody understand it would

1           be wrong to even say they're even 1 percent,  
2           right?

3           Does everybody understand that over here  
4           as well?

5           And here, right?

6           Is there anybody here who, before hearing  
7           the evidence, before hearing the law,  
8           regardless of the evidence and the law, is  
9           going to say, you know what, I've got to give  
10          him some fault. I'm going to put some fault on  
11          them. Nobody will do that?

12          You will, number 7?

13          LARSEN, KAREN 27: Yeah. I'd give them  
14          100 percent fault.

15          MR. PAIGE: But -- okay. And that's fine.  
16          And -- hold on one second, sir.

17          And, again, you're number 7, right?

18          And number 5, I think we all know how you  
19          feel.

20          And number 7, and we know how you feel.  
21          Okay. Thank you.

22          And, again, so -- and so I have the burden  
23          of proof. I don't want to keep saying it. I  
24          probably sound like a broken record. Is there  
25          anybody over here who says regardless of the

1 evidence, regardless of the law, I don't care  
2 about burden of proof. I'm holding him at  
3 least 1 percent at fault right now. Anybody  
4 over here feels that way? Okay. Number 42?  
5 Okay.

6 And but over here, other than number 42,  
7 will everybody agree to wait and until I meet  
8 my burden of proof before you decide that  
9 they're even 1 percent at fault. Can everybody  
10 do that? Yes?

11 And over here, can everybody do that as  
12 well? Okay. Great. Thank you.

13 Okay. This is a warning label. Some  
14 people have warning labels. I don't remember  
15 who. Everybody knows, again, cigarettes are a  
16 legal product, right? They have warning labels  
17 on them for a long time, right, in our country.

18 And so how many of you feel that this is a  
19 legal product?

20 I'll ask this side in the middle here  
21 first.

22 And once there were warning labels on the  
23 packs, once they put these labels on the packs,  
24 warning smokers of the dangers that the  
25 warnings say, who here feels -- I don't know if



1           you raised your hand before. It's okay to  
2           raise it again.

3           Who here feels that any smoker who  
4           continues to smoke after there were labels are  
5           solely responsible for any health care problems  
6           that they got?

7           Hold on. The front row. The front row on  
8           the second side. And I apologize.

9           9, you feel that way. 10, 11, 12, 13, you  
10          feel that way. And 15, you feel that way.

11          BOWNGARDEN-ANDERSON, CINDY 43: I have a  
12          reservation.

13          MR. PAIGE: Okay. 16, you feel that way  
14          with a reservation.

15          BOWNGARDEN-ANDERSON, CINDY 43: Yeah,  
16          because I believe smoking is addictive, that  
17          nicotine is addictive. So there's still some,  
18          you know -- if they were smoking before that  
19          was put on the label, they're addicted to it,  
20          and it takes some years to let it go.

21          MR. PAIGE: Okay. And then number -- and  
22          then anybody else on this side? I'll get the  
23          front row, a lot of people.

24          Who here feels that once there were  
25          warning labels -- I see 64. I'm going to come

1 back to you.

2 Who here feels that once there were  
3 warning labels on the pack, any smoker who  
4 continues to smoke after the labels are solely  
5 responsible for any health problems that they  
6 got?

7 MR. BOYCE: Objection, Your Honor.  
8 Pretrying the case, asking for a precommitment.

9 THE COURT: Sustained.

10 MR. PAIGE: Regardless of the evidence,  
11 regardless of the evidence in this case, who  
12 here feels that once there were warning labels  
13 on the pack, any smoker who continues to smoke  
14 after there were labels are solely responsible  
15 for any health problems?

16 MR. BOYCE: Same objection, Your Honor.

17 THE COURT: Overruled. You can answer  
18 that question.

19 MR. BOYCE: Can we approach on that one,  
20 please?

21 THE COURT: I'm sorry?

22 MR. BOYCE: Can we approach quickly?

23 THE COURT: You may.

24 (Sidebar discussion held:)

25 THE COURT: Okay. Yes, sir.

1           MR. BOYCE: So, again, Mrs. Fleming  
2 started smoking before the warning labels.  
3 He's now asking the jurors, hey, if somebody  
4 started smoking before the warning labels, do  
5 you think they're 100 percent at fault? That's  
6 the same thing he's asking. Do you think  
7 Mrs. Fleming is 100 percent at fault? That's  
8 one of the issues in the case. It matches  
9 Mrs. Fleming's facts.

10           If you want to ask, hey, people understand  
11 people started smoking before the warning  
12 label. Tell me how you feel, fine. But asking  
13 somebody, if somebody started before the  
14 warning labels, are they 100 percent at fault  
15 or are they at 0 percent at fault, it's the  
16 same thing. He's asking them to tell them what  
17 they're going to do on one of the verdict form  
18 questions that we're going to have here  
19 specific to Mrs. Fleming.

20           THE COURT: Response?

21           MR. DENNEY: The way the question is  
22 asked --

23           MR. BOYCE: Hang on. Hang on.

24           I want to know -- listen. I know you got  
25 the posse up here, okay? One guy argues.

1           THE COURT: Let's just have one person  
2 respond, okay?

3           MR. BOYCE: So are you doing all the legal  
4 objections for all the voir dire?

5           THE COURT: Usually the person -- usually  
6 the person doing the voir dire argues the  
7 objections. But I don't have a problem with  
8 this if that's the case. If you're always  
9 going to argue or you're always doing it.

10          MR. PAIGE: I'd rather he do it.

11          MR. DENNEY: I was simply going to argue  
12 this question, but it's Lavado versus State.

13          COURT REPORTER: Can you speak a little  
14 bit closer to the mic?

15          MR. DENNEY: The case is Lavado versus  
16 State. I'm sure Counsel is familiar with it.

17                 The way the question was asked was not to  
18 ask for a commitment but was to ask -- he asked  
19 an absolute question. If this fact is in play,  
20 no matter what the evidence in the case is, and  
21 that's how the question was asked, that's a  
22 proper question under Lavado versus State  
23 because the way it's phrased is no matter what  
24 the evidence is. It's like if you ask someone,  
25 if someone is going 27 miles over the speed

1           limit, do you think they're 100 percent  
2           responsible for this accident no matter what  
3           the evidence is? That's a fair question.

4           MR. BOYCE: So in Lovado v. State, Your  
5           Honor, they did not ask a question straight off  
6           the verdict form. One of the questions on this  
7           verdict form is going to say Totsie Fleming and  
8           how much fault. That is not the question that  
9           was asked in Lovado v. State. And what they  
10          have done is take out Totsie Fleming and put  
11          smoker in there, asking a question off the  
12          verdict form and asking jurors to assume a fact  
13          and then give them a precommitment, pretrying  
14          the case, and then they're asking for a  
15          commitment on a verdict form interrogatory.

16          MR. DENNEY: There's no question on the  
17          verdict form --

18          THE COURT: I sustained -- let's not go  
19          back and forth. I sustained an objection  
20          before. This question is proper. It's  
21          overruled. You may ask the question.

22          MR. BOYCE: We've had differences over the  
23          wording. If you can get it close, that's fine.

24          THE COURT: Let's get it close.

25          (Sidebar concluded.)

1           MR. PAIGE: I got the front row already.  
2           I'm going to come back.

3           And the second, third and fourth row, the  
4           question is: No matter what the evidence is in  
5           this case, regardless of the evidence, who  
6           here -- how many of you feel that once there  
7           were warning labels on the packs, any smoker  
8           who continued to smoke after there were labels  
9           are solely responsible for any health care  
10          problems that they got?

11          MR. BOYCE: Same objection, Your Honor.

12          THE COURT: Same ruling.

13          MR. PAIGE: Okay. And so you're allowed  
14          to raise. So go ahead.

15          Yes. Okay. 64. Yes? 63, yes. And then  
16          I think I know how you all feel. And your  
17          number, sir? 59. Okay.

18          So I want to speak to number 13, which  
19          is -- did you raise your paddle on that  
20          question?

21          STODDART, ELSIE 38: No.

22          MR. PAIGE: You did not? Okay.

23          And then number 16, you did raise yours?

24          BOWNGARDEN-ANDERSON, CINDY 43: Yes.

25          MR. PAIGE: Okay. So -- okay.

1           And so 13, you did -- that question, you  
2           did not respond to or you did?

3           MR. BOYCE: Objection. Asked and  
4           answered.

5           THE COURT: Overruled.

6           STODDART, ELSIE 38: I think I answered it  
7           but I don't remember.

8           THE COURT: I'm sorry. I can't hear you,  
9           ma'am.

10          STODDART, ELSIE 38: Yes.

11          THE COURT: Thank you.

12          MR. PAIGE: So let me ask you, then. Tell  
13          me how you feel about that.

14          STODDART, ELSIE 38: It's still up to the  
15          person. The package is marked, you know, to  
16          your health and everything. And if the person  
17          decides to do it, then it's their -- their, you  
18          know, their right.

19          MR. PAIGE: Okay. But why do you feel --  
20          you said that you feel, regardless of the  
21          evidence, if somebody smokes after there were  
22          warnings on the labels, they're solely  
23          responsible for whatever happened to them.

24          MR. BOYCE: Objection.

25          MR. PAIGE: Why do you feel that way?

1           MR. BOYCE: Objection. Mischaracterizes  
2 her testimony.

3           THE COURT: Sustained.

4           MR. PAIGE: Did I mischaracterize what you  
5 said?

6           STODDART, ELSIE 38: I just believe that  
7 it's their fault. If they're doing it, they  
8 read the label, it says, you know, it's just  
9 like alcohol. If you read the label, it's  
10 going to do something to your system. It's  
11 your right to do it or not do it.

12          MR. PAIGE: Okay. So regardless of the  
13 evidence, that's your feeling and that's a  
14 strongly held belief. Yes?

15          STODDART, ELSIE 38: Yes.

16          MR. PAIGE: And despite your best efforts,  
17 it would be difficult for you to just forget  
18 about that?

19          STODDART, ELSIE 38: I would do it. I  
20 would try, yes.

21          MR. PAIGE: Again, I think you've told me  
22 this before. You would try but again, you  
23 would have some --

24          STODDART, ELSIE 38: Doubt.

25          MR. PAIGE: -- reasonable doubt of whether



1           you could do that?

2                   STODDART, ELSIE 38:   Yes.

3                   MR. PAIGE:   As best as you could you'd try  
4           to be fair but there would be some doubt in  
5           your mind?

6                   STODDART, ELSIE 38:   Correct.

7                   MR. PAIGE:   Thank you, ma'am.

8                   And over here, you don't need me to read  
9           it one more time?   No?

10                   Anybody raised their paddle?   Nobody?  
11           Nobody?   Thank you, all.   Okay.

12                   So one of the things that we're going to  
13           be doing in this case, everybody knows, is that  
14           we're going to be -- in Florida or -- I don't  
15           know about other states, if you're injured or  
16           if you claim to be injured by the wrongful  
17           conduct of somebody else, you come to court and  
18           you ask for money, right?   And the reason --  
19           one of the reasons is if you're hurt by  
20           somebody, if somebody -- you die a wrongful  
21           death by somebody's wrongful acts, there's no  
22           restoration.   Most of the time, you can't  
23           restore -- the physical harm cannot be  
24           restored.   You can't bring somebody back.   You  
25           can't take away an injury.   So there's no

1 restoration. The law doesn't provide  
2 restoration. The law in Florida is that you  
3 provide fair and reasonable compensation,  
4 right? And you all have heard of that, I'm  
5 sure.

6 So in Florida, this is a wrongful death  
7 case. My client, the family cannot bring back,  
8 no matter what R.J. Reynolds does, they cannot  
9 restore what happened. There's no restoration  
10 and we're suing for -- the laws in Florida are  
11 for compensation. And one of the things that  
12 we seek compensation for in Florida is pain and  
13 suffering, right? That's the law. The law is  
14 that if you hurt somebody, you do something  
15 really bad and you hurt people, you do  
16 something really bad and people die, and you  
17 can't do away with the harm, the law is that  
18 you have to provide compensation. You have to  
19 compensate for pain and suffering.

20 Some people believe -- some people believe  
21 this, we know, and I know -- and I think maybe  
22 some people do. Some people believe, look, I  
23 can give money damages, or I don't believe in  
24 money damages in a wrongful death case, or I  
25 might be able to give money damages for things

1           like lost wages or lost income, right? You  
2           show me lost income, show me lost wages, I can  
3           do that. I don't have a problem with it.

4           But if you're going to come to court and  
5           your going to ask for a lot of money for pain  
6           and suffering in a lawsuit, I have an issue  
7           with that. I have a problem with that. Okay?  
8           So my question here is, to you all is: Is  
9           there anybody here who feels that they would  
10          have a difficult time awarding compensation,  
11          money, for pain and suffering in a wrongful  
12          death case? Is there anybody here who would  
13          have a hard time with that?

14          Nobody?

15          You think you might, number 1.

16          MILLER, SALLY 07: Well, yeah, I don't  
17          think they need to -- I mean, I could lose  
18          somebody --

19          THE COURT: We need a microphone, please.

20          MILLER, SALLY 07: If I lost someone from  
21          COPD or whatever, I don't think I would feel  
22          right suing for thousands of dollars. I mean,  
23          that wouldn't help my pain and suffering,  
24          really.

25          MR. PAIGE: Okay.

1 MILLER, SALLY 07: I just --

2 MR. PAIGE: Okay. So understanding  
3 that -- and I don't think there's any -- any  
4 misunderstanding we represent the family of a  
5 smoker who are coming to court. We're going to  
6 be asking -- it's a wrongful death. Somebody  
7 died. A mother of -- of family and we're going  
8 to ask -- if the evidence and the law support  
9 it, we're going to ask for a substantial amount  
10 of money for pain and suffering.

11 MR. BOYCE: Objection, Your Honor. Vague  
12 and ambiguous as to substantial.

13 THE COURT: Sustained.

14 Restate, please.

15 MR. PAIGE: I don't know if I'm allowed to  
16 say the amount?

17 MR. BOYCE: If you want to, yeah.

18 MR. PAIGE: Okay. So this is a case where  
19 if the evidence and the law support it, we're  
20 going to be asking for millions of dollars for  
21 what they did to Totsie Fleming and her family,  
22 millions of dollars. If the evidence and the  
23 law support that, is there anybody here who  
24 feels, I would have a hard time -- I just could  
25 not give a family of a smoker that type of

1 money even if the evidence and the law support  
2 it? Is there anybody over here?

3 Number 39. Number 35. Number 31. Okay.

4 Anybody else over here? Okay.

5 And so if the evidence and the law support  
6 a substantial -- if the evidence and the law  
7 support that this lady is a class member, they  
8 did some bad things, it's a wrongful death of a  
9 lady who was loved, and if the evidence and the  
10 law support a multimillion dollar award for  
11 pain and suffering, will everybody here agree  
12 that they will do that, if the evidence and the  
13 law supports it?

14 WALKER, DONALD 253: I have a question.

15 MR. PAIGE: Yes.

16 MR. BOYCE: Objection, Your Honor.

17 Precommitment.

18 THE COURT: Sustained.

19 WALKER, DONALD 253: Sir, my question is:  
20 Is the pain and suffering of the deceased and  
21 the money would be like in her estate that  
22 she's leaving to her heirs, or is it the pain  
23 and suffering of her family that lost Totsie,  
24 who you're referring to?

25 MR. PAIGE: Yes, right.

1           WALKER, DONALD 253: Whose pain and  
2 suffering are you talking about?

3           MR. PAIGE: Okay. That's a good question.  
4 In Florida, if there's a wrongful death case,  
5 you cannot give pain and suffering --

6           MR. BOYCE: Objection, Your Honor. Maybe  
7 we can approach.

8           THE COURT: You may but I don't think you  
9 need to.

10          Folks, that's a question of law that the  
11 Court will instruct you at some point during  
12 the course of the trial. In other words, if in  
13 fact we reach that stage where damages, the  
14 possible award of damages becomes an issue, the  
15 Court's going to instruct you as to what the  
16 elements of damage and who would be the people  
17 that would have a claim and the basis for that  
18 claim. I don't want to get into that now  
19 because that's prejudging in the matter. But  
20 let me kind of touch, and Mr. Paige, let me  
21 kind of go a little bit astray here. It may  
22 help.

23          MR. PAIGE: Okay.

24          THE COURT: The concern is this: At some  
25 point, a jury selected from you folks is going

1 to be impaneled. You're going to hear the  
2 testimony, hear the evidence. You're going to  
3 make a decision.

4 Let's assume, just assume that the  
5 Plaintiff proves their case, and the jury  
6 decides that and they go back to the jury room  
7 and they need to bring back damages. And you  
8 as a jury decide how much is going to be  
9 brought. You decide what is a fair amount for  
10 both tangible and intangible damages, pain and  
11 suffering. You make that decision.

12 The question really is after having made  
13 that decision that you in your mind believe  
14 that's appropriate, is there anybody here that  
15 is then going to say, "Oh, wait. Stop. Even  
16 though we as a jury think that's a fair amount,  
17 I'm not going to award that because I can't"?  
18 In other words, is there an artificial ceiling  
19 that you've already got in place that even  
20 though you believe it's been proven, you cannot  
21 make that award? And I think that's the  
22 question that we're trying to get to in this  
23 particular matter.

24 As to the elements of damage, which is a  
25 different question, I'll give you instructions.

1           In fact, I'm not only going to read those  
2           instructions to you, I'm going to give you an  
3           actual physical copy of them in your hands so  
4           you can look at those.

5           MR. PAIGE: Okay. So that's the best we  
6           can do at this point. But I guess over here,  
7           the question to you all, is we represent the  
8           family of a smoker. How many of you simply  
9           could not or would have a difficult time  
10          awarding a substantial amount of money damages  
11          for pain and suffering to a family of a smoker  
12          if the evidence and the law supported it? How  
13          many would --

14          LESICZKA, ELAINE 34: May I say that my  
15          mother died from smoking. She smoked for 71  
16          years and I would never ask for a penny.

17          MR. PAIGE: Okay. Okay.

18          LESICZKA, ELAINE 34: I feel it was her  
19          choice again.

20          MR. PAIGE: Okay. I appreciate that.  
21          Again, some people feel that way, and that's  
22          okay. And you understand other people feel  
23          otherwise, right?

24          LESICZKA, ELAINE 34: Yes. No, I  
25          understand that.



1           MR. PAIGE: You can raise your hand on  
2           that one. Number 9, 10, 11, 12. Anybody else  
3           feel that way in the front row?

4           And then in the second row, does anybody  
5           feel that way?

6           Third row? Number 42.

7           And in the back row, 59 and 64 again.

8           Thank you. Anybody else? And does  
9           anybody here feel that way? Number 77.  
10          Number 68. Okay.

11          And so number 77, okay, how do you feel,  
12          sir?

13          DAVIS, RODNEY 595: Again, I don't know  
14          what the amount is. What you call substantial,  
15          if it's in the millions or whether it's  
16          \$100,000. Again, I'd have to listen to the  
17          evidence to decide that.

18          MR. PAIGE: But I think, as the judge said  
19          to you, is there a ceiling or a cap that you're  
20          thinking in your mind, listen, if there's pain  
21          and suffering, I could never. Even if the  
22          evidence and the law supported a multimillion  
23          dollar award, I couldn't do that. I have a  
24          problem with pain and suffering, giving money  
25          for that, and I couldn't do that.

1 Do you feel that way?

2 DAVIS, RODNEY 595: Yes.

3 MR. PAIGE: Okay. You do feel that way?

4 Why do you feel that way?

5 DAVIS, RODNEY 595: Again, it -- it would  
6 come back to -- I guess I look at it as  
7 somebody -- and I'm assuming this lady was 80  
8 years old or 60 years old. Her life is gone.  
9 There's nothing we can do to bring her back.  
10 And just to give the family money, I just don't  
11 see that that's going to take -- make them feel  
12 any better, and I just don't understand that,  
13 how people feel better by getting a bunch of  
14 money because somebody died.

15 MR. PAIGE: And so how many people agree  
16 with him and feel that way? Is there anybody  
17 else who hasn't raised their paddle and feels  
18 the same way? Number 1.

19 Anybody else? 10, 11, 12, 15, you feel  
20 that way?

21 64. And then 68, do you agree with him?

22 ANGLERO, STEPHANIE 556: Yes.

23 MR. PAIGE: Why do you feel that way?

24 ANGLERO, STEPHANIE 556: Like I said, I  
25 have a family -- my uncle, he smoked, and he's

1           been smoking for years. Regardless of what  
2           happened to him, I really don't believe money  
3           would make me feel different.

4           MR. PAIGE: And so despite your best  
5           efforts, would it be difficult for you to set  
6           that feeling aside?

7           ANGLERO, STEPHANIE 556: Yes.

8           MR. PAIGE: And the same with you, sir?  
9           Verbally.

10          DAVIS, RODNEY 595: Yes.

11          MR. PAIGE: And because of that issue, in  
12          all fairness, it would be difficult for you to  
13          be an impartial juror in this case on that  
14          issue for money damages?

15          MR. BOYCE: Objection, Your Honor.

16          THE COURT: Legal basis?

17          MR. BOYCE: I don't think they've  
18          articulated a bias that they would need to set  
19          aside. It's an observation.

20          THE COURT: Sustained.

21          MR. PAIGE: Would you have a difficult  
22          time awarding money damages, substantial money  
23          damages for pain and suffering in a smoker  
24          case?

25          MR. BOYCE: Objection. Precommitment.

1 THE COURT: Sustained.

2 MR. PAIGE: Regardless of the evidence.

3 Regardless of the evidence, would you have a  
4 difficult time awarding a substantial amount  
5 for pain and suffering if the evidence and the  
6 law supported it?

7 MR. BOYCE: Same objection, Your Honor.

8 THE COURT: Overruled.

9 MR. PAIGE: And despite your best efforts,  
10 would it be difficult for you to be impartial?

11 ANGLERO, STEPHANIE 556: Yes.

12 MR. PAIGE: Okay. Thank you, ma'am.

13 Sir, do you feel the same way?

14 DAVIS, RODNEY 595: Yes.

15 MR. PAIGE: And your number again?

16 DAVIS, RODNEY 595: 77.

17 MR. PAIGE: Despite your best efforts, it  
18 would be difficult for you to be impartial on  
19 that issue?

20 DAVIS, RODNEY 595: Yes.

21 MR. PAIGE: Thank you, sir. It's not easy  
22 being a lawyer.

23 If I could tell you guys what I used to  
24 do, I'd rather be doing that right now.

25 So these are questions I have to ask,

1 right, because I have -- there's a lot of  
2 issues -- like I told you before, there's a lot  
3 of issues in the case, addiction, Engle  
4 findings, smokers, warnings.

5 Here's another issue the judge alluded to  
6 earlier: In these cases -- in these cases, you  
7 know, we're -- we'll be here for a long time,  
8 three weeks, almost four weeks or three and a  
9 half weeks. A lot is going to go on. And in  
10 addition to compensatory damages --  
11 compensatory damages are to compensate, right?  
12 And so compensatory damages are for things like  
13 medical expenses, if you want to recover them,  
14 wages, pain and suffering. But in this case,  
15 we're also suing for what's called punitive  
16 damages, right?

17 Does anybody here know what punitive  
18 damages are or what they're for? Has everybody  
19 heard of punitive damages?

20 THE PANEL: Yes.

21 MR. PAIGE: So everybody's heard of them,  
22 right? You hear punitive damages -- we're  
23 suing them for punitive damages. Well, you  
24 can't always sue anybody for punitive damages.  
25 You can only sue for punitive damages in

1           certain cases for certain --

2           MR. BOYCE:   Objection, Your Honor.

3           THE COURT:   Legal basis?

4           MR. BOYCE:   Summarizing Florida law.

5           THE COURT:   Sustained.

6           MR. PAIGE:   Punitive damages are  
7           additional damages, additional over and above  
8           compensatory damages.  They're meant to punish  
9           companies.  They're meant to punish companies  
10          that act badly and/or to deter others from  
11          doing the same things, okay?  So one of the  
12          things that we're going to be asking is, if the  
13          evidence and the law supports it, we're going  
14          to be asking that they be punished for punitive  
15          damages, if the law provides, for bad conduct,  
16          and to deter others, okay, for punishment and  
17          to deter.  Everybody understand that?  And you  
18          understand that's in addition to compensatory  
19          damages.  They serve a different purpose.  
20          Compensatory damages are to compensate the  
21          party that you injured, but punitive damages  
22          are different.  They're meant to punish  
23          companies --

24          MR. BOYCE:   Same objection, Your Honor.

25          THE COURT:   Overruled.

1           MR. PAIGE: Okay. Punish companies so  
2 they know not to do that and deter others from  
3 doing the same thing. There's a different  
4 standard, a different burden of proof.

5           So when you come to Court, and you ask to  
6 punish a corporation for something bad, the  
7 Plaintiff has the burden of proof, but it's no  
8 longer by the greater weight of the evidence.  
9 That's not the standard anymore because  
10 punitive damages -- well, there's a lot of  
11 reasons. But anyway, punitive damages, the  
12 standard is by clear and convincing evidence,  
13 okay? So that's a higher burden, okay?

14          So if we sue for punitive damages, and we  
15 say, look, this is bad conduct; you shouldn't  
16 tolerate it; other companies need to be  
17 deterred, we have to prove that to you with  
18 evidence, hard evidence that things are being  
19 done by clear and convincing evidence. Does  
20 everybody understand that? You guys clear over  
21 here? Not leaving you out. Nobody's -- okay.

22          And so, but one of the things that you  
23 need to know is, if the jury awards punitive  
24 damages -- and, again, you know, the evidence  
25 and the law have to support a verdict, right?

1           We can't ask -- the jury has to give an award  
2           that fits the conduct or the harm, right? That  
3           sounds fair?

4           And so, but punitive damages, they don't  
5           go to charity, okay? If you award, if you find  
6           punitive damages, if you find that we prove our  
7           case by clear and convincing evidence that they  
8           should be punished by clear and convincing  
9           evidence that other companies should be  
10          deterred, and punitive damages should be  
11          awarded, that money does not go to charity. It  
12          does not go to the American Cancer Society.  
13          That is not the law. The law in Florida is  
14          that that money goes to the family who brings  
15          the claim. Everybody understand that?

16          Okay. So even if we meet our burden of  
17          proof and we prove, by clear and convincing  
18          evidence, that the Defendant did bad things,  
19          that they should be punished for it, that other  
20          companies should not do it, and they should be  
21          deterred, and punitive damages are warranted by  
22          clear and convincing evidence, is there anybody  
23          here who has a philosophical objection to  
24          awarding punitive damages, knowing that money  
25          is going to go to the family over and above



1           compensatory damages? Okay. If you could  
2           raise your paddle if you feel that way. Over  
3           here. And number 51, you feel that way?

4           DUPREY, JADE 374: Yes.

5           MR. PAIGE: Thank you, ma'am. 39, you  
6           feel that way.

7           Over here, does anybody feel that way  
8           that, hey, listen, even if you prove by clear  
9           and convincing evidence they should be  
10          punished, I have a problem with giving that  
11          money because it doesn't go to charity, and  
12          it's going to go to the family? Does anybody  
13          have a problem with that? Over here, 12, 14,  
14          15, 64. Anybody else? Okay.

15          And then how about over here? Does  
16          anybody have a problem with that? You guys,  
17          nobody? Okay.

18          And so 51, we haven't heard from you. How  
19          are you?

20          DUPREY, JADE 374: I'm good. How are you?

21          MR. PAIGE: How do you feel about that?

22          DUPREY, JADE 374: I feel as though you're  
23          already suing for a substantial amount for the  
24          pain and suffering. I get it that they did bad  
25          things, but what's the point of just going for

1           more? I mean, I'm sure they already know they  
2           messed up. At that point, it just seems to be  
3           a little greedy.

4           MR. PAIGE: And so if the law in Florida  
5           provides it -- for whatever philosophical  
6           reasons they say, hey, this is the law in  
7           Florida, this is how corporations get punished  
8           in Florida, you have a philosophical objection  
9           to that?

10          DUPREY, JADE 374: I just don't feel as  
11          though it's the family member's place to do  
12          that. There should be a board or something  
13          they should answer to rather than a family  
14          member.

15          MR. PAIGE: Okay. And so regardless of  
16          the evidence and the law in this case, would  
17          you have a difficult time awarding punitive  
18          damages?

19          DUPREY, JADE 374: No, not if it was  
20          necessary.

21          MR. PAIGE: So, understanding that it  
22          doesn't go to a board, it's not like a good  
23          law, that's not the way it works, that's not  
24          how it works, and it goes to the family, if the  
25          evidence and the law supports, by clear and

1           convincing evidence, that they should be  
2           punished substantially for bad things, and  
3           that's what the evidence is, would you be able  
4           to do that?

5           DUPREY, JADE 374:   If need be, yes.

6           MR. PAIGE:   Okay.   Would you hold me to a  
7           higher burden, or would it be hard for you to  
8           do that?

9           DUPREY, JADE 374:   No.

10          MR. PAIGE:   Okay.   Thank you.

11          Number 18.   I'm just going to ask a couple  
12          people some questions, if it's okay.   I'm  
13          sorry.   Number 14, did you raise your hand?

14          ROSENBERG, NAROLA 40:   Yes, sir, I did.

15          MR. PAIGE:   Oh, I'm sorry.   I apologize.

16          ROSENBERG, NAROLA 40:   My feeling on it is  
17          that they have already received one award for  
18          compensation.   It seems like a double-dip  
19          situation that they would receive a second  
20          additional award that doesn't do anything but  
21          benefit them directly.

22          MR. PAIGE:   Okay.   And some people feel  
23          that way.   And so if you were chosen to be a  
24          juror, regardless of the evidence and the law,  
25          would it be difficult for you to give

1 additional punitive damages to the family?

2 ROSENBERG, NAROLA 40: No, I think I could  
3 trust my objectivity.

4 MR. PAIGE: So the fact that you think it  
5 shouldn't be done, could you set that aside?

6 ROSENBERG, NAROLA 40: Yes.

7 MR. PAIGE: So if the family got  
8 compensated fairly for the wrongful death of  
9 the smoker, and the evidence was that the  
10 things that they did are reprehensible and they  
11 should be punished, and the evidence and the  
12 law supported it, would you have any  
13 reservation about awarding punitive damages?

14 ROSENBERG, NAROLA 40: Not if it was  
15 supported.

16 MR. PAIGE: Okay. Thank you.

17 I've spilled water. It's not the first  
18 time I did that.

19 THE COURT: You've not only spilled water,  
20 you spilled it on apparently electrical cables.

21 Let me give you a short break for just a  
22 second so we can do some literally mopping up.  
23 If you want to use the restroom, go ahead.  
24 Probably the last break before we break for the  
25 evening. So go ahead.

1                   (Recess was had at 3:39 p.m., after which  
2                   proceedings continued in Volume 6.)  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

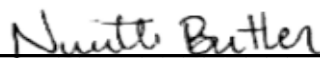
## COURT CERTIFICATE

STATE OF FLORIDA

COUNTY OF HIGHLANDS

I, NINETTE BUTLER, RPR, CRR, CRC, RSA, FPR, certify that I was authorized to and did stenographically report the foregoing proceedings and that the transcript is a true and complete record of my stenographic notes.

Dated this 25th day of January, 2017.

  
\_\_\_\_\_  
NINETTE BUTLER  
RPR, CRR, CRC, RSA, FPR



<b>A</b>	780:23 781:3	716:18 719:18	<b>ANGELA</b>	814:4,8,9
<b>AARON</b> 721:14	781:6,13,15	719:22 720:20	686:3	815:16,19
721:16,24	781:25 782:6	769:19 775:6	<b>ANGLERO</b>	818:17,24
722:6,8,15,22	782:21 788:15	775:7 781:21	759:5,21	821:22 822:7
723:14	798:19	787:12 788:8	760:7 815:22	822:12,14,16
<b>able</b> 705:4	<b>addiction</b>	797:7 810:11	815:24 816:7	<b>anymore</b> 820:9
707:21 718:15	739:20 779:2	815:15,21	817:11	<b>anytime</b> 691:9
727:16 731:25	779:2,7,17,18	<b>agreed</b> 695:3,5	<b>angry</b> 759:17	717:11
739:3 742:22	780:18 782:11	766:13 769:23	<b>ANJELICA</b>	<b>anyway</b> 723:7
755:10 760:13	782:22 785:21	771:24 784:11	718:24 719:2	742:21 787:18
773:21 774:5	786:19 788:16	<b>agreeing</b> 770:11	719:6,16,18	820:11
774:9,10	818:3	787:6	719:22 720:16	<b>apologize</b>
807:25 824:3	<b>addictive</b>	<b>agreement</b>	720:19,24	742:14 798:8
<b>absolute</b> 741:24	739:16 745:6	775:18	721:7,10	824:15
742:18 801:19	783:19 784:5	<b>agreements</b>	<b>answer</b> 692:7	<b>apparently</b>
<b>absolutely</b>	784:14 798:16	786:8	692:10 694:7	825:20
733:13 743:2	798:17	<b>ahead</b> 690:17	715:16 725:3	<b>APPEARAN...</b>
749:16	<b>addition</b> 818:10	701:19 709:19	738:4 772:18	687:1
<b>accident</b> 703:10	819:18	723:2 746:13	774:6 787:9	<b>appears</b> 769:15
802:2	<b>additional</b>	746:16 755:9	799:17 823:13	<b>Appellate</b>
<b>accidentally</b>	747:7 759:25	765:11 767:16	<b>answered</b> 725:2	785:24
691:14	819:7,7	768:12 769:16	731:15 792:13	<b>applied</b> 778:3
<b>accommodate</b>	824:20 825:1	772:10 775:14	804:4,6	787:2
699:13	<b>address</b> 693:12	776:23 777:9	<b>answers</b> 694:4	<b>apply</b> 703:3
<b>ACEVEDO</b>	<b>admitted</b>	803:14 825:23	<b>anticipate</b>	783:3 786:21
760:11,18,25	703:18 704:8	825:25	768:21	786:25 787:1
761:3,6,8,14	<b>ADRIEN</b> 695:2	<b>aide</b> 692:22	<b>anybody</b> 691:9	789:6,8
761:19,25	695:7,11	<b>alcohol</b> 805:9	691:13 692:9	795:19
762:5	<b>advanced</b> 738:6	<b>alleging</b> 774:12	692:20 693:24	<b>applying</b>
<b>acoustics</b> 742:5	<b>affirmed</b>	<b>allowed</b> 803:13	694:19 695:1	788:24
<b>act</b> 819:10	785:25	809:15	695:16 696:1	<b>apportion</b>
<b>action</b> 777:14	<b>aforsaid</b>	<b>alluded</b> 818:5	696:22 697:9	703:5,13
777:17 783:6	686:18	<b>ALVAREZ</b>	724:4,5	791:23
785:14,17	<b>afraid</b> 738:25	687:12,15	754:12 765:21	<b>apportioning</b>
<b>actions</b> 719:9	<b>afternoon</b>	<b>ambiguous</b>	767:15 774:9	789:18 790:9
734:6 745:2	698:11,12	809:12	778:10,10	790:17 791:6
<b>acts</b> 806:21	710:12 713:13	<b>America</b> 733:21	780:11,21,25	791:24 793:4
<b>actual</b> 813:3	718:25 723:16	747:23	781:4,6,23	793:10,24
<b>ADAM</b> 696:23	730:5 732:9	<b>American</b>	782:4 784:19	794:15 795:9
697:1,5	732:10 737:24	821:12	784:23 787:14	<b>appreciate</b>
<b>ADAMS</b> 697:8	737:25 739:6	<b>amount</b> 702:14	788:24 789:2	695:25 698:19
758:22	741:22 744:23	745:18 763:25	789:7,9	698:24,24
<b>add</b> 692:11	744:24	793:13 809:9	790:19,20	705:20 717:21
762:7 777:5	<b>age</b> 722:1,4	809:16 812:9	795:5,11	721:11 730:23
<b>added</b> 692:8	<b>ago</b> 693:15	812:16 813:10	796:6,25	731:6,9
745:5	723:19 739:13	814:14 817:4	797:3 798:22	733:24 734:9
<b>addicted</b> 739:16	744:1 752:3	822:23	806:10 808:9	737:22 739:22
747:17 778:20	<b>agree</b> 695:12	<b>and/or</b> 819:10	808:12 809:23	741:21 743:11
779:4,16,16	698:19 700:8	<b>ANDEM</b> 707:9	810:2,4	748:22,25
780:2,5,16,19	715:5 716:1,1	753:15,17	812:14 814:2	751:4 772:12

775:10 788:7 813:20 <b>approach</b> 713:24 799:19 799:22 811:7 <b>approached</b> 691:10 <b>appropriate</b> 812:14 <b>approved</b> 778:3 782:25 <b>area</b> 775:4 <b>argue</b> 801:9,11 <b>argues</b> 800:25 801:6 <b>ARRICO</b> 749:3 749:25 750:5 750:12,15,22 751:3,9,11 <b>articulated</b> 714:8 728:16 816:18 <b>artificial</b> 812:18 <b>ASHBAY</b> 708:3 732:10,13,16 732:25 733:3 <b>aside</b> 709:23 721:9 725:21 727:14 730:14 732:7 736:11 743:4 750:4,6 750:16 751:2 757:2 760:24 761:22 763:20 763:21 816:6 816:19 825:5 <b>asked</b> 703:12 716:20 719:11 725:1 734:12 744:19 748:3 757:24,25 772:3 778:6,9 791:23 792:12 795:14,21 800:22 801:17 801:18,21 802:9 804:3 <b>asking</b> 690:14 697:24 700:11 700:12 704:13	714:16,21 715:3 741:8 767:22 777:2 778:25 780:8 781:12,20 782:2 793:6 794:20 799:8 800:3,6,12,16 802:11,12,14 809:6,20 819:12,14 <b>association</b> 749:6 <b>assume</b> 719:9 802:12 812:4 812:4 <b>assuming</b> 815:7 <b>asthma</b> 751:24 <b>astray</b> 811:21 <b>attention</b> 698:25 <b>attorneys</b> 691:15 693:12 733:10 772:24 <b>authorized</b> 827:8 <b>auto</b> 720:7 <b>available</b> 784:2 <b>Avenue</b> 686:15 687:12 688:3 <b>award</b> 810:10 811:14 812:17 812:21 814:23 821:1,5 824:17,20 <b>awarded</b> 821:11 <b>awarding</b> 808:10 813:10 816:22 817:4 821:24 823:17 825:13 <b>awards</b> 820:23 <b>awkward</b> 700:24 731:7  <b>B</b> <b>back</b> 691:1,2,6 693:24,25 700:13 705:17	706:9 707:13 709:4 716:20 718:11 721:6 722:19 725:17 729:9,19 743:20 753:21 757:16 758:15 759:23 761:23 767:7 769:12 769:17 777:1 795:3,3 799:1 802:19 803:2 806:24 807:7 812:6,7 814:7 815:6,9 <b>backwards</b> 779:22 <b>bad</b> 725:15 735:10,22 736:17 737:21 758:13 776:4 793:1 807:15 807:16 810:8 819:15 820:6 820:15 821:18 822:24 824:2 <b>badly</b> 819:10 <b>BARBARA</b> 693:14,19 <b>barely</b> 740:2 <b>BARNHART</b> 687:8 <b>base</b> 754:2 <b>based</b> 695:12 702:24,25 714:7 716:8 758:2 760:19 <b>basis</b> 715:7,19 794:19 811:17 816:16 819:3 <b>battery</b> 754:6 <b>Beach</b> 687:8,9 <b>bear</b> 792:3 793:2 <b>BECK</b> 705:19 710:14,17,25 711:4,8,11,17 711:19 712:1 712:4,7,9,11 791:17 792:4	792:8,17,20 <b>becoming</b> 732:4 <b>behalf</b> 687:2 688:1 703:17 745:21 777:18 785:15 <b>behaviors</b> 781:1 <b>belief</b> 748:17 805:14 <b>beliefs</b> 700:10 731:5 736:8 737:18 <b>believe</b> 737:21 739:10 742:11 743:23 744:8 746:10,13 749:9 773:13 774:18 779:13 779:17,18 780:17,18,22 781:14 782:5 790:4 798:16 805:6 807:20 807:20,22,23 812:13,20 816:2 <b>believes</b> 740:11 <b>believing</b> 781:5 <b>bench</b> 717:11 717:13 727:23 <b>benefit</b> 786:22 824:21 <b>BENITA</b> 692:14 743:14 743:17,19,23 744:14 753:25 <b>best</b> 709:8 710:5 711:23 713:5 717:23 719:25 720:4 720:9,12 724:7 726:9 727:12 730:17 734:1 739:2 750:8 753:10 757:6 761:20 762:1 805:16 806:3 813:5 816:4 817:9 817:17	<b>bets</b> 691:3 <b>better</b> 705:10 720:8 769:5,7 815:12,13 <b>bias</b> 701:21 712:23 722:20 723:21,22 730:8 738:11 740:23 816:18 <b>biased</b> 711:6,9 711:13 723:25 731:20 764:13 <b>binding</b> 783:2 783:15,24 786:2 788:18 <b>bit</b> 701:19,20 702:23 709:5 719:5 723:21 725:14 738:11 739:19 746:9 750:20 759:13 766:2 777:11 782:18 801:14 811:21 <b>blue</b> 691:21 <b>Blvd</b> 687:8 <b>board</b> 697:1 823:12,22 <b>body</b> 735:23 <b>bother</b> 741:10 <b>Boulevard</b> 688:7 <b>bound</b> 783:3 <b>BOWNGAR...</b> 739:8,24 798:11,15 803:24 <b>box</b> 733:17 756:21 795:7 <b>Boyce</b> 688:5 690:5,12,16 699:3,8 700:7 700:19 713:23 714:2 715:5 716:1,23 717:3,8 725:1 727:21 728:14 728:21 729:6 729:14 744:19 747:3 757:14
--	--	---	---	--



766:10,13,21 766:24 767:2 770:3,13 775:7 776:25 778:22 780:7 782:1 787:21 792:12 793:6 793:16 794:18 794:20 799:7 799:16,19,22 800:1,23 801:3 802:4 802:22 803:11 804:3,24 805:1 809:11 809:17 810:16 811:6 816:15 816:17,25 817:7 819:2,4 819:24 <b>brd@searcyl...</b> 687:11 <b>break</b> 695:9 697:14,21 698:4 765:6 765:12,14 767:13 825:21 825:24,24 <b>breaking</b> 765:9 <b>BRIAN</b> 687:10 <b>bring</b> 690:17 705:4 707:21 719:13 721:6 721:20 725:17 727:5 728:25 731:16 735:4 740:13 741:3 748:9 761:22 763:11 767:19 768:11,12 769:17 772:10 775:15 777:23 790:1,3,5 806:24 807:7 812:7 815:9 <b>bringing</b> 741:8 <b>brings</b> 701:15 821:14 <b>BRITNEY</b> 706:20,25	708:1 731:11 731:20 776:10 <b>broken</b> 796:24 <b>brought</b> 733:10 752:21 761:13 812:9 <b>BROWN</b> 707:9 753:15,17 <b>bunch</b> 815:13 <b>burden</b> 701:14 701:22,23 702:4 704:15 714:4,8,14,18 714:23 715:9 715:23,24,25 718:7 737:10 737:12,19 747:7 783:11 783:12 787:10 787:17 788:14 788:14,22 789:12 795:24 796:22 797:2 797:8 820:4,7 820:13 821:16 824:7 <b>business</b> 693:20 766:18 770:6 <b>Butler</b> 686:20 827:7,16 <b>buy</b> 756:4 <b>buying</b> 756:3 <b>buys</b> 756:6 <hr/> <b>C</b> <hr/> <b>cables</b> 825:20 <b>call</b> 697:16 751:16 768:10 768:15 772:5 814:14 <b>called</b> 702:17 702:25 717:12 723:5 818:15 <b>calls</b> 767:25 <b>cameras</b> 712:18 <b>cancel</b> 769:5 <b>cancer</b> 749:5 821:12 <b>cap</b> 814:19 <b>car</b> 703:9	<b>care</b> 692:23 756:22 772:9 787:16 797:1 798:5 803:9 <b>careful</b> 729:3 729:21 <b>CARTOS</b> 726:5 <b>case</b> 686:2 691:10 693:15 699:15 700:2 701:25 702:2 704:5,7,25 707:18 710:8 710:24 711:25 712:2 713:7 713:22 714:25 715:17 716:4 717:22,24 720:6,7,7,8,9 720:15,16,23 721:2 724:9 724:20,24,25 724:25 725:11 725:13 726:9 727:17 730:19 732:24 736:19 737:3,8 738:24 743:9 745:8,24 747:6 749:17 749:23,23 750:11 753:14 757:8 760:23 761:5 762:4 764:20 765:20 769:1 773:20 774:14 777:11 777:12,13,20 778:22 779:3 779:24 782:14 782:19 783:1 783:2,23 786:5,15 795:15,16,18 799:8,11 800:8 801:8 801:15,20 802:14 803:5 806:13 807:7 807:24 808:12	809:18 811:4 812:5 816:13 816:24 818:3 818:14 821:7 823:16 <b>cases</b> 700:5 711:25 715:6 716:5 720:8 723:9 733:9 744:4 752:21 785:19 788:4 818:6,6 819:1 <b>cause</b> 686:18 690:8 715:8 716:6,11 738:8 766:14 766:25 770:14 782:22 785:7 788:16 <b>caused</b> 774:13 <b>causes</b> 783:20 <b>causing</b> 728:6 729:12 <b>ceiling</b> 742:6 812:18 814:19 <b>certain</b> 777:18 778:1,16,17 782:24 785:16 785:23 819:1 819:1 <b>certainly</b> 708:19 <b>CERTIFICA...</b> 827:1 <b>certify</b> 827:8 <b>chairs</b> 765:22 <b>challenge</b> 715:8 716:6 <b>Chamberlain</b> 705:22 712:13 712:20,25 713:2,9 <b>chance</b> 733:18 776:18 778:11 <b>change</b> 692:9 747:25 <b>changed</b> 692:7 <b>changes</b> 777:4 <b>changing</b> 773:24,25	<b>charity</b> 821:5 821:11 822:11 <b>chart</b> 729:16,17 <b>check</b> 706:18 707:6,7 766:7 <b>cheer</b> 776:9 <b>child</b> 751:24 <b>choice</b> 705:2 707:19 710:18 712:21 713:16 713:19 724:3 730:10 732:18 740:20 741:24 742:18,24 743:24 746:6 746:8,11 747:18 749:7 756:1,11,16 758:24 759:6 762:13 764:13 790:11 813:19 <b>choices</b> 709:15 723:11 725:15 752:13 779:15 780:3,13 792:3 <b>choose</b> 709:16 719:7 791:17 <b>chose</b> 719:24 724:4 <b>chosen</b> 721:3 782:20 786:15 789:5 824:23 <b>cigarette</b> 699:17,19 700:19 704:11 742:19 744:1 745:6 752:2 756:6,6 789:22 790:10 <b>cigarettes</b> 704:16,17 723:5 739:17 745:12 756:3 756:4 783:18 784:5,8,14 797:15 <b>CINDY</b> 739:8 739:24 798:11 798:15 803:24
--	--	---	---	--

<b>Circuit</b> 686:1,1 686:16	<b>coffee</b> 749:18 749:19,23	795:10	<b>conditions</b> 755:25	<b>COONEY</b> 696:23 697:1 697:5
<b>circumstances</b> 752:18	<b>coffin</b> 723:5	<b>comparative</b> 702:18 703:3 703:23 789:17 792:15	<b>conduct</b> 806:17 819:15 820:15 821:2	<b>COPD</b> 694:9,21 747:17 751:15 752:4 783:21 788:17 808:21
<b>claim</b> 703:15 780:1 806:16 811:17,18 821:15	<b>college</b> 696:9	<b>compare</b> 789:20	<b>conducted</b> 691:13	<b>copy</b> 813:3
<b>claims</b> 702:22 702:22,24,25 703:2,19 704:9	<b>colors</b> 691:22 691:23	<b>comparing</b> 790:6	<b>conference</b> 717:12,13	<b>Coral</b> 687:13
<b>clarify</b> 782:11	<b>come</b> 691:9 705:17 706:8 706:11 709:4 718:11 722:18 729:9 745:8 757:18,19 767:7 768:17 772:1 774:11 775:16 777:1 798:25 803:2 806:17 808:4 815:6 820:5	<b>compensate</b> 807:19 818:11 819:20	<b>confidence</b> 750:20	<b>corner</b> 693:25
<b>class</b> 777:14,17 777:25 778:1 778:14,14 779:6 782:23 783:6,13,14 783:24 785:14 785:17,21 786:17,18,23 787:11,24 788:1,18,23 789:4,13,14 789:19 791:22 792:23,24 795:19 810:7	<b>comes</b> 700:9 731:4 754:8	<b>compensated</b> 825:8	<b>confusion</b> 714:10,15 716:8	<b>corporation</b> 723:10 820:6
<b>clear</b> 695:14 740:10 756:25 761:11 794:13 820:12,19,20 821:7,8,17,22 822:8 823:25	<b>comfortable</b> 722:19	<b>compensation</b> 807:3,11,12 807:18 808:10 824:18	<b>consequence</b> 755:23	<b>corporations</b> 823:7
<b>Cleveland</b> 688:4,8	<b>coming</b> 691:2,6 707:13 738:21 768:6 809:5	<b>compensatory</b> 818:10,11,12 819:8,18,20 822:1	<b>consequences</b> 709:15 710:19 719:9 726:7 727:3 736:3 746:7,12 752:13 756:16 759:8	<b>correct</b> 690:15 690:16 694:23 705:23 706:6 717:20 725:24 744:13 757:13 763:12 806:6
<b>client</b> 698:15 709:20 718:9 731:16 736:14 745:22 747:3 747:3 760:3 787:22 789:6 792:23 807:7	<b>comment</b> 728:4	<b>complete</b> 716:13 827:11	<b>consider</b> 787:23 787:24 788:1 789:16	<b>cost</b> 733:10
<b>client's</b> 718:10 722:18 746:18 750:24 788:20 788:23 789:11	<b>Commerce</b> 686:15	<b>complicated</b> 778:4 784:20 788:2	<b>consumer</b> 733:11 734:7	<b>counsel</b> 690:13 698:10 727:22 758:11 775:19 787:21 801:16
<b>close</b> 802:23,24	<b>commit</b> 701:7 701:10 788:11	<b>conceal</b> 784:12	<b>contacted</b> 691:10	<b>counting</b> 776:22
<b>closed</b> 766:5	<b>commitment</b> 801:18 802:15	<b>concealed</b> 783:25	<b>contested</b> 786:4	<b>country</b> 704:18 745:15 749:15 794:1,17 795:11 797:17
<b>closer</b> 801:14	<b>comp</b> 693:15	<b>concealing</b> 786:7 787:6	<b>context</b> 715:9	<b>County</b> 686:1 686:14 827:5
<b>CLR</b> 686:20	<b>companies</b> 699:19 732:4 784:12 787:7 789:22 819:9 819:9,23 820:1,16 821:9,20	<b>concept</b> 703:23 785:9,11	<b>continued</b> 690:1,23 726:23 803:8 826:2	<b>couple</b> 692:4 693:3 703:19 743:21 757:25 766:6 824:11
	<b>company</b> 686:7 688:1 699:17 700:19 704:11 720:21 732:1 742:23 748:7 756:19 764:14 790:10,18 791:7 792:1 793:5,10,14 793:25 794:16	<b>concern</b> 718:14 741:18 745:23 747:4 811:24	<b>continued)The</b> 689:4	<b>course</b> 811:12
		<b>concerned</b> 725:10 749:4 749:8 760:4	<b>continues</b> 798:4 799:4,13	<b>court</b> 686:1 689:4 690:2,6 690:13,17,21 690:24 691:18 691:25 692:18 693:1,8,11,17 693:23 694:3 694:6,10,14 694:17,22,25 695:5,10,15 695:20,24 696:7,12,14
		<b>concerning</b> 784:4,13	<b>convenient</b> 698:22 720:2	
		<b>concerns</b> 728:6	<b>conversations</b> 690:6	
		<b>concluded</b> 717:9 730:3 802:25	<b>convince</b> 710:2 731:3	
		<b>conclusion</b> 745:9	<b>convincing</b> 820:12,19 821:7,8,17,22 822:9 824:1	
		<b>condition</b> 756:20		

696:19,25	793:18 794:19	812:7,10	825:8	<b>deselection</b>
697:2,6,9,13	794:21 799:9	813:10 816:14	<b>debate</b> 715:1	776:3
697:18 698:8	799:17,21,23	816:22,23	731:1 733:25	<b>designed</b> 742:7
698:9 706:22	799:25 800:20	818:10,11,12	749:22	<b>despite</b> 710:5
712:15 713:25	801:1,5,13	818:16,18,19	<b>DEBORAH</b>	711:23 713:4
714:3,17	802:18,24	818:22,23,24	694:20,24	717:22 719:11
716:9 717:5	803:12 804:5	818:25 819:6	697:11 734:20	719:25 720:12
717:10 718:10	804:8,11	819:7,8,15,19	<b>deceased</b>	724:7 730:17
719:4,20	805:3 806:17	819:20,21	810:20	734:1 739:2
722:7,9,18	808:4,19	820:10,11,14	<b>decide</b> 713:18	750:8 761:20
725:3 726:8	809:5,13	820:24 821:4	746:20 759:7	762:1 805:16
727:20,22,24	810:18 811:8	821:6,10,21	774:14,25	816:4 817:9
727:25 728:3	811:11,24	821:24 822:1	797:8 812:8,9	817:17
728:25 729:11	816:16,20	823:18 825:1	814:17	<b>deter</b> 819:10,16
729:20 733:8	817:1,8 819:3	825:13	<b>decided</b> 728:5	819:17 820:2
733:8 738:16	819:5,25	<b>dance</b> 697:25	<b>decides</b> 777:24	<b>determine</b>
738:22 742:1	820:5 825:19	<b>dangerous</b>	804:17 812:6	777:22 778:6
742:4,16	827:1	740:21 784:10	<b>deciding</b> 773:19	779:6
746:8,18	<b>Court's</b> 811:15	<b>dangers</b> 773:11	<b>decision</b> 740:25	<b>determining</b>
750:24 753:19	<b>courthouse</b>	774:16,22	760:20 791:19	786:17 787:23
754:1,5,11	686:14 774:11	797:24	812:3,11,13	<b>deterred</b> 820:17
755:9 757:20	<b>courtroom</b>	<b>DATE</b> 686:13	<b>deep</b> 750:6,9	821:10,21
757:23 758:9	690:22 765:23	<b>Dated</b> 827:13	<b>defective</b> 784:9	<b>detriment</b>
760:15 765:7	775:20	<b>Davie</b> 687:5	786:6 787:5	784:17
765:24 766:4	<b>Courts</b> 785:25	<b>DAVIS</b> 744:24	<b>Defendant</b>	<b>DIANA</b> 746:5
766:12,15,20	<b>cover</b> 766:19	745:14,16,19	686:8 702:3	746:10,19,24
766:23 767:1	<b>cowboy</b> 723:6	746:1 762:12	702:20 703:6	747:8
767:3,6,10,12	<b>coworkers</b>	763:5,9,12,16	724:16 779:10	<b>die</b> 751:15
767:18,23	696:5	763:21 764:2	795:22 821:18	806:20 807:16
768:1,2,3,6,9	<b>CRC</b> 686:20	764:6 814:13	<b>Defendant's</b>	<b>died</b> 707:2
768:11,14,25	827:7,16	815:2,5	783:20	726:21,23
769:6,11,15	<b>criminal</b> 720:7	816:10 817:14	<b>Defendant/R.J</b>	747:17 749:5
769:16,21	<b>critical</b> 729:20	817:16,20	688:1	751:22 752:2
770:9,15,18	<b>cross</b> 761:9	<b>day</b> 688:3,7	<b>Defense</b> 698:18	752:5 778:8
770:20,22,24	<b>crowd</b> 691:3	699:21,25	698:21 701:16	809:7 813:15
771:1,3,5,7,10	699:5 700:24	718:10 722:18	<b>definitely</b>	815:14
771:12,14,16	<b>CRR</b> 686:20	726:8 729:4	749:14	<b>difference</b>
771:18,21,25	827:7,16	746:18,22	<b>deliberating</b>	692:17
772:7,16,18	<b>cup</b> 749:18	750:24 769:7	747:2	<b>differences</b>
772:19,21		790:24 827:13	<b>Denney</b> 687:7	802:22
773:5,8,14,25	<b>D</b>	<b>days</b> 692:5	687:10 787:17	<b>different</b>
774:3,8,19	<b>D</b> 688:5,9 689:1	757:25	800:21 801:11	714:12 717:4
775:3,9,14,21	<b>dad</b> 747:15,16	<b>deal</b> 767:12	801:15 802:16	722:6 726:6
776:11,21	751:23,24	772:8	<b>depending</b>	734:23 754:4
778:2,24	752:4 756:1	<b>death</b> 738:8	722:1,4 745:9	755:24 758:12
780:9 781:11	<b>damage</b> 811:16	745:21 782:23	<b>deputy</b> 690:21	759:15 776:6
782:3,8,25	812:24	788:17 806:21	727:24 754:5	777:12 778:2
783:7 785:18	<b>damages</b>	807:6,24	765:17 767:10	788:3 791:1
785:18,25	807:23,24,25	808:12 809:6	767:23 768:2	812:25 816:3
792:14 793:8	811:13,14	810:8 811:4	768:9 769:15	819:19,22

820:3,4	<b>doctrine</b> 703:3	<b>E</b>	805:24 806:2	772:5 775:15
<b>difficult</b> 691:19	<b>doing</b> 697:25	<b>E</b> 687:14 689:1	806:6	777:15 784:18
697:3 709:23	755:25 756:9	<b>earlier</b> 690:7	<b>embarrassing</b>	785:1 786:20
710:7 711:24	756:17 788:11	695:2 726:2	699:9	787:12,19,25
713:6 716:25	790:13 801:3	734:22 791:1	<b>EMILY</b> 696:3,8	788:8,8,9,11
717:23 718:1	801:6,9 805:7	818:6	696:13,18	789:4 795:25
718:4 720:22	806:13 817:24	<b>early</b> 768:23	776:20	796:3 797:7,9
721:8 724:8	819:11 820:3	<b>easier</b> 755:18	<b>emphysema</b>	797:11,15
725:20 727:13	<b>dollar</b> 810:10	<b>easiest</b> 742:15	751:15,23	806:13 810:11
730:13,18	814:23	<b>easy</b> 788:6	783:21	818:18 819:17
732:23 734:3	<b>dollars</b> 749:20	817:21	<b>ends</b> 693:21	820:20 821:15
736:10,20,21	808:22 809:20	<b>eating</b> 735:22	<b>Engle</b> 818:3	<b>everybody's</b>
738:23 743:3	809:22	<b>EBERLE</b>	<b>English</b> 695:19	720:3 747:24
743:8 744:3	<b>DONALD</b>	705:25 713:15	785:7	749:1 759:1
750:3,10,13	706:4 722:25	717:25 718:3	<b>enrich</b> 733:10	818:21
757:1,7	723:3 810:14	718:16,20	<b>entered</b> 690:22	<b>evidence</b> 700:2
760:23 761:1	810:19 811:1	<b>effects</b> 784:4,14	775:20	701:24 702:5
761:21 762:3	<b>DONER</b> 687:3	<b>efforts</b> 710:5	<b>entire</b> 714:14	702:9,21
763:19 780:4	<b>door</b> 729:2	711:23 713:5	<b>entitled</b> 747:24	703:4 704:25
780:14 781:23	766:4	717:23 720:1	789:15	707:17 710:6
783:5 788:6	<b>double-dip</b>	720:12 724:7	<b>environmental</b>	711:22 713:5
790:9 791:24	824:18	727:13 730:18	738:6,9	713:21 715:14
794:9,12,15	<b>doubt</b> 699:10	734:1 739:3	<b>ESQ</b> 687:6,10	715:18 716:25
805:17 808:10	718:17,18	744:2 750:9	687:14,15	717:22 719:11
813:9 816:5	720:25 721:2	757:7 761:20	688:5,9	720:13 721:18
816:12,21	722:12 724:18	762:2 805:16	<b>essence</b> 768:9	722:5 730:12
817:4,10,18	724:21,22	816:5 817:9	<b>estate</b> 686:4	732:22 734:2
823:17 824:25	737:2 750:25	817:17	810:21	736:19 737:16
<b>difficulty</b> 738:7	750:25 753:12	<b>eight</b> 774:14	<b>EULER</b> 737:25	738:22 743:6
788:22,24	753:15,16,17	<b>either</b> 699:8,10	738:2,5,14,18	745:5,10,25
<b>dire</b> 689:4,4	764:4 792:5	726:4 742:13	738:25 739:4	746:2,14
690:23 698:7	794:7,25	745:9 749:23	<b>EURES</b> 721:14	748:16 750:3
801:4,6	805:24,25	769:6	721:16,24	756:19 757:1
<b>direct</b> 728:22	806:4	<b>ELAINE</b>	722:6,8,15,22	760:22 762:2
<b>directly</b> 824:21	<b>doughnut</b> 732:3	734:11,16,18	723:14	763:23 764:19
<b>disagree</b> 714:24	<b>downstairs</b>	813:14,18,24	<b>evening</b> 825:25	765:3 773:17
<b>disclose</b> 784:3	776:8	<b>electrical</b>	<b>everybody</b>	779:24 792:2
<b>discuss</b> 765:20	<b>Drawer</b> 687:9	825:20	698:11,19,21	792:19,20,23
<b>discussion</b>	<b>drinking</b>	<b>elements</b>	699:14 700:9	793:1,12
714:1 728:2	735:22	811:16 812:24	700:17 701:7	795:16,17,23
799:24	<b>driving</b> 703:8	<b>ELSIE</b> 735:2,8	701:9,16	796:7,8 797:1
<b>disease</b> 786:19	<b>dropping</b>	735:16,19	702:6 703:22	799:10,11
<b>diseases</b> 783:21	719:20	736:2,6,9,12	713:15 720:9	801:20,24
<b>dismiss</b> 728:8	<b>drugs</b> 719:8	736:16,23	726:7,21	802:3 803:4,5
<b>dispute</b> 757:6	<b>DUPREY</b> 822:4	737:4,11,14	730:10 731:4	804:21 805:13
<b>disputed</b> 786:3	822:20,22	737:20 794:6	735:8,10,20	809:8,19,22
<b>distributed</b>	823:10,19	794:8,11,23	736:5 740:20	810:1,5,6,9,12
692:23	824:5,9	795:1 803:21	745:1 752:24	812:2 813:12
<b>divorce</b> 720:6	<b>DURRANCE</b>	804:6,10,14	758:24 762:13	814:17,22
<b>doctor</b> 762:17	686:3	805:6,15,19	767:13 769:12	817:2,3,5

819:13 820:8	<b>extra</b> 718:7	707:20 721:19	706:3,6	790:11,12
820:12,18,18	<b>eyes</b> 786:24	726:22 731:8	707:19,22,25	791:14,16,16
820:19,24		740:12 745:12	708:4,5,7,7,8	794:22 795:4
821:7,9,18,22	<b>F</b>	748:5,12	708:9 709:13	796:19,20
822:9 823:16	<b>face</b> 758:19	751:14 759:9	709:14 710:16	797:18 798:9
823:25 824:1	<b>fact</b> 692:15	788:20 789:11	713:14,18	798:10,10,13
824:3,24	700:12 714:24	807:7 809:4,7	717:16 719:1	800:12 803:6
825:9,11	715:10,23	809:21,25	719:2,6,14,17	803:16 804:13
<b>ex-smoker</b>	716:15 720:20	810:23 813:8	721:19,23,24	804:19,20,25
723:3	784:4 786:13	813:11 815:10	722:15,19,19	808:21 813:18
<b>exam</b> 696:12,21	801:19 802:12	815:25 821:14	722:22,24	813:21,22
<b>Examination</b>	811:13 813:1	821:25 822:12	723:13,14,16	814:3,5,9,11
689:2 690:23	825:4	823:11,13,24	726:3 727:4	815:1,3,4,11
698:7	<b>factors</b> 738:9	825:1,7	727:10 728:18	815:13,16,19
<b>examined</b>	<b>facts</b> 725:9,9,11	<b>far</b> 714:11	729:18,24	815:23 816:3
761:10	725:13 740:20	735:9 749:3,5	730:6 731:8	817:13 822:2
<b>example</b> 703:8	741:15,16	749:8 750:6	731:17,19	822:3,6,7,21
733:7	763:2 764:3	762:25 786:9	732:15 733:6	822:22 823:10
<b>exams</b> 696:9,10	777:16 800:9	<b>fast</b> 785:8	733:12,19	824:22
<b>excuse</b> 691:24	<b>failed</b> 784:3	<b>father</b> 726:21	734:5,10,13	<b>feeling</b> 700:15
696:15 728:5	<b>fair</b> 713:7 720:4	762:15 763:18	734:23 735:6	700:18,18
770:4 775:15	720:5 721:1	<b>father-in-law</b>	735:12,13,18	701:21 735:14
776:5,17	722:13,16	752:5	738:3,8	805:13 816:6
<b>excused</b> 690:8,9	724:8,23	<b>fault</b> 702:18	739:22 740:7	824:16
690:10 728:14	727:16 734:2	703:3,5,6,12	740:14,16,18	<b>feelings</b> 704:2
766:14,24	737:3,5	703:13,13,23	740:24 741:2	709:23 711:6
769:24 775:12	738:24 739:10	774:18 785:13	741:12,23	721:4,5
775:18 776:23	743:7 744:10	789:17,18,21	742:17,22	725:17 727:14
<b>excuses</b> 779:14	745:24 746:2	790:6,10,17	743:22 744:16	730:13 732:7
779:15 780:3	751:6 752:23	791:6,19,23	744:21 747:6	733:14 738:21
780:13 781:1	752:25 753:8	791:25 792:16	747:14,17,19	743:1 750:4
781:2	753:13 760:6	793:2,4,10,13	747:20 748:4	750:16 751:1
<b>excusing</b> 769:24	760:8 761:4	793:24,24	748:8,10,11	757:2 760:24
769:25 770:1	786:23 787:2	794:16 795:9	748:11,19,22	761:16 763:17
<b>exercise</b> 779:13	792:6,8	795:22,23	748:23 749:24	<b>feels</b> 708:25
<b>exited</b> 765:23	794:14 802:3	796:10,10,14	750:2 751:13	780:25 790:14
<b>expenses</b>	806:4 807:3	797:3,9 800:5	752:12,16,20	790:15 791:4
818:13	812:9,16	800:7,14,15	752:20,21,22	791:14 793:22
<b>experience</b>	821:3	802:8 805:7	753:5 755:1	795:8 797:4
763:18	<b>fairly</b> 825:8	<b>favor</b> 711:6,10	755:19 757:12	797:25 798:3
<b>experiences</b>	<b>fairness</b> 750:23	712:23 722:20	758:23 759:1	798:24 799:2
700:10	787:20 816:12	737:17 738:13	759:5,6	799:12 808:9
<b>explain</b> 711:14	<b>faith</b> 695:8,9	738:16 788:19	760:13,18	809:24 815:17
785:2	<b>falls</b> 696:10	<b>February</b>	761:9,12,17	<b>felt</b> 761:18
<b>explained</b> 692:6	<b>false</b> 784:3	696:10	762:12 763:10	<b>fence</b> 764:17
702:8 711:2	<b>familiar</b> 801:16	<b>feel</b> 692:5 693:9	764:9,12,13	<b>field</b> 692:22
<b>express</b> 700:12	<b>families</b> 698:22	701:4,5,5,9	764:14 776:3	<b>FIELDS</b> 706:20
700:13	<b>family</b> 699:16	704:22 705:1	779:25 780:21	706:25 708:1
<b>expressed</b>	703:18 704:10	705:5,14,16	780:25 782:11	731:11,20
744:16	705:3 707:1	705:18,21	787:19,19	776:10

<b>figure</b> 751:25	782:21 783:13	705:1 783:25	<b>given</b> 692:11	701:13,25
<b>file</b> 774:10	786:25 788:15	818:8	714:17 770:5	702:11,15
785:19	800:1,7,19	<b>fourth</b> 782:18	<b>gives</b> 714:25	704:13,19,23
<b>filed</b> 703:17	802:7,10	803:3	<b>giving</b> 814:24	705:17 706:8
760:14 777:17	809:21	<b>FPR</b> 686:20	822:10	706:9,11,17
778:15 785:15	<b>Fleming's</b> 800:9	827:8,16	<b>GLADYS</b>	706:18 707:6
785:17	<b>flip</b> 795:13	<b>frankly</b> 743:25	705:19 710:14	707:7,14
<b>filled</b> 694:2	<b>floor</b> 765:25	<b>fraud</b> 702:24	710:17,25	709:4,8 715:1
<b>find</b> 748:24	<b>Florida</b> 686:1	<b>free</b> 717:16	711:4,8,11,17	715:20 717:6
782:21 783:2	686:15 687:4	776:8,14	711:19 712:1	720:3 723:21
785:23 787:8	687:5,9,13	<b>Friday</b> 698:16	712:4,7,9,11	724:12 725:14
788:15,17	702:17 777:19	<b>frivolous</b> 705:6	791:17 792:4	728:18 729:25
789:1,9 821:5	777:23 778:2	707:23 719:15	792:8,17,20	731:2 732:1,2
821:6	778:17 782:25	721:22 731:18	<b>go</b> 690:2,17	733:25 737:5
<b>finding</b> 780:4	783:14,16	735:6,15	697:16,20	739:18,19,20
780:14 781:24	785:15 786:22	740:14,19	699:13 702:9	742:7 749:22
783:23 784:10	792:25 806:14	741:13 744:5	702:11 709:8	750:1 753:3
<b>findings</b> 778:1	807:2,6,10,12	744:8 748:18	714:5 716:20	753:21 754:7
782:24 783:8	811:4 819:4	752:22 758:25	723:2 728:13	755:2 758:11
783:14 785:23	821:13 823:4	<b>front</b> 700:24,25	729:5,6,19	764:8 765:3,7
786:1,12,13	823:7,8 827:4	768:18 772:5	749:11 755:9	765:11,15
786:14,16,20	<b>folks</b> 690:24	773:3 798:7,7	756:19 758:14	766:8 767:14
786:21,25	691:1 717:10	798:23 803:1	763:2 765:11	769:2,3 770:6
787:5,15,23	727:24 765:10	814:3	765:14 766:1	770:9 774:21
788:18,25	775:21 811:10	<b>full</b> 741:15	766:5,17,22	775:12,15
789:1,6,8,15	811:25	<b>fully</b> 745:8	767:6,10,16	776:5,7,16
789:20 795:19	<b>follow</b> 706:9		768:12 769:3	777:2,7,22
818:4	723:20 724:11	<b>G</b>	769:16 770:7	778:13,25
<b>fine</b> 709:11	725:5,8	<b>Gables</b> 687:13	770:8,10,18	779:7,19,20
729:23 733:21	773:19 786:8	<b>Gary</b> 687:6	772:9 775:14	779:20,21,22
734:16,18	788:4,9	698:13	776:8,8,14,23	782:15,16
735:2 743:19	<b>following</b>	<b>Gator</b> 691:22	777:9 779:22	783:8,9
747:11 796:15	686:18 690:1	<b>Gators</b> 692:1	780:11 782:16	787:18,22
800:12 802:23	784:19,23	<b>general</b> 699:4	782:20 798:20	789:23 790:9
<b>firearm</b> 691:5	<b>follows</b> 783:17	<b>gentleman</b>	802:18 803:14	790:13 793:21
<b>FIRM</b> 687:12	<b>foregoing</b> 827:9	723:18 761:16	811:21 812:6	796:9,10
<b>first</b> 693:4	<b>forget</b> 698:16	<b>gentlemen</b>	818:9 821:5	798:25 800:17
697:16,16,20	805:17	747:23 775:23	821:11,12,25	800:18 801:9
703:15,16	<b>forgetting</b>	<b>getting</b> 732:19	822:11,12	801:11,25
704:20,22	696:1	769:2 815:13	823:22 825:23	802:7 803:2
714:20 730:9	<b>forgot</b> 717:19	<b>give</b> 697:21	825:25	805:10 806:12
764:16 767:11	<b>form</b> 800:17	733:16 765:12	<b>God</b> 758:7	806:14 808:4
767:20 772:8	802:6,7,12,15	765:15 767:13	<b>goes</b> 697:16	808:5 809:5,7
779:21 797:21	802:17	796:9,13	735:10 821:14	809:9,20
825:17	<b>former</b> 723:18	802:13 807:23	823:24	811:15,25
<b>fits</b> 821:2	<b>forth</b> 802:19	807:25 809:25	<b>going</b> 690:13	812:1,2,8,15
<b>five</b> 744:2	<b>forward</b> 701:23	811:5 812:25	696:5 697:15	812:17 813:1
<b>flaming</b> 691:22	<b>found</b> 783:4	813:2 815:10	697:15,20,20	813:2 815:11
<b>Fleming</b> 686:4	785:24	821:1 824:25	699:2,3,4	818:9 819:12
778:7,11	<b>four</b> 702:22	825:21	700:17 701:4	819:13 821:25

822:12,25 824:11 <b>good</b> 693:1 696:21 698:11 698:12 710:12 710:14,15 713:12 718:25 721:16 723:16 730:4 731:13 732:9,10 735:3 737:24 737:25 738:2 739:6,8 741:22 744:23 744:24 765:5 765:17 811:3 822:20 823:22 <b>GORDON</b> 687:3 <b>gpaige@forth...</b> 687:6 <b>GRACE</b> 747:11 747:15 748:2 748:11,20 781:12,20 <b>grandmother</b> 751:23 <b>Great</b> 797:12 <b>greater</b> 702:9 737:15 820:8 <b>greedy</b> 823:3 <b>GREER</b> 741:24 742:18 743:2 743:5,10 <b>GREGIS</b> 733:6 733:13,16,22 734:5 <b>guess</b> 710:23 721:3 722:11 725:8,9 732:7 747:2,21 753:6 754:24 759:13,22 791:21 813:6 815:6 <b>guessing</b> 695:22 <b>guy</b> 729:9 800:25 <b>guys</b> 696:2 698:17 716:21	728:5 742:6 755:1 759:16 817:23 820:20 822:16 <hr/> <b>H</b> <b>H</b> 688:7 <b>HAHN</b> 781:9 <b>hair</b> 740:5 <b>half</b> 697:22 708:13,15,18 716:3 818:9 <b>halfway</b> 708:16 <b>hand</b> 692:12 698:2 700:25 704:2 705:8 707:24 713:12 721:13 726:2 734:22 735:13 740:16 741:2 741:23 743:15 747:12,13,22 780:20 798:1 814:1 824:13 <b>handle</b> 729:23 <b>hands</b> 691:12 691:12 705:1 705:7,11 707:18 813:3 <b>Hang</b> 717:10 800:23,23 <b>happen</b> 697:15 699:11 709:17 732:1 <b>happened</b> 729:10,15 736:25 737:6 804:23 807:9 816:2 <b>happening</b> 749:17 773:14 <b>happens</b> 699:11 716:5 757:23 759:11 <b>happy</b> 698:4 735:20 <b>hard</b> 696:5 710:1 737:6 747:18 781:4 781:5 790:13	790:17 791:5 793:23 795:9 808:13 809:24 820:18 824:7 <b>harder</b> 729:14 <b>harm</b> 806:23 807:17 821:2 <b>hate</b> 747:1 <b>he'll</b> 698:3 700:8 <b>head</b> 739:4 <b>health</b> 692:22 784:4,13 798:5 799:5 799:15 803:9 804:16 <b>hear</b> 701:18 702:23 703:1 703:4 707:3 709:25 710:21 713:17 715:18 717:15 718:4 722:5 728:1 729:8 736:24 739:11 742:1 742:3 755:10 758:10 778:4 781:8 791:18 792:21 804:8 812:1,2 818:22 <b>heard</b> 686:18 700:20 702:4 712:19 715:14 737:9 745:4 746:2 764:19 795:17,18,23 795:24 807:4 818:19,21 822:18 <b>hearing</b> 704:24 707:17 713:21 748:15 765:3 795:15 796:6 796:7 <b>heavily</b> 743:24 <b>heirs</b> 810:22 <b>held</b> 714:1 728:2 733:15 736:7 743:1	785:18 799:24 805:14 <b>Hello</b> 747:10 749:2 <b>help</b> 766:1 785:14 808:23 811:22 <b>helpful</b> 693:2 <b>helping</b> 698:15 <b>helps</b> 755:10 <b>hesitant</b> 793:15 794:24 <b>hey</b> 714:16 742:14 779:16 789:14 800:3 800:10 822:8 823:6 <b>higher</b> 737:18 820:13 824:7 <b>Highlands</b> 686:1,14 827:5 <b>HILTS</b> 708:13 708:16,19 <b>HODGE</b> 751:14,21 752:9,12,16 752:25 753:4 753:9,11 754:21,24 <b>hold</b> 700:13 737:17,18 747:6 754:9 769:21 771:21 787:18 796:16 798:7 824:6 <b>HOLDEN</b> 687:14 <b>holder</b> 754:2 <b>holding</b> 788:25 797:2 <b>home</b> 692:22 754:2 <b>honest</b> 728:23 <b>honestly</b> 752:23 <b>honesty</b> 710:11 713:11 717:21 721:12 730:23 737:23 743:12 757:10	<b>Honor</b> 690:12 690:21 698:6 712:14 713:23 727:21 728:7 765:5 767:5 769:18 777:10 778:22 780:7 782:1 793:6 793:16 794:18 799:7,16 802:5 803:11 809:11 810:16 811:6 816:15 817:7 819:2 819:24 <b>hope</b> 729:24 790:15 <b>Hopefully</b> 775:24 <b>hospital</b> 692:16 <b>hour</b> 697:21,22 697:22 765:10 <b>hours</b> 743:21 759:16 <b>house</b> 752:2 <b>hurt</b> 806:19 807:14,15 <b>hurting</b> 743:21 <b>husband</b> 749:4 <hr/> <b>I</b> <b>idea</b> 767:21 <b>identified</b> 690:8 <b>iffy</b> 736:23 <b>ignore</b> 773:5 <b>impaneled</b> 812:1 <b>impartial</b> 710:7 711:24 713:7 717:1,24 718:13 720:14 720:18,23 722:13 724:9 724:24 726:8 727:17 730:19 732:23 734:4 736:21 737:3 738:24 743:8 744:11 745:24 747:20 750:11
---	---	---	--	---

753:14 757:8 759:2 760:6,8 761:5 762:4 816:13 817:10 817:18 <b>important</b> 692:18 701:3 758:10 776:7 779:8,9,10 <b>impossibility</b> 769:1 <b>impossible</b> 736:20 <b>including</b> 783:21 <b>income</b> 808:1,2 <b>Indicating</b> 738:14 <b>individual</b> 699:5 768:4 776:16 <b>individual's</b> 740:22 <b>individuals</b> 777:22 785:19 <b>information</b> 693:2 758:1 777:5 784:1 784:13,16 786:7 787:6 791:3 <b>inhaling</b> 710:22 752:6 <b>initially</b> 719:11 748:4 <b>injured</b> 774:9 778:18 785:16 806:15,16 819:21 <b>injury</b> 774:13 806:25 <b>inside</b> 750:6,9 <b>instruct</b> 783:15 787:22 811:11 811:15 <b>instructed</b> 773:16,18 <b>instructions</b> 812:25 813:2 <b>instructs</b> 788:5	788:10 <b>intangible</b> 812:10 <b>intention</b> 699:10 731:1 784:15 <b>intentionally</b> 691:14 <b>interrogatory</b> 802:15 <b>interrupt</b> 753:19 <b>involving</b> 699:16 <b>issue</b> 694:20 697:11 719:1 734:20 768:19 779:3,4,8,8 785:22 792:15 794:25 808:6 811:14 816:11 816:14 817:19 818:5 <b>issues</b> 691:15 699:18,18 718:13 765:20 777:20 778:13 782:19 785:22 800:8 818:2,3 <b>It'll</b> 779:9 <hr/> <b>J</b> <hr/> <b>JADE</b> 822:4,20 822:22 823:10 823:19 824:5 824:9 <b>JAMIE</b> 697:8 758:22 <b>January</b> 686:13 827:13 <b>Jason</b> 691:5 767:21 <b>jdmckinniss...</b> 688:10 <b>JOAN</b> 694:1,4 694:8,12,15 <b>job</b> 729:14 730:25 752:6 779:5 <b>jobs</b> 698:21	<b>John</b> 686:16 688:7 <b>joke</b> 744:20 <b>JONES</b> 688:3,7 <b>JOYCE</b> 688:9 <b>judge</b> 686:16 699:7,13 701:5,12 702:8 711:2 713:18 737:9 742:3 769:15 777:14,15 782:15 783:15 787:20,22 788:5,10 814:18 818:5 <b>JUDICIAL</b> 686:1 <b>judicious</b> 758:4 <b>JULEANA</b> 723:17,23 724:2,10,15 724:21 725:5 725:12,19,22 725:25 <b>juries</b> 786:15 <b>juror</b> 691:20 696:24 697:6 710:8 711:24 713:7 715:6 717:1,24 720:14 721:4 722:7,13 724:9,24 727:17,20 728:3 730:19 732:23 736:21 738:24 743:8 750:11 753:8 753:14,23,23 757:8,20 760:4 761:5 761:24 762:4 766:10,16 767:18 772:13 775:17 776:13 776:17 816:13 824:24 <b>jurors</b> 690:7,15 690:22 700:1	714:5 718:12 742:14 765:23 766:6 772:24 775:20 800:3 802:12 <b>jury</b> 701:25 703:4,11 721:6 725:18 729:7 746:22 746:25 747:4 761:23 767:14 769:2 776:1,2 776:3 777:24 778:2,6 779:1 782:20 783:1 783:2,6 785:24 789:5 789:16 795:7 811:25 812:5 812:6,8,16 820:23 821:1 <hr/> <b>K</b> <hr/> <b>KAREN</b> 692:21 796:13 <b>KARL</b> 757:17 758:8,18 <b>kdboyce@jon...</b> 688:5 <b>keep</b> 705:12 709:8 727:24 728:15 746:8 767:14 770:14 791:9 796:23 <b>KEST</b> 686:16 <b>KEVIN</b> 688:5 705:22 712:20 712:25 713:2 713:9 <b>kid</b> 723:6 <b>kidding</b> 744:20 <b>killed</b> 731:22 762:17 <b>killers</b> 723:6 <b>kind</b> 691:7 696:25 723:9 724:11 764:13 764:16 783:5 789:18 811:20 811:21	<b>knew</b> 694:8,22 723:19 732:1 736:17 <b>know</b> 690:18 692:6,16,18 692:24 693:1 694:10 696:3 696:5 698:3 698:18,21,23 699:11,12,15 699:15,17,20 699:21 700:3 700:4,8,23,24 701:1,9,22 702:13 704:1 704:6,7,7,9,10 704:14,15,16 706:16 707:5 708:17,24 709:17,25 710:18,19,20 710:22 711:1 720:1,4 725:12,14 726:2,18 727:2,15 728:17 729:18 729:23 730:24 731:22,24 732:2 733:19 734:10,13,21 734:23 735:4 739:12,15,15 739:17 740:9 740:19 741:15 741:17 742:20 742:20 744:3 744:9,16,21 745:7,8,22 746:14,14,15 748:1,4 749:14,24 750:17,18,18 750:19 751:18 751:18,19 752:14,17,17 753:1,4,7 754:17 755:1 755:21,23,24 756:18 757:11
--	--	---	--	---



757:20 758:13	803:7,8	792:25 793:12	741:9 745:13	766:1 777:11
759:7,11,21	804:22	793:15 795:16	748:7 788:16	777:16 778:4
759:23 760:2	<b>lack</b> 705:6	795:17,24	790:18 791:7	782:18 784:20
764:9,20	707:23 721:22	796:7,8 797:1	793:11,25	788:2,3
765:17 768:21	731:18 735:6	807:1,2,13,13	794:17,19	801:13 811:21
769:7 772:22	735:15,16	807:17 809:8	795:11 797:16	823:3
774:20 777:6	740:15 748:18	809:19,23	797:19 801:3	<b>long</b> 696:6
777:8,8 778:8	<b>lacking</b> 719:15	810:1,5,6,10	816:16 819:3	726:24 739:13
778:10,11	<b>Ladies</b> 775:23	810:13 811:10	<b>legs</b> 765:18	774:21 775:24
787:5,15	<b>lady</b> 810:7,9	813:12 814:22	<b>LESICZKA</b>	790:24 797:17
790:23 791:13	815:7	817:6 819:4	734:11,16,18	818:7
791:14,18,20	<b>Lakes</b> 687:8	819:13,15	813:14,18,24	<b>longer</b> 820:8
792:4,21	<b>Lakeside</b> 688:3	820:25 821:13	<b>let's</b> 690:17	<b>look</b> 695:11
795:4 796:9	<b>large</b> 702:14	821:13 823:4	712:15 755:9	701:23 749:6
796:18,20	723:10 763:24	823:6,16,23	769:16 772:9	772:23 807:22
797:25 798:18	793:13	823:25 824:24	775:14 801:1	813:4 815:6
800:24,24	<b>LARRY</b> 691:24	825:12	802:18,24	820:15
803:16 804:15	<b>LARSEN</b>	<b>laws</b> 807:10	812:4	<b>looked</b> 729:16
804:18 805:8	692:21 796:13	<b>lawsuit</b> 701:15	<b>letting</b> 725:13	<b>looking</b> 691:20
806:15 807:21	<b>late</b> 723:4	705:5 707:22	729:6 766:17	692:25 718:11
807:21 809:15	790:23	719:13,14	766:21 770:7	<b>looks</b> 766:4,8
814:13 818:7	<b>LATOYA</b>	727:6 735:5	770:8	<b>LORELEYS</b>
818:17 820:2	764:12,22,25	740:13 741:3	<b>liability</b> 703:1	726:18,20
820:23,24	765:2	741:8,13	<b>life</b> 700:9	727:2,7,9,11
823:1	<b>Lavado</b> 801:12	748:10 760:13	762:20 779:15	727:15,18
<b>knowing</b>	801:15,22	760:19 761:12	815:8	<b>lose</b> 715:11,18
740:21 784:2	<b>law</b> 687:12	763:11 774:11	<b>light</b> 754:8	716:4 808:17
821:24	695:3,13	778:15 790:1	<b>likewise</b> 788:13	<b>lost</b> 693:25
<b>knowledge</b>	702:17 704:25	790:3,5 808:6	<b>limit</b> 802:1	808:1,1,2,2,20
738:21	707:18 710:6	<b>lawsuits</b> 699:18	<b>limited</b> 765:13	810:23
<b>known</b> 722:2	711:22 713:6	702:12 704:3	<b>listen</b> 700:1	<b>lot</b> 700:3,5
723:4,7	713:21 714:25	705:6 707:23	702:21 722:16	701:1 702:13
773:11 774:16	716:8,25	721:21,21	737:7 745:7	704:1,14
774:22 784:2	717:22 719:12	731:17,18	764:3 773:16	709:25 712:17
<b>knows</b> 735:10	720:13 721:18	735:5,15	773:17 774:25	715:3 741:9
797:15 806:13	723:20 724:11	740:14 748:17	800:24 814:16	748:6,25
<b>KNUTH</b> 692:14	725:6,7,8,9	777:23	814:20 822:8	755:10 757:24
743:14,17,19	730:12 732:22	<b>lawyer</b> 731:7	<b>listening</b> 697:19	759:24 763:14
743:23 744:14	734:2 736:19	817:22	<b>literally</b> 825:22	773:3 776:22
753:25	738:23 739:11	<b>lawyers</b> 703:17	<b>little</b> 692:7	779:11,14
	743:7 745:25	<b>leaning</b> 711:14	695:18 698:25	781:2 782:19
	746:15 748:16	792:10	701:19,20	782:19 790:1
<b>L</b>	750:3 752:17	<b>leave</b> 754:8	702:23 709:5	798:23 808:5
<b>label</b> 797:13	757:1 760:22	765:21 770:3	719:4 723:6	818:1,2,9
798:19 800:12	762:3 763:24	<b>leaving</b> 810:22	723:21 724:12	820:10
805:8,9	764:20 773:16	820:21	724:16 725:14	<b>loud</b> 742:13
<b>labels</b> 797:14	773:18,19	<b>left</b> 691:11	726:5 735:21	772:19 774:6
797:16,22,23	783:16 786:5	789:24	738:11 739:19	<b>louder</b> 755:13
798:4,25	786:5,24	<b>legal</b> 703:2	742:3 746:9	760:16
799:3,4,12,14	788:5,9 792:2	704:16,17	759:13 760:16	<b>Lovado</b> 802:4,9
800:2,4,14				

<b>loved</b> 810:9	801:20,23	787:11 788:2	712:24 718:14	814:24 815:10
<b>lower</b> 744:25	802:2 803:4	788:18,23	718:18 721:1	815:14 816:2
<b>luck</b> 696:21	807:8 811:19	789:5,13,14	722:12 724:19	816:14,22,22
<b>lunch</b> 691:11	812:23	789:19 791:23	724:23 736:14	821:11,14,24
<b>lung</b> 749:5	<b>matters</b> 692:11	792:24,25	737:2 742:2	822:11
<b>LYNDA</b> 751:14	<b>McAFEE</b>	795:20 810:7	750:25 753:13	<b>month</b> 756:3
751:21 752:9	726:13 772:15	823:14	754:20 759:20	<b>mopping</b>
752:12,16,25	772:17,20	<b>member's</b>	759:23 764:5	825:22
753:4,9,11	773:2,6,10,23	823:11	764:18 773:24	<b>morning</b> 692:5
754:21,24	774:1,7,15	<b>members</b>	773:25 791:10	695:18 768:23
<hr/> <b>M</b> <hr/>	775:2	751:15 777:24	792:6 806:5	<b>MOTA</b> 746:5
<b>M</b> 687:6	<b>McConnell</b>	777:25	812:13 814:20	746:10,19,24
<b>ma'am</b> 692:13	688:7	<b>membership</b>	<b>mine</b> 758:13	747:8
692:20 694:19	<b>McDonald's</b>	787:24	<b>minute</b> 709:7	<b>mother</b> 704:12
695:24 696:7	749:19	<b>mention</b> 692:14	756:4 768:12	809:7 813:15
697:9 709:10	<b>McKINNISS</b>	<b>mentioned</b>	769:12 771:3	<b>mother-in-law</b>
710:13 712:10	688:9	707:1 767:23	771:21	694:16,17
713:13 717:18	<b>mean</b> 705:11	<b>merely</b> 780:3,15	<b>minutes</b> 697:22	<b>mouth</b> 754:10
719:5,21	710:17,18	<b>merit</b> 705:6	698:2 765:11	<b>move</b> 692:3
720:11 725:4	711:12 714:23	707:23 719:15	765:16 767:15	728:19 729:11
727:19 730:5	716:11 721:2	721:22 731:18	<b>mischaracteri...</b>	729:25 751:8
735:1 739:6	725:8 728:15	735:6,15,17	805:4	762:8 769:6
744:12 746:4	732:2 735:23	740:15 748:18	<b>Mischaracter...</b>	<b>moving</b> 714:11
747:10 748:21	749:7,16	<b>messed</b> 823:2	805:1	<b>multimillion</b>
749:2 750:17	751:5,17,21	<b>met</b> 702:3	<b>MISHA</b> 781:9	810:10 814:22
751:4 759:3	776:11 786:13	787:10 795:24	<b>misleading</b>	<hr/> <b>N</b> <hr/>
768:17 781:18	808:17,22	<b>mic</b> 801:14	784:3	<b>N</b> 689:1
782:13 793:19	823:1	<b>MICHAEL</b>	<b>missed</b> 708:12	<b>nails</b> 723:5
795:2 804:9	<b>means</b> 702:18	687:15	728:24	<b>NAKZALI</b>
806:7 817:12	703:4	<b>Michael.Alva...</b>	<b>missing</b> 690:25	695:17,21
822:5	<b>meant</b> 819:8,9	687:15	<b>misunderstan...</b>	755:6,12,16
<b>mad</b> 744:18,19	819:22	<b>microphone</b>	809:4	755:20 756:14
755:2	<b>measured</b>	742:8 753:20	<b>misunderstood</b>	757:3,5,9
<b>major</b> 728:6	738:10	754:2 755:8	754:15	785:5,10
<b>making</b> 780:3	<b>medical</b> 692:22	757:15 758:21	<b>mixed</b> 729:19	786:10
780:13 786:7	697:11 818:13	782:8 808:19	<b>mom</b> 747:15,16	<b>name</b> 698:13
<b>manner</b> 774:10	<b>medications</b>	<b>middle</b> 797:20	747:18	706:17 712:19
<b>marked</b> 804:15	692:24	<b>miles</b> 801:25	<b>moment</b> 727:23	778:7
<b>market</b> 784:9	<b>meet</b> 783:12	<b>MILLER</b> 693:5	<b>Monday</b> 699:22	<b>names</b> 712:14
<b>married</b> 742:10	787:17 788:13	693:9 705:15	782:17	712:18
<b>MARSHALL</b>	788:14,22	709:11,14,21	<b>money</b> 702:13	<b>NAROLA</b>
686:16	789:12 797:7	709:24 710:3	702:14 704:14	768:20 769:4
<b>MARTINEZ</b>	821:16	710:9 782:7	741:9 745:18	769:9 824:14
730:7,15,20	<b>meeting</b> 701:23	782:10 808:16	748:6 763:7	824:16 825:2
<b>matches</b> 800:8	<b>member</b> 707:1	808:20 809:1	763:14,25	825:6,14
<b>material</b> 784:1	759:9 778:14	<b>millions</b> 749:20	806:18 807:23	<b>narrative</b> 744:6
784:2,4,13	778:14 779:6	809:20,22	807:24,25	<b>nature</b> 784:5,14
<b>matter</b> 717:4	782:23 783:13	814:15	808:5,11	<b>neatest</b> 729:16
722:4 766:5	783:24 785:20	<b>mind</b> 709:20,21	809:10 810:1	<b>necessarily</b>
	786:17,18,23	711:15 712:6	810:21 813:10	

758:24	780:20,23	751:5,12	809:11 810:16	724:6 725:7
<b>necessary</b>	781:3,6,25	753:23,23	811:6 816:15	725:16 726:10
823:20	782:6,22	754:14 757:11	816:25 817:7	727:19 728:20
<b>need</b> 692:9	783:18 798:17	757:22 758:20	819:2,24	729:20 730:2
694:5 696:19	<b>NIEVES</b>	761:15 762:11	821:23 823:8	730:4,11,17
697:12 698:1	695:17,21	764:8,10	<b>objections</b>	730:22 731:10
699:20,25	755:6,12,16	767:7,7 768:1	801:4,7	732:8,21
706:24 710:20	755:20 756:14	768:13 769:23	<b>objectivity</b>	734:8,17
719:4 726:22	757:3,5,9	769:23 770:17	825:3	736:1,18
733:8 746:8	785:5,10	770:18 772:13	<b>observation</b>	737:1,9,22
753:7 754:4	786:10	772:13 775:17	816:19	738:12,20
754:12 755:7	<b>night</b> 707:2	776:7,13	<b>obviously</b>	739:2,5,18
756:7 758:2	<b>Ninette</b> 686:20	781:7,11,18	731:22 758:9	741:1,20
758:10,16,20	717:14 827:7	783:18,20,22	<b>offend</b> 700:17	742:25 743:11
765:16 766:5	827:16	783:25 784:6	<b>offending</b>	743:18,20
769:23 772:18	<b>nobody's</b>	784:24 788:7	729:25	744:12 745:11
774:5 777:5,5	700:11 701:18	790:20 791:9	<b>oh</b> 690:25 723:1	746:3,17
782:8 791:2	820:21	791:11,11,11	733:13 738:18	747:9,21
806:8 808:17	<b>Nods</b> 739:4	791:14,15	753:9,15	748:21 751:20
808:19 811:9	<b>note</b> 766:23	793:20 794:2	755:16 756:5	752:11,15,19
812:7 816:18	<b>notes</b> 729:24	794:2,2,3,3,5	759:10 771:9	753:2 754:4
820:16,23	827:11	796:12,17,18	772:20 776:10	754:23,25
824:5	<b>nowadays</b>	796:20 797:4	784:7 792:8	757:6,22
<b>needed</b> 766:7	732:19 735:21	797:6 798:21	812:15 824:15	759:22 760:9
767:8,10	<b>number</b> 691:20	803:17,18,23	<b>Ohio</b> 688:4,8	760:21 762:6
768:10 769:13	692:13,20	808:15 810:3	<b>okay</b> 691:1	763:3 764:8,9
775:25	693:3,4,4,13	810:3,3 814:2	692:13 693:8	765:1,4
<b>needs</b> 767:15	693:25 694:19	814:6,9,10,11	693:11,12	767:12 768:11
768:15	694:23 695:1	815:18 817:15	694:6,10,17	769:4,11,16
<b>negligence</b>	696:22,24	822:3 824:11	696:20 697:18	770:15,20,22
703:1	697:6,10	824:13	698:4 699:14	770:24 771:11
<b>negligent</b>	705:14,16,21	<b>numbers</b> 705:7	701:12 702:8	771:14 772:20
783:22	705:23 706:2	705:11 712:16	703:22,25	773:2,8
<b>NEGRON</b>	706:2,2,17,23		704:14,24	776:21 777:11
695:17,21	707:7,25	<b>O</b>	705:10,13,16	778:12 779:3
755:6,12,16	709:10 710:12	<b>obese</b> 732:4	705:23 706:1	780:24 781:22
755:20 756:14	712:12 713:12	<b>object</b> 729:6	706:8,12,19	782:25 783:4
757:3,5,9	717:19,19	<b>objection</b>	707:3,4,10,11	783:9 784:17
785:5,10	718:22 721:13	713:23 714:2	708:15,17,22	784:25 785:1
786:10	722:24 723:16	715:8,19	708:25 709:3	785:7,17
<b>NELSON</b>	726:11,17	717:6 725:1	709:22 710:1	786:5,8,11,18
693:14,19	727:20 730:4	767:4,5 770:7	710:10,23	786:23 787:3
<b>never</b> 726:22	731:10 732:9	770:8 778:22	711:21 712:5	787:20,25
730:9 733:9	733:5 734:10	780:7 782:1	712:10,15,22	789:11,19,22
743:25 752:5	734:13 735:1	792:12 793:6	713:10 715:5	790:15,22
759:11 813:16	737:24 739:6	793:16,17	715:11 717:17	791:1,9,12,13
814:21	739:25 741:22	794:18 799:7	718:6,17	792:5,18
<b>nicotine</b> 778:21	743:13,16	799:16 802:19	719:10 722:3	793:19,21
779:2,2,4,7,18	744:13,15,23	803:11 804:3	722:17,23	794:24 795:12
780:2,6,16,18	746:4 749:2	804:24 805:1	723:1,12,22	795:13 796:15

797:5,12,13 798:1,13,21 799:25 800:25 801:2 803:13 803:15,17,22 803:25,25 804:19 805:12 806:11 808:7 808:25 809:2 809:18 810:3 810:4 811:3 811:23 813:5 813:17,17,20 813:22 814:10 814:11 815:3 817:12 819:11 819:16 820:1 820:13,13,21 821:5,16 822:1,14,17 823:15 824:6 824:10,12,22 825:16 <b>old</b> 693:18 762:20 815:8 815:8 <b>omit</b> 784:12 <b>omitted</b> 784:1 <b>once</b> 746:2 797:22,23 798:24 799:2 799:12 803:6 <b>ones</b> 770:11 771:23 <b>open</b> 765:2 <b>opening</b> 729:2 <b>opinion</b> 700:23 701:6 723:9 736:5 747:24 747:25 <b>opinions</b> 699:20 700:6,11 701:18 702:12 731:4 733:23 <b>opposing</b> 787:21 <b>opposite</b> 693:21 <b>order</b> 791:19 <b>original</b> 726:25 783:6	<b>ought</b> 774:5,9 774:10 <b>outside</b> 691:9 775:10 <b>overrule</b> 717:6 <b>overruled</b> 725:3 799:17 802:21 804:5 817:8 819:25 <b>oversimplified</b> 744:6 <hr/> <b>P</b> <b>P.A</b> 687:3 <b>p.m</b> 686:14 690:1 766:3,3 767:17,17 826:1 <b>P.O</b> 687:9 <b>PA</b> 687:8 <b>pack</b> 799:3,13 <b>package</b> 804:15 <b>packages</b> 739:14 <b>packs</b> 797:23 797:23 803:7 <b>paddle</b> 718:23 718:23 726:12 726:17 751:13 755:3,5 758:23 790:20 790:25 803:19 806:10 815:17 822:2 <b>paddles</b> 709:1 765:22 791:8 <b>Page</b> 689:2 <b>Pages</b> 686:11 689:3 <b>paid</b> 706:21 707:9,10 766:8 <b>Paige</b> 687:6 689:4 690:4 697:24 698:6 698:8,10,13 698:13 701:12 702:8 703:25 705:16,20,23 706:1,5,8,21	706:23 707:3 707:10 708:2 708:4,15,17 708:21 709:12 709:18,22 710:1,4,10,15 710:23 711:1 711:5,9,13,18 711:21 712:2 712:5,8,10,12 712:17,22 713:1,4,10,20 714:3,17,19 715:10,22 716:18,24 717:18 718:2 718:6,17,21 718:25 719:10 719:17,25 720:18,22,25 721:8,11,15 721:17 722:3 722:10,17,23 723:1,12,15 723:22,25 724:6,14,18 724:22 725:7 725:16,20,23 726:1,10,15 726:19,25 727:4,8,10,12 727:16,19 728:7,20,23 729:4,10,11 729:15 730:2 730:4,11,17 730:22 731:13 732:8,11,14 732:21 733:1 733:4,12,14 733:18,23 734:8,12,17 734:21 735:3 735:12,18 736:1,4,7,10 736:13,18 737:1,9,12,15 737:22 738:1 738:3,12,15 738:20 739:2	739:5,18,25 740:2,6,8 741:1,8,12,16 741:20 742:2 742:12,25 743:3,6,11,15 743:18,20 744:12,15 745:11,15,17 745:20 746:3 746:17,20,25 747:9,12,21 748:3,14,21 749:22 750:1 750:8,13,17 750:23 751:4 751:10,12,20 752:8,11,15 752:19 753:2 753:6,10,12 753:16,18 754:14,23,25 755:7,14,18 756:13,24 757:4,6,10,15 757:19,22 758:20 759:3 759:12,22 760:9,17,21 761:1,4,7,9,15 761:20 762:1 762:6 763:3,6 763:10,13,17 763:23 764:4 764:7,18,23 765:1,4,8 766:6 767:3,5 768:4,5,8,13 769:18 770:1 770:10,17,19 770:21,23,25 771:2,4,6,9,11 771:13,15,17 771:19,23 772:1 775:5 775:13 776:24 777:3,10 778:25 780:10 781:18,22 782:4,13	785:7,12 786:11 787:14 787:16 788:13 791:21 792:5 792:10,15,18 792:22 793:9 793:19 794:7 794:9,13,22 794:24 795:2 796:15 798:13 798:21 799:10 801:10 803:1 803:13,22,25 804:12,19,25 805:4,12,16 805:21,25 806:3,7 808:25 809:2 809:15,18 810:15,25 811:3,20,23 813:5,17,20 814:1,18 815:3,15,23 816:4,8,11,21 817:2,9,12,15 817:17,21 818:21 819:6 820:1 822:5 822:21 823:4 823:15,21 824:6,10,15 824:22 825:4 825:7,16 <b>pain</b> 763:14,25 807:12,19 808:5,11,23 809:10 810:11 810:20,22 811:1,5 812:10 813:11 814:20,24 816:23 817:5 818:14 822:24 <b>Palm</b> 687:8,9 <b>Palmero</b> 687:12 <b>panel</b> 690:18 691:17 697:17 698:12 701:11 702:7 703:24
--	---	--	--	---

714:3 728:15 773:15 787:13 788:12 818:20 <b>paper</b> 729:12 <b>Pardon</b> 727:8 727:14 768:5 <b>part</b> 731:23 740:24 748:14 777:13 779:5 781:16,17 783:5 793:2 <b>partial</b> 703:18 704:8 755:21 756:11,22 762:25 <b>particular</b> 775:4 812:23 <b>parties</b> 691:15 702:19 718:14 720:1 754:18 759:19 764:24 772:25 779:9 <b>parts</b> 695:22 <b>party</b> 703:6 711:6,15 712:23 713:22 715:7 759:19 819:21 <b>pass</b> 753:20 754:12 755:9 756:5 776:21 <b>passed</b> 756:3 766:19 <b>passing</b> 754:3 <b>patience</b> 698:24 749:1 <b>pay</b> 723:10 <b>penny</b> 813:16 <b>people</b> 692:23 698:15 699:19 699:22,23 700:3,5 702:12,13 706:16 709:6 716:20 720:5 720:10 723:10 731:23 732:3 734:5 739:14 742:20,21 745:3 746:21	746:23 747:1 747:1 748:23 752:19 754:4 755:21 758:12 764:15 770:13 773:3 774:13 774:14 776:5 776:12,22 779:13,14 780:12,12,13 780:19,21,22 780:25 781:1 785:14 790:1 790:2,2 797:14 798:23 800:10,11 807:15,16,20 807:20,22,22 811:16 813:21 813:22 815:13 815:15 824:12 824:22 <b>people's</b> 701:18 773:11 <b>perceived</b> 728:9 734:14 <b>percent</b> 781:16 795:22,22 796:1,14 797:3,9 800:5 800:7,14,15 802:1 <b>perfect</b> 705:12 717:13 733:7 <b>period</b> 731:24 778:17 785:16 <b>person</b> 702:20 702:20 710:22 711:19 712:20 712:21 724:11 730:1 732:17 751:22 766:19 772:4 791:20 801:1,5,6 804:15,16 <b>personal</b> 686:3 699:9 790:12 <b>pertains</b> 701:8 705:8 <b>PHILLIP</b>	687:14 <b>phillip@integ...</b> 687:14 <b>philosophical</b> 821:23 823:5 823:8 <b>philosophy</b> 696:13 776:18 <b>phone</b> 767:24 768:15 <b>phrased</b> 801:23 <b>physical</b> 806:23 813:3 <b>pick</b> 751:5 <b>pipe</b> 752:2 <b>placard</b> 772:11 772:13 <b>place</b> 686:14,18 764:16 812:19 823:11 <b>placed</b> 784:8 <b>placement</b> 738:6 <b>Plaintiff</b> 686:5 687:2 697:17 697:18,20 698:14,20 701:15 702:19 703:5,17 711:11 718:6 719:12 723:24 724:1 725:15 730:8 733:1 738:19 744:25 751:6 754:19 779:9 791:25 792:1,24 795:14 812:5 820:7 <b>Plaintiff's</b> 703:18 <b>Plaintiffs</b> 714:5 714:7,12 727:4 <b>plan</b> 768:22 <b>plans</b> 767:25 <b>play</b> 801:19 <b>pleadings</b> 703:16 <b>please</b> 690:24	691:12 692:12 698:5,8 699:12 700:13 701:10 717:17 719:5 727:23 729:12 742:10 754:13 758:17 765:22 775:21 775:22 777:6 777:7 781:11 799:20 808:19 809:14 <b>point</b> 690:10,11 693:18 696:20 699:2 711:7 711:10,16 712:18 714:25 716:16 717:16 728:12 734:25 741:13 759:14 760:2 762:19 763:2 764:23 765:9 811:11 811:25 813:6 822:25 823:2 <b>pointing</b> 738:17 <b>position</b> 740:22 774:24 <b>positive</b> 791:15 <b>posse</b> 800:25 <b>possible</b> 811:14 <b>precommitm...</b> 780:8 793:7 794:20 799:8 802:13 810:17 816:25 <b>prefer</b> 728:11 755:17 <b>preference</b> 766:15 <b>prejudging</b> 811:19 <b>prejudice</b> 693:7 <b>preponderance</b> 745:4 <b>prerogative</b> 715:2 <b>pretrying</b> 799:8 802:13 <b>pretty</b> 788:6	<b>preview</b> 778:23 <b>Price</b> 754:5 <b>Primary</b> 712:20 <b>prior</b> 758:2 777:14,17 <b>private</b> 726:14 772:22,23 <b>privately</b> 772:2 <b>probably</b> 709:24 718:12 730:16,20 736:16 737:20 743:21 744:2 744:10 750:5 750:12 752:3 755:18 759:12 759:17,23 769:2 782:16 785:13 796:24 825:24 <b>problem</b> 691:25 693:7 695:22 716:10 721:25 728:7 729:1 741:4,5,7 745:3 762:14 763:4,8,15 766:17,21 769:9,11 773:22 784:19 784:23 789:10 790:6,7 793:4 793:9 801:7 808:3,7 814:24 822:10 822:13,16 <b>problems</b> 692:1 695:18 697:7 792:16 798:5 799:5,15 803:10 <b>proceed</b> 698:5 717:17 754:13 758:17 <b>proceedings</b> 686:10,19 690:1 826:2 827:10 <b>proceeds</b> 766:16
---	--	---	---	---

<b>process</b> 776:4	<b>public</b> 784:15	778:19 779:12	786:2 787:2,8	744:10 748:9
<b>producing</b>	<b>punish</b> 819:8,9	779:19,25	787:18 788:19	750:2 776:1,6
764:15	819:22 820:1	781:10,14,21	807:8	780:17 790:16
<b>product</b> 704:16	820:6	789:23 791:1	<b>radiator</b> 752:9	791:5 795:9
704:17 741:10	<b>punished</b>	791:21 793:22	<b>raise</b> 691:12	807:15,16
745:13 748:7	819:14 821:8	799:18 800:21	692:12 698:1	808:24 812:12
783:20 786:6	821:19 822:10	801:12,17,19	700:25 704:2	816:2
787:5 790:18	823:7 824:2	801:21,22	705:7 707:24	<b>reason</b> 700:4,4
791:7 793:11	825:11	802:3,5,8,11	709:1 718:23	715:1 728:22
793:25 794:17	<b>punishment</b>	802:16,20,21	742:9 743:15	732:6 749:16
795:11 797:16	819:16	803:4,20	751:12 755:3	758:14 767:1
797:19	<b>punitive</b> 818:15	804:1 808:8	758:23 780:20	767:2 790:11
<b>products</b>	818:17,19,22	810:14,19	790:19 791:2	806:18
764:15	818:23,24,25	811:3,10	791:8 798:2	<b>reasonable</b>
<b>professor</b>	819:6,14,21	812:12,22,25	803:14,19,23	720:25 737:2
696:16	820:10,11,14	813:7	814:1 822:2	750:25 805:25
<b>promise</b> 701:7	820:23 821:4	<b>questionnaire</b>	824:13	807:3
<b>promises</b> 789:4	821:6,10,21	694:1	<b>raised</b> 713:12	<b>reasons</b> 758:11
<b>proof</b> 701:14,22	821:24 823:17	<b>questions</b>	721:13 726:1	776:6,6
701:23 702:4	825:1,13	690:14 697:25	726:11,17	806:19 820:11
704:15 714:4	<b>purpose</b> 819:19	699:3,5,6	734:22 735:12	823:6
714:9,14,18	<b>put</b> 732:7	700:16 715:3	740:16 741:1	<b>recall</b> 766:17
714:23 715:23	739:13 743:16	715:4 716:15	741:23 747:12	<b>receive</b> 824:19
715:24,25	764:15 796:10	728:22 748:25	747:13,22	<b>received</b> 824:17
718:8 737:10	797:23 798:19	757:24 759:16	755:5 790:25	<b>Recess</b> 766:3
737:13,19	802:10	759:24 760:1	798:1 806:10	767:17 826:1
783:12,13	<b>putting</b> 701:24	775:3,8 777:3	815:17	<b>recognize</b> 740:2
787:10,17		778:5,20	<b>RAPHAEL</b>	<b>recommend</b>
788:14,14,22	<b>Q</b>	779:1 783:10	740:1,4,7,18	773:20
789:12 795:25	<b>question</b> 691:8	786:18 800:18	741:6,11,14	<b>record</b> 690:3
796:23 797:2	692:21 693:5	802:6 817:25	741:19	714:12 716:7
797:8 820:4,7	693:6 700:23	824:12	<b>rational</b> 740:24	740:8 761:11
821:17	701:3,6,8	<b>quick</b> 713:24	<b>reach</b> 811:13	766:22 769:20
<b>proper</b> 801:22	703:22 704:24	<b>quickly</b> 714:19	<b>read</b> 756:21	794:14 796:24
802:20	706:10,13,15	799:22	758:13 783:8	827:11
<b>pros</b> 709:25	707:13,15	<b>quit</b> 723:8,18	786:2 795:6	<b>record's</b> 756:25
<b>prove</b> 785:20	708:24 711:21	724:3 744:2,2	805:8,9 806:8	<b>recover</b> 818:13
788:23 789:12	714:20 715:15	747:16 759:10	813:1	<b>referring</b>
789:14 791:22	716:12 717:5	759:10 774:17	<b>reading</b> 784:21	810:24
820:17 821:6	719:10 720:11	774:23,23	<b>ready</b> 690:2	<b>reform</b> 733:8,9
821:17 822:8	721:3,17	<b>quite</b> 731:25	768:3	<b>refrain</b> 690:14
<b>proved</b> 787:11	722:11 726:25	743:24,25	<b>real</b> 713:24	<b>regard</b> 731:19
<b>proven</b> 812:20	731:14 732:12	<b>quitting</b> 724:4	717:5	740:17 769:1
<b>proves</b> 795:14	734:23 735:3		<b>realized</b> 696:23	788:10
812:5	738:4 739:22	<b>R</b>	<b>really</b> 690:18	<b>regardless</b>
<b>provide</b> 777:6	740:11 747:2	<b>R</b> 687:10	692:6 693:9	710:5 711:22
807:1,3,18	748:8,15	<b>R.J</b> 686:7	699:21 704:4	713:5 716:24
<b>provides</b> 819:15	757:17 762:8	738:15 748:6	704:6 705:4	717:21 720:13
823:5	767:19 768:4	783:22,25	710:20 731:5	721:18 725:10
<b>psyched</b> 712:5	772:3,4 778:5	784:8,11	737:7 742:6	727:12 730:12

732:21 734:1 736:18 738:22 743:6 745:24 750:2 756:25 760:22 762:2 779:24 792:2 796:8,25 797:1 799:10 799:11 803:5 804:20 805:12 816:1 817:2,3 823:15 824:24 <b>regular</b> 777:12 <b>rehabilitatable</b> 716:7 <b>rehash</b> 701:13 <b>REIMER</b> 757:17 758:8 758:18 <b>relationship</b> 697:3 <b>relative</b> 748:5 <b>rely</b> 784:16 786:15,16 <b>remember</b> 695:17 707:16 711:2 732:11 737:12 761:17 766:9 772:3 772:18 777:15 777:19 789:18 797:14 804:7 <b>repeat</b> 708:24 740:9 <b>rephrase</b> 707:15 780:10 790:22 <b>report</b> 827:9 <b>reported</b> 686:19 <b>reporter</b> 727:25 729:11 738:16 772:19 781:11 801:13 <b>reprehensible</b> 825:10 <b>represent</b> 698:14 704:10 745:11 809:4 813:7	<b>Representative</b> 686:4 <b>representing</b> 731:7 <b>requested</b> 690:9 <b>research</b> 691:13 765:19 <b>reservation</b> 798:12,14 825:13 <b>reservations</b> 747:5 <b>residents</b> 778:16 <b>respond</b> 714:19 801:2 804:2 <b>responded</b> 731:15 <b>responding</b> 740:9 <b>Response</b> 800:20 <b>responses</b> 758:2 <b>responsibility</b> 703:19 704:8 790:12 792:3 793:3 <b>responsible</b> 712:21 734:6 745:2 798:5 799:5,14 802:2 803:9 804:23 <b>responsive</b> 701:2 <b>Restate</b> 809:14 <b>restoration</b> 806:22 807:1 807:2,9 <b>restore</b> 806:23 807:9 <b>restored</b> 806:24 <b>restroom</b> 698:1 767:11,16 775:25 825:23 <b>restrooms</b> 765:13,24 <b>retired</b> 747:16 <b>returning</b> 768:22	<b>Reynolds</b> 686:7 688:1 738:15 748:6 783:22 783:25 784:8 784:11 786:3 787:2,8,18 788:19 807:8 <b>RHONNA</b> 730:7,15,20 <b>RICHARD</b> 708:3 732:10 732:13,16,25 733:3 <b>right</b> 695:7,24 702:1,3 703:9 704:6,9,17 710:24 711:3 715:11,13,17 717:3,6 718:10 719:13 720:5 721:20 721:22 723:13 723:15 724:19 727:5 730:2 731:16 732:17 733:21 735:4 735:9,11,24 736:5,6 737:11,14 740:13 741:3 741:3 745:12 745:14,15,19 745:20,21 746:18,24 747:24 748:2 748:9,23 751:10 753:8 754:5,9 757:22 758:21 759:17,18 760:5 763:9 763:10,11 764:20,21,25 769:22,22 771:25 772:25 775:9,14 776:17 783:12 786:24 787:2 787:4,16 789:13,25	790:3,3,5 795:18,21 796:2,5,17 797:3,16,17 804:18 805:11 806:18 807:4 807:13 808:1 808:22 810:25 813:23 817:24 818:1,11,16 818:22 820:25 821:2 <b>rights</b> 777:23 <b>risk</b> 722:2 742:20 760:19 <b>risks</b> 721:25 <b>ROBERT</b> 708:13,16,19 <b>RODNEY</b> 762:12 763:5 763:9,12,16 763:21 764:2 764:6 814:13 815:2,5 816:10 817:14 817:16,20 <b>RODRIGUES</b> 740:1,4,7,18 741:6,11,14 741:19 <b>RODRIGUEZ</b> 730:7,15,20 <b>RONALD</b> 733:6,13,16 733:22 734:5 <b>room</b> 721:6 725:18 761:23 812:6 <b>ROSENBERG</b> 768:20 769:4 769:9 824:14 824:16 825:2 825:6,14 <b>ROUCO</b> 726:18,20 727:2,7,9,11 727:15,18 <b>row</b> 708:6 798:7,7,23 803:1,3 814:3	814:4,6,7 <b>rows</b> 705:1 <b>RPR</b> 686:20 827:7,16 <b>RSA</b> 686:20 827:7,16 <b>rude</b> 728:10,18 734:15 <b>ruling</b> 782:3 803:12 <b>running</b> 703:11 <b>rustling</b> 729:12 <b>RYDER</b> 691:24 <hr/> <b>S</b> <b>SALLY</b> 693:5,9 705:15 709:11 709:14,21,24 710:3,9 782:7 782:10 808:16 808:20 809:1 <b>save</b> 754:6 759:24 <b>saw</b> 693:3 <b>saying</b> 716:2,16 716:21 717:1 729:21 747:23 750:7,9,19,19 752:20 758:6 758:7 774:4,4 784:20 796:23 <b>says</b> 715:6 759:9 787:15 796:25 805:8 <b>scale</b> 745:1 <b>scales</b> 737:16 <b>SCAROLA</b> 687:7 <b>school</b> 697:1 <b>science</b> 738:6 <b>SEARCY</b> 687:7 <b>seat</b> 766:10,11 766:12,12 768:14,17 772:11 775:17 776:7 <b>seated</b> 690:19 690:24 775:21 775:22 <b>seats</b> 768:18
--	---	--	--	---

<b>Sebring</b> 686:15	737:25 738:2	705:11,22	749:7,8	790:15 791:4
<b>second</b> 705:13	738:5,14,18	708:1 710:9	751:22 752:4	793:23 795:8
708:6 717:10	738:25 739:4	713:11 721:13	755:22 756:2	804:21
753:20 769:21	<b>SHELDON</b>	721:14 722:23	756:20 760:20	<b>smoking</b> 702:15
796:16 798:8	723:17,23	722:25 723:15	780:2,19,22	704:12,12
803:3 814:4	724:2,10,15	726:16 732:9	781:5,13,15	710:21 721:25
824:19 825:22	724:21 725:5	732:25 733:3	782:5 798:4	726:21 735:10
<b>secondhand</b>	725:12,19,22	734:9 741:20	799:4,13	735:21 737:21
751:22 752:4	725:25	742:1 743:12	803:8	739:12,15
<b>secondly</b> 714:21	<b>shiny</b> 740:5	744:22,23	<b>smoked</b> 713:3	742:19 743:23
<b>see</b> 697:19	<b>SHIPLEY</b>	746:3 760:10	723:7 743:24	749:6 778:18
706:22 719:23	687:8	764:7 771:4	743:25 747:15	779:12 780:5
727:22 731:2	<b>shirt</b> 740:3	772:12 775:9	749:4 752:1,6	780:15 781:2
740:2 747:1	<b>shop</b> 752:10	776:14 796:16	762:16 813:15	781:25 784:5
762:10 772:7	<b>short</b> 825:21	799:25 803:17	815:25	798:16,18
773:24 785:2	<b>show</b> 691:4	810:19 814:12	<b>smoker</b> 699:16	800:2,4,11
798:25 815:11	704:25 705:7	816:8 817:13	699:16 700:18	813:15 816:1
<b>seek</b> 807:12	707:18,24	817:21 824:14	705:4 707:21	<b>snuck</b> 740:6
<b>selected</b> 769:2	808:2,2	<b>sister</b> 756:20	710:24 713:16	<b>soap</b> 733:17
811:25	<b>sic</b> 734:7	<b>sister's</b> 756:9	713:17 721:19	<b>society</b> 732:19
<b>selection</b> 776:1	<b>sick</b> 702:14	<b>sits</b> 729:7	723:18 724:25	745:3 821:12
776:2	704:11,12	<b>sitting</b> 697:24	726:6 730:9	<b>sole</b> 792:3
<b>selling</b> 748:7	707:1 752:1	762:22 765:10	732:16 740:12	<b>solely</b> 798:5
793:11,25	755:24	<b>situation</b>	741:17 745:12	799:4,14
794:17 795:10	<b>side</b> 704:19	764:16 824:19	748:5 751:16	803:9 804:22
<b>sells</b> 790:18	706:10,14	<b>six</b> 752:3	751:24 777:13	<b>somebody</b>
791:7	707:14 708:23	774:13 784:6	778:8 779:4	694:11,22
<b>Seminole</b>	714:16 722:20	786:1	781:24 789:13	697:16 701:20
691:21	724:13,16	<b>Sixty</b> 744:1	789:21 790:8	703:10 707:5
<b>sentence</b> 695:23	745:9 754:7	<b>skin</b> 700:20	792:24 798:3	709:19 714:6
<b>separate</b> 786:20	763:5 780:17	<b>skip</b> 744:20	799:3,13	716:16 720:8
<b>serve</b> 819:19	790:14 793:21	755:2 762:8	802:11 803:7	729:8 774:5
<b>set</b> 709:23	795:13 797:20	764:8	809:5,25	774:12 780:5
716:11 721:8	798:8,22	<b>skipped</b> 757:18	813:8,11	790:8 791:4
725:21 727:13	<b>sidebar</b> 699:13	757:19 758:7	816:23 825:9	793:23 795:8
730:13 736:11	714:1 717:9	784:6,7	<b>smoker's</b>	800:3,13,13
743:4 750:4,5	717:13 728:2	<b>skipping</b> 726:4	721:19	804:21 806:17
750:16 751:1	730:3 799:24	744:18 758:5	<b>smokers</b> 699:18	806:20,20,24
757:2 760:23	802:25	758:6	702:12 704:1	807:14 808:18
761:21 763:19	<b>sides</b> 698:20	<b>slight</b> 718:18	704:3 705:2	809:6 815:7
763:21 816:5	736:22 744:9	750:25	707:19 727:5	815:14
816:18 825:5	<b>sign</b> 703:11	<b>slightly</b> 737:18	741:5,7	<b>somebody's</b>
<b>settlement</b>	<b>similar</b> 761:17	<b>slow</b> 770:18	777:18 778:16	703:8 780:15
762:15,23	762:9	<b>smirks</b> 776:11	780:1,1 781:2	786:17 806:21
763:5	<b>simply</b> 801:11	<b>smoke</b> 705:2,3	781:5,13,15	<b>son</b> 766:18
<b>seven</b> 700:1	813:8	707:19,20	781:24 782:5	<b>sorry</b> 705:11
718:12	<b>singing</b> 753:22	726:23 732:18	783:14 784:15	707:3 708:11
<b>severe</b> 751:24	753:22	740:20,21,22	785:15 797:24	713:8 717:18
<b>share</b> 773:1	<b>sir</b> 691:17	740:23,23	818:4	718:2 719:21
<b>SHARON</b>	696:22 698:9	741:25 746:11	<b>smokes</b> 790:8,8	720:19 722:7



723:2 724:14 726:19,20 738:18 742:1 746:10 751:5 775:24 776:10 799:21 804:8 824:13,15 <b>sort</b> 731:23 <b>sound</b> 796:24 <b>sounded</b> 765:8 <b>sounds</b> 729:13 761:12 768:23 821:3 <b>South</b> 686:15 <b>speak</b> 697:12 700:24 709:5 719:4 742:13 742:14 759:12 760:15 801:13 803:18 <b>SPEAKER</b> 706:7 <b>speaking</b> 695:3 773:3 785:8 <b>specific</b> 758:11 778:23 800:19 <b>speed</b> 801:25 <b>speeding</b> 703:10 <b>spilled</b> 749:18 825:17,19,20 <b>spilling</b> 749:19 <b>spoke</b> 789:16 <b>stage</b> 786:13 811:13 <b>stand</b> 717:15 733:17 755:14 755:15,17 760:17 <b>standard</b> 820:4 820:9,12 <b>standing</b> 742:2 <b>start</b> 701:15,19 704:19 714:6 714:7,13,16 714:21,22,23 724:16 725:14 730:8 739:15 748:16 777:2 789:24	<b>started</b> 722:2 728:17 736:17 739:12 800:2 800:4,11,13 <b>starting</b> 709:19 709:20 711:3 711:15,18 712:24 713:22 718:8 733:1 736:14 744:25 746:13,16 751:6 754:17 754:18,19 759:19,20 760:5 763:1 764:24 782:16 <b>starts</b> 701:16 709:18 715:7 <b>State</b> 783:16 801:12,16,22 802:4,9 827:4 <b>statement</b> 719:23 <b>states</b> 806:15 <b>staunch</b> 691:20 <b>stay</b> 769:19 <b>stenographic</b> 827:11 <b>stenographic...</b> 686:19 827:9 <b>step</b> 714:6,7,13 714:13 715:15 716:3,5,17 729:8 775:10 <b>STEPHANIE</b> 759:5,21 760:7 815:22 815:24 816:7 817:11 <b>steps</b> 759:15 <b>STEVENS</b> 695:2,7,11 <b>STODDART</b> 735:2,8,16,19 736:2,6,9,12 736:16,23 737:4,11,14 737:20 794:6 794:8,11,23 795:1 803:21	804:6,10,14 805:6,15,19 805:24 806:2 806:6 <b>stop</b> 703:11 715:11,13 724:3 726:22 812:15 <b>stopped</b> 715:17 716:4 726:23 <b>story</b> 710:20,21 713:18 718:5 744:9 746:15 791:18 <b>straddling</b> 764:17 <b>straight</b> 802:5 <b>strangers</b> 700:25 <b>stretch</b> 717:16 765:17 <b>strict</b> 703:1 <b>strike</b> 716:11 733:2 736:15 751:7 754:19 <b>strong</b> 699:19 704:2 721:5 723:9 725:16 733:14 742:25 761:16 <b>strongly</b> 736:7 752:20 805:14 <b>students</b> 738:10 <b>stuff</b> 715:21 736:25 737:7 752:7 786:8 <b>subsequently</b> 775:18 <b>substance</b> 739:17 <b>substantial</b> 745:18 763:25 809:9,12 810:6 813:10 814:14 816:22 817:4 822:23 <b>substantially</b> 824:2 <b>sue</b> 686:3 719:23 731:25	732:6 742:23 749:13 774:5 774:11 818:24 818:25 820:14 <b>sue-happy</b> 732:20 <b>suffer</b> 736:3 <b>suffering</b> 763:14 764:1 807:13,19 808:6,11,23 809:10 810:11 810:20,23 811:2,5 812:11 813:11 814:21,24 816:23 817:5 818:14 822:24 <b>sufficient</b> 716:17,19 <b>suing</b> 699:17,19 702:12,13 704:11,13 711:20 720:20 732:3 735:20 741:17 745:17 748:5,6 763:13 773:12 774:1 807:10 808:22 818:15 818:23 822:23 <b>Suite</b> 687:4 688:8 <b>Summarizing</b> 819:4 <b>support</b> 793:12 809:8,19,23 810:1,5,7,10 820:25 <b>supported</b> 763:24 813:12 814:22 817:6 825:12,15 <b>supports</b> 793:15 810:13 819:13 823:25 <b>supposed</b> 696:4 701:17,19 712:14 <b>Supreme</b> 778:2	782:24 783:7 785:18,18,25 <b>sure</b> 695:8,13 699:12 700:7 708:19 726:15 731:25 732:5 759:25 763:3 774:3 776:18 776:24 781:9 785:13 790:23 794:6,23 801:16 807:5 823:1 <b>surgery</b> 762:16 <b>sustained</b> 778:24 780:9 782:3 792:14 793:8,18 794:21 799:9 802:18,19 805:3 809:13 810:18 816:20 817:1 819:5 <b>SUZANNE</b> 749:3,25 750:5,12,15 750:22 751:3 751:9,11 <b>switch</b> 694:5 754:6 <b>system</b> 733:8 776:1,2,2 805:10
<b>T</b>				
<b>table</b> 762:18 <b>Tacky</b> 768:23 <b>take</b> 696:4,9,11 698:4,25 742:19 756:1 768:3 802:10 806:25 815:11 <b>taken</b> 686:13 772:9 <b>takes</b> 798:20 <b>talk</b> 695:23 702:15,16 703:25 704:4 704:5 706:11 706:24 707:11				

708:18 726:13 728:10,11 738:10 739:19 739:20 755:12 755:22 763:6 767:8 768:7 <b>talked</b> 696:16 736:4 771:19 789:25 <b>talking</b> 716:5 717:14 744:7 762:22,24 769:24 770:1 770:10 779:11 811:2 <b>tangible</b> 812:10 <b>taught</b> 738:5 <b>tee</b> 768:23 769:5 <b>tell</b> 691:18 694:6 700:6,7 700:14 701:3 701:4,5 703:20,21 709:12 713:13 715:22,24,25 716:2 717:11 718:25 721:23 723:1 729:7 730:5 731:7 732:14 735:24 737:10 738:3 739:18 741:23 742:4,17 743:22 745:17 747:13 750:1 755:19 757:23 770:15 772:2 772:22 773:8 776:24,25 785:3 786:12 791:16 800:12 800:16 804:12 817:23 <b>telling</b> 696:20 716:3 731:9 733:24 <b>ten</b> 700:1 718:12 <b>TENTH</b> 686:1	<b>test</b> 697:19 776:18 <b>testimony</b> 773:17 774:20 774:21,25 775:1 805:2 812:2 <b>texting</b> 703:9 <b>thank</b> 690:12 691:1,2,6 692:18 693:1 693:19,23 694:17,25 695:15,15,24 696:20 697:14 698:6 706:1 707:12 708:8 708:9,10,21 709:3,11 710:10,15 712:10 713:10 717:8 718:21 721:11 722:9 722:23 723:15 725:23 726:10 726:15 727:19 730:2,22 731:9 732:8 733:4 734:8,8 737:23 739:5 739:9,23 741:20 743:12 743:19 744:12 744:17,21 746:3 747:9 748:21 749:1 751:10 753:18 754:11 755:1 757:10 758:7 759:3 760:9 760:21 762:6 764:7 765:1,4 769:9 772:12 775:9,23 776:14,23 777:10 781:7 782:13 784:7 793:19 794:2 794:3,3 795:2 795:12 796:21	797:12 804:11 806:7,11 814:8 817:12 817:21 822:5 824:10 825:16 <b>they'd</b> 739:15 <b>thick</b> 700:20 <b>thing</b> 698:23 702:16 720:2 735:21 738:8 742:15 749:12 755:23 777:1 779:20 800:6 800:16 820:3 <b>things</b> 701:13 704:5 744:5 749:11 763:7 777:21 782:19 786:1 789:15 793:1 806:12 807:11,25 810:8 818:12 819:11,12 820:18,22 821:18 822:25 824:2 825:10 <b>think</b> 690:13 692:3 707:6 710:6 712:13 713:15 714:10 714:15 715:20 716:6,14 718:16,22 719:12 720:14 722:13 723:20 724:4,7 726:1 726:2,3 729:17,22,22 730:18 731:21 732:3,17,20 732:22 733:19 734:10,13,21 735:8,16,19 736:19 737:4 739:21 744:5 744:7,10,15 744:16,21,25 745:1,7,23 746:1,5 748:13 749:9	749:24 750:10 752:5,6 754:16,25 755:20 757:7 757:11 758:25 760:5,7 762:13,14,21 763:1 764:9 768:14 770:9 773:11,12,21 774:5,8,24 775:5 780:12 782:7 790:7 792:1 795:4 796:18 800:5 800:6 802:1 803:16 804:6 805:21 807:21 808:15,17,21 809:3 811:8 812:16,21 814:18 816:17 825:2,4 <b>thinking</b> 814:20 <b>thinks</b> 748:12 <b>third</b> 728:3 803:3 814:6 <b>THOMAS</b> 726:13 772:15 772:17,20 773:2,6,10,23 774:1,7,15 775:2 <b>thought</b> 728:16 758:18 770:4 <b>thousands</b> 808:22 <b>three</b> 693:17 696:4 751:14 782:16,17 783:22 818:8 818:8 <b>throat</b> 762:17 <b>throwing</b> 784:22 <b>TIDER</b> 781:12 <b>tie</b> 716:13 <b>TIEDER</b> 747:11,15 748:2,11,20	781:20 <b>time</b> 686:14,18 691:2 698:3 704:22 709:19 711:10 712:22 717:14 724:8 726:24 732:20 734:24 739:13 741:13 752:1 756:21 758:5 759:1,25 762:19 765:5 765:16,17 768:9,24 769:5 778:17 780:4,14 781:4,5,23 785:12,16 790:9,13,17 791:6,24 793:24 794:9 794:12,15 795:7,9 797:17 806:9 806:22 808:10 808:13 809:24 813:9 816:22 817:4 818:7 823:17 825:18 <b>times</b> 712:17 <b>TINAJERO</b> 718:24 719:2 719:6,16,18 719:22 720:16 720:19,24 721:7,10 <b>tip</b> 737:16 <b>tobacco</b> 686:7 688:1 709:16 719:7 720:21 731:22 748:7 773:12 784:12 787:7 790:17 791:6,25 793:5,10,14 793:25 794:16 795:10 <b>today</b> 712:19 740:6 745:3 768:21,25
---	--	--	--	---

782:17 <b>token</b> 697:23 <b>told</b> 691:7 692:10 697:21 699:7 714:3 714:17 715:9 715:10,12,16 759:16 762:19 765:13 766:22 770:5 771:7 777:4,14,15 782:15 785:22 786:14 805:21 818:2 <b>tolerate</b> 820:16 <b>tomorrow</b> 767:24 768:22 769:3 <b>TONYIA</b> 726:5 <b>tort</b> 733:9 <b>totally</b> 733:21 749:10 762:22 774:18 <b>Totsie</b> 686:4 778:7,11 782:21 783:13 786:25 788:15 802:7,10 809:21 810:23 <b>touch</b> 811:20 <b>tough</b> 696:12 <b>track</b> 709:8 <b>transcript</b> 686:10 827:10 <b>trial</b> 686:10 696:3 709:18 731:24 754:17 779:11 782:14 782:14 811:12 <b>tried</b> 724:3 747:18 <b>trouble</b> 773:2 <b>true</b> 827:10 <b>trust</b> 825:3 <b>try</b> 697:13 712:15 720:3 731:2 742:7 747:25 750:16 750:17,18,18 750:21 753:8	753:10 785:12 805:20,22 806:3 <b>trying</b> 714:11 716:10 732:6 742:5 748:24 758:3,4 812:22 <b>turns</b> 754:7 <b>two</b> 702:18,19 702:22 704:8 706:16 744:8 751:16 756:3 762:7 775:16 778:20 783:20 <b>type</b> 700:5 705:5,5 707:21 710:8 719:13,14 721:2,20,21 724:19,24 727:6 731:17 740:13,14 747:5 748:9 748:17 750:11 762:23 763:17 809:25 <b>types</b> 707:22 711:25 735:15 744:4 752:21 <hr/> <b>U</b> <b>Uh-huh</b> 711:8 712:7,11 746:19 757:3 761:6 772:15 <b>uncle</b> 815:25 <b>uncomfortable</b> 697:23 <b>undecided</b> 754:24 <b>understand</b> 695:10 702:6 703:22 709:6 718:9 720:3 721:25 726:6 731:21 737:6 739:21 751:17 756:12,15,16 756:18 765:24	774:3,19 777:21 784:18 785:4,6 786:21 787:9 787:25 788:8 795:25 796:3 800:10 813:22 813:25 815:12 819:17,18 820:20 821:15 <b>understanding</b> 717:7 722:17 741:2 756:7 781:10 809:2 823:21 <b>understood</b> 763:4 <b>UNIDENTIF...</b> 706:7 <b>unkind</b> 716:12 <b>unreasonably</b> 784:9 <b>use</b> 698:1 712:15,17 719:7 755:11 767:15 775:25 825:23 <b>usually</b> 801:5,5 <hr/> <b>V</b> <b>v</b> 802:4,9 <b>Vague</b> 809:11 <b>valid</b> 732:6 <b>venire</b> 728:4 <b>Verbally</b> 816:9 <b>verdict</b> 763:24 763:24 773:20 793:13 800:17 802:6,7,12,15 802:17 820:25 <b>version</b> 715:14 <b>versus</b> 801:12 801:15,22 <b>VICKIE</b> 705:25 713:15 717:25 718:3,16,20 <b>voice</b> 719:20 742:9 <b>voir</b> 689:4,4 690:23 698:7	801:4,6 <b>volume</b> 686:11 689:3 727:25 826:2 <b>volunteering</b> 692:15 <b>vs</b> 686:6 <hr/> <b>W</b> <b>wages</b> 766:7 808:1,2 818:14 <b>wait</b> 756:4 771:3,21 797:7 812:15 <b>WALKER</b> 706:4 722:25 723:3 810:14 810:19 811:1 <b>WALTON</b> 764:12,22,25 765:2 <b>want</b> 692:2 695:7 697:23 698:16 701:18 701:21 702:11 702:16 703:20 704:4,5 706:15,16 708:23 711:1 711:3 714:9 716:15,19 723:10 726:3 728:9,10,15 728:15,18 730:24 734:14 734:24 735:9 735:23 740:8 740:10 745:4 745:22 748:1 754:17 756:2 756:9 759:7 759:10,10,22 760:2 766:1 767:19 772:4 773:7 776:19 786:11 790:22 794:13 796:23 800:10,24 803:18 809:17	811:18 818:13 825:23 <b>wanted</b> 695:13 732:18 768:7 768:20 772:1 772:21 782:10 <b>wants</b> 777:8 <b>warn</b> 691:7 753:21 <b>warned</b> 691:8 <b>WARNER</b> 694:1,4,8,12 694:15 <b>warning</b> 797:13 797:14,16,22 797:24 798:25 799:3,12 800:2,4,11,14 803:7 <b>warnings</b> 739:14,21 797:25 804:22 818:4 <b>warranted</b> 821:21 <b>waste</b> 732:20 734:24 <b>wasting</b> 758:25 <b>water</b> 825:17 825:19 <b>way</b> 693:24 705:14,17,21 706:3,6 707:25 708:4 708:5,7,8,8,9 708:25 714:8 716:10,12,13 719:3 722:22 728:17 729:22 731:8 732:15 735:14,18 747:14 748:10 748:19,22,23 749:6 757:15 759:6 761:17 762:12 778:9 780:21 787:19 787:20 788:4 792:10 795:3 795:3 797:4
---	--	--	--	--

798:9,10,10 798:13 800:21 801:17,23 804:25 813:21 814:3,5,9 815:1,3,4,16 815:18,20,23 817:13 822:2 822:3,6,7 823:23 824:23 <b>WAYNE</b> 741:24 742:18 743:2,5,10 <b>ways</b> 774:17 <b>we'll</b> 697:13 698:3 699:12 707:11 759:24 762:7,10 767:12 769:11 779:10 818:7 <b>we're</b> 690:25 697:20 700:12 702:15 712:15 714:11 717:14 718:11 729:1 739:20 742:4 744:6 745:17 748:24 758:3 758:4,5 761:11 762:22 763:13 765:11 765:15 767:14 776:5,7 791:22 800:18 806:12,14 807:10 809:5 809:7,9,19 812:22 818:7 818:15,22 819:12,13 <b>we've</b> 700:20 704:8 714:8 728:16 729:2 729:21 734:12 766:13 768:6 772:8 802:22 <b>Wednesday</b> 686:13 699:22 <b>week</b> 696:10 782:18	<b>weeks</b> 696:4 782:16,17 818:8,8,9 <b>weight</b> 702:9 737:15 820:8 <b>weird</b> 732:5 <b>welcome</b> 691:1 717:15 751:11 <b>went</b> 701:12 729:17 778:9 783:7 785:17 <b>weren't</b> 783:5 <b>West</b> 687:9 <b>WHITMAN</b> 696:3,8,13,18 776:20 <b>WILFREDO</b> 760:11,18,25 761:3,6,8,14 761:19,25 762:5 <b>WILLIAM</b> 744:24 745:14 745:16,19 746:1 <b>win</b> 702:2 <b>wins</b> 726:9 <b>witnesses</b> 691:16 778:10 <b>woman</b> 745:21 <b>wonderful</b> 760:12 <b>worded</b> 780:9 794:21 <b>wording</b> 802:23 <b>words</b> 811:12 812:18 <b>work</b> 696:24,25 706:18 707:6 707:8 <b>Worked</b> 752:9 <b>workers'</b> 693:15 <b>works</b> 731:5 766:18 823:23 823:24 <b>world</b> 749:12 <b>worth</b> 762:21 <b>wouldn't</b> 717:25 718:7	718:15 765:14 808:23 <b>wrapping</b> 768:21,25 <b>write</b> 705:8 <b>writing</b> 758:12 758:14 <b>wrong</b> 700:14 733:7 749:10 749:14,15,20 762:22 774:12 796:1 <b>wrongful</b> 745:20 806:16 806:20,21 807:6,24 808:11 809:6 810:8 811:4 825:8  <b>X</b> <b>X</b> 689:1  <b>Y</b> <b>yeah</b> 694:12 705:25 706:25 710:25 711:4 711:17 712:1 715:5 726:18 727:11 728:23 753:9 755:16 761:14 762:5 766:23 768:6 772:7,8,9 775:7 786:10 790:2 792:9 794:8 796:13 798:15 808:16 809:17 <b>year</b> 691:25 739:12 <b>years</b> 693:15,17 723:8,19 738:7 742:10 743:24 744:1 749:5 752:3 762:16,20 798:20 813:16 815:8,8 816:1 <b>yell</b> 742:9 <b>yellow</b> 740:3	<b>Yep</b> 732:13 745:16 771:10 <b>yesterday</b> 766:9 <b>young</b> 752:3  <b>Z</b> <b>ZUZEK</b> 694:20 694:24 697:11 734:20  <b>0</b> <b>0</b> 800:15 <b>07</b> 693:5,9 705:15 709:11 709:14,21,24 710:3,9 782:7 782:10 808:16 808:20 809:1  <b>1</b> <b>1</b> 693:3,4 705:14 709:10 791:11,14 795:22,22 796:1 797:3,9 808:15 815:18 <b>1:19</b> 686:14 690:1 <b>10</b> 708:4 733:5 761:15 767:15 770:21 798:9 814:2 815:19 <b>10-minute</b> 765:14 <b>100</b> 781:16 796:14 800:5 800:7,14 802:1 <b>100,000</b> 762:21 814:16 <b>10650</b> 687:4 <b>11</b> 708:4 734:10 794:2,3 798:9 814:2 815:19 <b>11-000026GHS</b> 686:2 <b>111</b> 740:1,4,7 740:18 741:6 741:11,14,19 <b>12</b> 693:14,19 694:19,23	697:10 708:5 734:13 794:3 798:9 814:2 815:19 822:13 <b>13</b> 690:7 705:19 708:5 710:14 710:17,25 711:4,8,11,17 711:19 712:1 712:4,7,9,11 735:1 791:17 792:4,8,17,20 794:5 798:9 803:18 804:1 <b>14</b> 767:8 768:1 768:14,14 822:13 824:13 <b>15</b> 697:22 708:5 737:24 738:6 765:11,15 770:23 798:10 815:19 822:14 <b>16</b> 708:5 739:6 798:13 803:23 <b>17</b> 705:23 713:12 717:20 733:6,13,16 733:22 734:5 <b>18</b> 824:11 <b>180</b> 741:24 742:18 743:2 743:5,10 <b>19</b> 708:3 732:10 732:13,16,25 733:3  <b>2</b> <b>2</b> 693:4,13 <b>2:30</b> 766:3 <b>2:31</b> 766:3 <b>2:34</b> 767:17 <b>2:39</b> 767:17 <b>20</b> 706:20,25 708:1 731:11 731:20 765:16 776:10 <b>2017</b> 686:13 827:13 <b>210</b> 687:4 <b>2139</b> 687:8
--	--	---	---	--

<b>216)586-7113</b> 688:4 <b>225</b> 722:8 <b>244</b> 718:24 719:2,6,16,18 719:22 720:16 720:19,24 721:7,10 <b>25</b> 686:13 723:18 <b>253</b> 706:4 722:25 723:3 810:14,19 811:1 <b>255</b> 721:14,16 721:24 722:6 722:15,22 723:14 <b>25th</b> 827:13 <b>27</b> 692:21 796:13 801:25 <b>270</b> 692:14 743:14,17,19 743:23 744:14 753:25 <b>28</b> 708:7 739:25 <b>284</b> 744:24 745:14,16,19 746:1	<b>33</b> 743:24 <b>33134</b> 687:13 <b>333-3333</b> 687:5 <b>33324</b> 687:5 <b>33402-3626</b> 687:9 <b>338</b> 707:9 753:15,17 <b>34</b> 734:11,16,18 813:14,18,24 <b>347</b> 746:5,10,19 746:24 747:8 <b>35</b> 706:2 718:22 718:22 771:2 771:6,7 790:21 791:11 791:13,14 810:3 <b>355</b> 687:12 <b>36</b> 694:20,24 697:11 734:20 <b>3626</b> 687:9 <b>374</b> 822:4,20,22 823:10,19 824:5,9 <b>38</b> 706:2 721:13 722:7 735:2,8 735:16,19 736:2,6,9,12 736:16,23 737:4,11,14 737:20 794:6 794:8,11,23 795:1 803:21 804:6,10,14 805:6,15,19 805:24 806:2 806:6 <b>39</b> 706:2 708:10 722:24 790:20 791:11,13,14 810:3 822:5	824:14,16 825:2,6,14 <b>41</b> 737:25 738:2 738:5,14,18 738:25 739:4 <b>412</b> 695:2,7,11 <b>42</b> 708:8 744:15 797:4,6 814:6 <b>43</b> 708:9 739:8 739:24 744:23 798:11,15 803:24 <b>430</b> 686:15 <b>432</b> 730:7,15,20 <b>43215</b> 688:8 <b>439</b> 726:18,20 727:2,7,9,11 727:15,18 <b>44</b> 705:25 713:15 717:25 718:3,16,20 742:10 746:4 <b>440</b> 726:13 772:14,15,17 772:20 773:2 773:6,10,23 774:1,7,15 775:2,17 <b>44114</b> 688:4 <b>446</b> 726:5 <b>45</b> 698:2 <b>450</b> 723:17,23 724:2,10,15 724:21 725:5 725:12,19,22 725:25 <b>46</b> 708:9 747:10 781:19 <b>469-3939</b> 688:9 <b>47</b> 707:7 766:11 766:12,16,24 767:7 769:23 770:8 771:19 771:23 776:13 776:13 <b>485</b> 751:14,21 752:9,12,16 752:25 753:4 753:9,11 754:21,24	<b>486</b> 708:13,16 708:19 <b>488</b> 757:17 758:8,18 <b>49</b> 749:2 751:5 771:11,12 <b>497</b> 747:11,15 748:2,11,20 781:12,20 <hr/> <b>5</b> <b>5</b> 686:11 689:3 691:20 796:18 <b>50</b> 693:25 <b>50/50</b> 703:14 <b>505</b> 695:17,21 755:6,12,16 755:20 756:14 757:3,5,9 785:5,10 786:10 <b>51</b> 822:3,18 <b>52</b> 706:5 723:16 725:24 <b>523</b> 781:9 <b>53</b> 706:5 726:1 726:2 728:17 <b>532</b> 696:23 697:1,5 <b>54</b> 706:5 726:11 728:24 729:17 729:19 772:1 772:6,10,10 772:11,13 775:17 <b>55</b> 706:5 726:17 727:20 728:21 <b>553</b> 760:11,18 760:25 761:3 761:6,8,14,19 761:25 762:5 <b>556</b> 759:5,21 760:7 815:22 815:24 816:7 817:11 <b>56</b> 706:5 730:4 771:13,14 <b>560</b> 697:8 758:22 <b>561)686-6300</b>	687:10 <b>57</b> 708:11 751:12 754:14 <b>58</b> 708:11 754:25 781:7 <b>59</b> 708:11 754:25 757:22 781:7 803:17 814:7 <b>590</b> 764:12,22 764:25 765:2 <b>593</b> 696:3,8,13 696:18 776:20 <b>595</b> 762:12 763:5,9,12,16 763:21 764:2 764:6 814:13 815:2,5 816:10 817:14 817:16,20 <b>598</b> 705:22 712:20,25 713:2,9 <hr/> <b>6</b> <b>6</b> 705:21 708:9 712:12 770:17 770:18 826:2 <b>60</b> 815:8 <b>600</b> 688:8 <b>60s</b> 723:4 <b>61</b> 695:1 755:3 <b>614</b> 688:9 <b>63</b> 695:16 708:22 755:5 771:15,16 784:24 795:3 803:15 <b>64</b> 708:22 757:11 795:4 798:25 803:15 814:7 815:21 822:14 <b>65</b> 708:22 757:11 <b>67</b> 696:24 697:6 709:2 758:20 <b>68</b> 709:2 759:4 814:10 815:21 <b>686</b> 686:11
--	---	---	---	--

689:3  
**69** 709:2 760:10  
 771:17,18,21  
**690** 689:4  
**698** 689:4  
**6th** 696:10

---

**7**

---

**7** 692:20 788:7  
 796:12,17,20  
**70** 696:22  
**71** 813:15  
**754** 687:5  
**77** 709:2 762:11  
 814:9,11  
 817:16  
**78** 696:2 709:2  
 764:8 776:17

---

**8**

---

**8** 706:17,23  
 707:25 731:10  
 766:10,12,17  
 767:7 769:23  
 770:4 771:19  
 771:23 776:7  
**80** 690:7 699:24  
 709:2 746:22  
 746:25 747:1  
 758:4 762:20  
 764:10 765:12  
 815:7  
**827** 686:11  
 689:3  
**84** 687:4

---

**9**

---

**9** 708:2 732:9  
 770:19 794:2  
 794:2 798:9  
 814:2  
**90** 778:18  
**901** 688:3  
**90s** 777:18  
 778:15  
**96** 778:18