

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

DEPT. NO D

25

Date: **AUGUST 11, 1970** **KENNETH A WHITE**
E LATHAM

Judge **H S MANN** Deputy Clerk
Deputy Sheriff **W. BELMONT** Reporter
Deputy and Counsel (if present)

NOO 5772 B

MAXINE HAMMONTREE, et al.

Counsel for Plaintiff **JOSEPH G. HURLEY**

vs.

Counsel for Defendant **LAVOLETTE A JOHNSON**
By: PATRICK HARR

THOMAS H. JENNER, et al.

STATISTICAL
CODE
CLERKS USE
ONLY

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
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NATURE OF PROCEEDINGS

CIVIL JURY TRIAL (PI MISO)

Cause transferred from NOB department A is called for trial. The Court and counsel confer in chambers out of the presence of all other parties.

Trial proceeds in open court. Selection of a jury is commenced and concluded. By order of the court, the following jurors are impaneled and sworn to try the cause:

- Mrs. FRANCES WEATHERFORD
- MRS. DOROTHY FINKUS
- MR. WILLIAM B BINKLEY
- MR. WILLIAM R KOPM
- MRS. ROWENA G WALTERS
- MR. EMILE E BOUCHARD

- MR. OLARON H ANDERSON
- PAUL V. WINKLER
- GARY A SMIRN
- MISS MARY O SMIDER
- HARRY W. GILMORN
- JEROME E. DAY

Plaintiff makes opening statement. Carter D. Hammontree, Maxine Hammontree are sworn and testify for the plaintiff. Plaintiff's exhibit #1(Medical bills), #2(cancelled check), #3(Hospital Bill) are admitted in evidence.

The Jury is admonished. Cause is continued to August 12, 1970 at 1:30PM in department NO "D", and all parties are ordered to return as heretofore.

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

DEPT. NO. 28

Date, August 12, 1970

HONORARIE KENNETH A. WHITE
E. LATHAN

JUDGE
Deputy Sheriff

MTS. MANN
W. BILLYEON
Deputy Clerk
Reporter
Plaintiff's Counsel (checked if present)

13
1:50PM

NOV 5772B
MAXINE HAMMONTREE, et al.

Counsel for Plaintiff
JOHN O. HURLEY

vs

THOMAS H JENNER, et al

Counsel for Defendant
PATRICK HAST

Statistical Code	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Clerks Use Only																

FEATURE OF PROCEEDINGS
CIVIL TRIAL JURY TRIAL (PI MISO)

Trial resumes from August 11, 1970, Jury, Counsel and all parties present as heretofore.

Out of the presence of the Jury, Counsel and Court confer, and pursuant thereto, Defendant is permitted to proceed with his defense out of order.

Defendant calls Maxine Hammontree, previously sworn, and testifies for the defendant pursuant section 776 of the evidence code.

Thomas H Jenner is sworn and testifies for the defendant.

Maxine Hammontree is recalled and testifies for the plaintiff.

Plaintiff and defendant rest.

Jury is admonished. Matter is continued to August 13, 1970 at 10:30AM in department NO "D" and all parties are ordered to return as heretofore.

4027 0

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

DEPT. NO "D"

Date: August 13, 1970
HONORABLE KENNETH A. WHITE
M. Lathan

JUDGE
Deputy Sheriff

G. Brown
W. Belleperone

Deputy Clerk
Reporter

(Parties and counsel checked if present)

NO. 5772 B (TRANS TO GLENDALE)
MAXINE HAMMONTREE, et al

Counsel for
Plaintiff

vs

Counsel for
Defendant

THOMAS H. JENNER, et al

Statistical Code	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Clerks Use Only																

NATURE OF PROCEEDINGS Jury Trial (PI-Miso)

Trial is resumed with the jury present and the parties represented by counsel as before.

Out of the presence of the jury, plaintiff's motion for a continuance to August 14, 1970 is submitted.

In open court: Benson Hyatt is sworn and testifies for defendant.

Plaintiff's motion, heretofore submitted, is denied.

Both sides rest.

Out of the presence of the jury: Court and counsel confer re instructions. Defendant's motion for non suit is denied. Defendant's motion for a directed verdict is denied. Bailiff is sworn to take the jury to lunch.

In open court: Plaintiff waives argument. Defendant makes argument. The court instructs the jury; the bailiff is sworn and at 1:35 P. M. the jury retires to deliberate. At 2:14 P. M. the jury returns into court with the following verdict:

(TITLE OF COURT AND CAUSE) - "We, the jury in the above entitled action, find for the Defendant, THOMAS H. JENNER, and against the Plaintiffs, MAXINE HAMMONTREE and DALE HAMMONTREE.
This 13 day of August, 1970 Jerome C Day Foreman"

The jury is polled; all answer "yes." The jury is discharged.

Verdict, Instructions Given and Refused, Stipulation re Jury are all filed.