

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

\* \* \*

UNITED STATES OF AMERICA,  
Plaintiff (s),

vs.

DANIEL CHAPMAN, et al.,  
Defendant (s).

2:03-cr-0347-JCM-PAL

MINUTES OF THE COURT

DATED: FEBRUARY 3, 2006

THE HONORABLE   JAMES C. MAHAN   UNITED STATES DISTRICT JUDGE

DEPUTY CLERK   DAVID OAKES   COURT REPORTER   JOY HINCK  

COUNSEL FOR PLAINTIFF(S)   GREG DAMM, KIMBERLY FRAYN, AUSA  

COUNSEL FOR DEFENDANT(S)   STANLEY HUNTERTON (for Daniel Chapman) MARANDA FRITZ (for Herbert Jacobi) JAMES SANDERS (for Sean Flanagan).  

**MINUTES OF PROCEEDINGS: JURY TRIAL (DAY TEN)**

The Court convened at 9:15 a.m., in the presence of the jury.

Counsel stipulated to their presence.

A note from juror Norma Van Valkenburg was submitted to the court and read in open court.  
**[SEE TRANSCRIPTS FOR DETAILS]**

**SUSAN PARSONS**, having previously been sworn, resumed the stand and testified on cross examination by Ms. Fritz, cross examination by Mr. Sanders, then is excused.

**BRUCE BARTON**, took the stand, was sworn, and testified on direct examination by Mr. Damm, governments exhibits #103, #104 are marked **only, but not admitted**, cross examination by Mr. Sanders, **governments exhibit #103 offered by Mr. Sanders, is marked and admitted into evidence, defendant Flanagan's exhibits [SF-11, SF-12] are marked and admitted into evidence**, cross examination by Ms. Fritz, re-direct examination by Mr. Damm, **then is excused**.

Court recessed from 10:30 a.m. to 10:45 a.m. Jury was admonished and excused.

10:45 a.m. Court reconvened in the presence of the jury. All parties stipulated to their presence.

LEWIS ESLICK, took the stand, was sworn and testified on direct examination by Mr. Damm, *governments exhibit #139, #239 are marked and admitted into evidence, [governments exhibit #17 check #239 in the amount of \$100,000.00 is stipulated into evidence]* cross examination by Ms. Fritz, cross examination by Mr. Sanders, re-direct examination by Mr. Damm, *defendant Herbert Jacobi's exhibit [HJ-9] is marked and admitted into evidence, then is excused.*

**SIDE BAR:** The Court informed counsel it saw no relevance in witness Lewis Eslicks convictions of 1957 and 1965 impersonating a Naval officer. It was then stricken from the record by the court.

12:00 p.m., court recessed for lunch. Jury was admonished and excused.

1:30 p.m., court reconvened in the presence of the jury. Parties stipulated to their presence.

**BOBBY COMBS**, took the stand, was sworn and testified on direct examination by Mr. Damm, *governments exhibit [#80] was admitted into evidence, then was WITHDRAWN by the court*, cross examination by Ms. Fritz, *defendant Jacobi's exhibit [HJ-38] is marked and admitted into evidence.*

2:45 p.m. Court recessed. Jury was admonished and excused.

3:00 p.m. Court reconvened in the presence of the jury. Parties stipulated to their presence.

**BOBBY COMBS**, having previously been sworn, resumed the stand and testified on cross examination by Mr. Sanders, *defendant Flanagan's exhibits [SF-13, SF-15] are marked and admitted into evidence*, re-direct examination by Mr. Damm, then is excused.

**ANDREW BERNEY**, takes the stand, was sworn and testified on direct examination by Mr. Damm, cross examination by Ms. Fritz, cross-examination by Mr. Sanders, re-direct examination by Mr. Damm, then is excused.

**DIANA ANSELL**, takes the stand, was sworn and testified on direct examination by Mr. Damm, cross examination by Ms. Fritz, *defendant Jacobi's exhibit [HJ-39, HJ-40] are marked and admitted into evidence*, cross examination by Mr. Sanders, then is excused.

**LUTHER TATE**, takes the stand, was sworn and testified on direct examination by Mr. Damm, *governments exhibit #367 is marked and admitted into evidence*, then is excused.

**IT IS HEREBY ORDERED** the jury trial in this matter shall continue to **Monday, February 6, 2006 at 9:45 a.m., in courtroom 6A.**

The Court adjourned at 5:10 p.m.

LANCE S. WILSON, CLERK  
U.S. DISTRICT COURT

BY: **David**  
David Oakes, Deputy Clerk

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