

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF VIRGINIA  
CRIMINAL MINUTES - TRIAL**

Case No. 2:07-CR-00015-001At Big Stone Gap, VirginiaDate 6/24/08PRESENT: HON James P. Jones, JUDGEFelicia ClarkBridget DickertRandy Ramseyer/T. Newby/J. PrabhuDeputy ClerkCourt ReporterAsst. U.S. Attorney

U.S.A. v. (DEFENDANTS LISTED BELOW)

(1) Daniel Dove✓ present        custody ✓ bond        O/R(2)        present        custody        bond        O/R(3)        present        custody        bond        O/R(4)        present        custody        bond        O/R       present        custody        bond        O/R       present        custody        bond        O/R

ATTORNEYS FOR DEFENDANTS

(1) Michael Gunlick✓ present        apptd. ✓ retained(2)        present        apptd.        retained(3)        present        apptd.        retained(4)        present        apptd.        retained       present        apptd.        retained       present        apptd.        retained       Case called and continued to        for trial.✓ JURY TRIAL. The Jury impaneled and sworn (see attached list)        COURT TRIAL✓ Introduction of evidence for Government begun        concluded;       Motion for judgment of acquittal        granted        denied        under advisement       Introduction of evidence for defendant begun,        concluded;       Motion for judgment of acquittal renewed        granted        denied        under advisement       Rebuttal evidence;        Surrebuttal evidence;        Evidence concluded       Case continued to        for further trial       Closing Arguments        Jury charged by court       Jury retires to deliberate at        jury returns at              JURY VERDICT. (See signed verdict as to each defendant.        FINDING BY COURT.(1) Defendant        (2) Defendant       (3) Defendant        (4) Defendant              Jury polled.        Polling waived.        Mistrial declared.        Jury discharged.       Motion after verdict.JUDGMENT:        Defendant guilty        Defendant not guilty       Court received Presentence Report.       Copy of Presentence Report not requested.       A copy of same was furnished to counsel pursuant to Rule 32 F.R.C.P.       Defendant to remain on bond.       Defendant remanded to custody.       Court orders presentence report.       Case continued until        20       at        for sentencing.       SENTENCE IMPOSED       flc        Initials of Deputy Clerk

Jury Trial Day 1

9:05 a.m. - All parties present with counsel; 37 jurors present and sworn on voir dire; 12 jurors and 2 alternates were selected; motion hearing held outside the presence of the jury in re: [60] Motion in Limine; objection by the defense; oral argument by the defense; oral argument by the government; court granted motion with limitations stated in open court; government motion to exclude expert witness; argument by government; argument by defense; oral order granted government's motion; discussion as to exclusion of hearsay evidence by potential defense witnesses during trial; oral order directing defense not to mention hearsay evidence during opening statements; court recessed at 11:15 a.m.; court resumed at 11:29 a.m.; outside the presence of the jury, court discussed issue with juror about computer issues in her own business; court questioned juror; with no objection from counsel the juror remained on the jury; jurors returned to the courtroom; court instructs jury; opening statements by the government; opening statements by the defense; court recessed for lunch at 12:00 p.m.; court resumed at 1:02 p.m.; government presented evidence and questioned witnesses; court recessed at 2:38 p.m.; court resumed at 3:02 p.m.; court recessed at 3:52 p.m.; court resumed at 3:58 p.m.; court adjourned at 4:48 p.m. for the day to resume on 6/25/08 at 9:00 a.m.

Time In Court: 9:05 a.m. - 11:15 a.m.; 11:29 a.m. - 12:00 p.m.; 1:02 p.m. - 2:38 p.m.; 3:02 p.m. - 3:52 p.m.; 3:58 p.m. - 4:48 p.m.

Total: (4 hours 49 minutes)