

DISTRICT JUDGE'S MINUTES
IN THE UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA – PHOENIX

U.S. District Judge: Susan M. Brnovich

Date: August 9, 2021

USA v. Lacey et al

Case Number: CR-18-00422-PHX-SMB

Assistant U.S. Attorneys: Andrew Stone, Peter Kozinets, Margaret Perlmeter, Kevin Rapp and Daniel Boyle

Defendant-1: Michael Lacey, Released – Present

Attorney for Defendant (1): Paul Cambria, Jr. and Erin McCampbell Paris, Retained

Defendant-2: James Larkin, Released – Present

Attorney for Defendant (2): Thomas Bienert, Jr. and Whitney Bernstein, Retained

Defendant-3: Scott Spear, Released-Present

Attorney for Defendant (3): Bruce Feder, Retained

Defendant-4: John Brunst, Released-Present

Attorney for Defendant (4): Gopi Panchapakesan, Retained

Defendant-6: Andrew Padilla, Released- Not Present (Presence waived)

Attorney for Defendant (6): David Eisenberg, CJA Appointment

Defendant-7: Joye Vaught, Released – Not Present (Presence waived)

Attorney for Defendant (7): Joy Bertrand, CJA Appointment

CONTINUATION OF FINAL PRETRIAL CONFERENCE:

All parties appearing by video. The proposed strikes for cause with objections provided by the parties are reviewed with counsel and an additional 26 jurors are stricken. At the request of the Defendants, the emails from counsel with the proposed strikes and objections shall be filed and made part of the record.

Defendants' Joint Motion for Additional Peremptory Challenges (Doc. 1191) is granted in part to allow Defendants an additional three strikes and the Government one additional strike. In total, the defense will have 15 strikes and the Government will have nine strikes. The Court will seat 16 jurors.

Discussion held regarding Defendants' Supplement (Doc. 1181), which the Court construes as a Motion for Reconsideration of the Court's denial of Defendants' Motion to Disclose Grand Jury Instructions on Prostitution (Doc.1171). For reasons set forth on the record, the motion is **denied**.

Trial procedures are discussed. Over objection by the Government, **IT IS ORDERED** that any party intending to use a power point or exhibits for opening statements will need to provide a copy of the power point and exhibits to all counsel 24 hours in advance. **IT IS FURTHER ORDERED** that 48 hours in advance of any day of trial, the parties are directed to provide the Court and all counsel a list of anticipated witnesses and exhibits they intend to use that day. Additionally, each day, the parties shall give the Court the list of witnesses along with who will be conducting direct examination and who will be leading the cross-examination.

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IT IS ORDERED resetting the Status Conference presently set for August 13, 2021 to August 20, 2021 at 9:30 a.m. in the Special Proceedings Courtroom.

IT IS FURTHER ORDERED that the Jury Trial presently set for August 23, 2021 is continued until September 7, 2021.

IT IS FURTHER ORDERED that portions of the transcript shall be sealed between 9:49 a.m. and 10:01 a.m.

IT IS FURTHER ORDERED that excludable delay under Title 18 U.S.C. §3161(h)(7)(A) and (B) will commence from August 23, 2021 to September 7, 2021.

Court Reporter Christine Coaly
Deputy Clerk Elaine Garcia

FPTC: 59 mins

Start: 9:02 AM

Stop: 10:01 AM