

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

U.S. District Judge: Diane J. Humetewa

Date: August 4, 2023

USA v. Michael Lacey et al

Case Number: CR-18-00422-001-PHX-DJH

Assistant U.S. Attorneys: Andrew C. Stone, Kevin M. Rapp, Margaret Perlmeter, Peter Kozinets

Attorney for Defendants: Paul J. Cambria Jr., Retained for Defendant Lacey, present; **Joseph N. Roth, Timothy J. Eckstein**, Retained for Defendant Larkin; **Bruce S. Feder**, Retained and **Eric W. Kessler**, CJA for Defendant Spear, present; **Gopi K. Panchapakesan**, Retained for Defendant Brunst, present; **David S. Eisenberg**, CJA for Defendant Padilla, present telephonically; **Joy M. Bertrand**, CJA for Defendant Vaught, present telephonically.

Defendants: Present Not Present Released Custody Summons Writ

STATUS CONFERENCE:

1:49 p.m. Status Conference held. Counsel and Defendants present. Discussion re: continuing trial. Government's counsel represents that they could conclude trial by November 3rd if trial begins on August 22nd. Government makes an oral Motion to Dismiss the Superseding Indictment against Defendant James Larkin only. **IT IS SO ORDERED**. Counsel heard re: continuance. 2:10 p.m. Recess.

2:20 p.m. Court reconvenes. Counsel and Defendants are present. Taking into consideration the position of the parties, the Court finds that Defense counsels' necessity to redistribute work related to trial preparation warrants a continuance. Therefore, **IT IS ORDERED** continuing the Jury Trial to August 29–November 9, 2023. There will be no additional changes to the trial schedule. **IT IS FURTHER ORDERED** that by Wednesday, August 9, 2023, the Government shall produce its revised witness list and share it with defense counsel. 2:36 p.m. Recess.

LATER, OFF THE RECORD: The existing jury pool will be provided with an additional two screening questions on August 8th. Additional jurors will also be pre-screened and those completed questionnaires will be made available to counsel by close of business on August 15th. Counsel shall email their stipulated strikes for cause and hardship to chambers by August 17th, at 4:00 p.m. **IT IS ORDERED** that a Hearing to review the completed Juror Questionnaires shall be held on **August 18, 2023, at 9:30 a.m.** in the Special Proceedings Courtroom, 2nd Floor, 401 West Washington Street, Phoenix, AZ 85003 before Judge Diane J Humetewa.

Court Reporter Cathy Taylor
Deputy Clerk Liliana Figueroa

Start: 1:49 PM
Stop: 2:36 PM
Total: 37 min