

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

**CIVIL JURY TRIAL MINUTES**

<b>Date:</b> October 23, 2018	<b>Time:</b> 5 hours 16 minutes	<b>Judge:</b> VINCE CHHABRIA
<b>Case No.:</b> <a href="#">17-cv-02979-VC</a>	<b>Case Name:</b> U.S. Equal Employment Opportunity Commission v. IXL Learning, Inc.	

**Attorney for Plaintiff:** Ami Sanghvi and Damien Lee for EEOC; David Marek for Adrian Duane

**Attorney for Defendant:** Jeffrey Wilson and Eddie Woodworth

**Deputy Clerk:** Kristen Melen

**Court Reporter:** Debra Pas

**Voir Dire:** October 22, 2018

**Trial Began:** October 23, 2018

**Further Trial:** October 24, 2018

**PROCEEDINGS:**

Jury Trial, Day 1 - hearing held.

**RULINGS AND ORDERS:**

**Witnesses called to testify:**

- Adrian Duane

**Admitted exhibits:**

68, 83, 101, 103, 104, 123, 124, 125, 156, 164, 205, 243

**See trial log for details from the day.**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**JURY TRIAL LOG: SELECTION**

17-cv-02979-VC U.S. Equal Employment Opportunity Commission v. IXL Learning, Inc.

<b>JUDGE:</b>	<b>PLAINTIFF ATTORNEY:</b>	<b>DEFENSE ATTORNEY:</b>
Vince Chhabria	Ami Sanghvi and Damien Lee for EEOC; David Marek for S. Duane	Jeffrey Wilson and Eddie Woodworth
<b>JURY SELECTION:</b>		
October 22, 2018		
<b>TRIAL DATE:</b>	<b>REPORTERS:</b>	<b>CLERK:</b>
October 23, 2018	Debra Pas	Kristen Melen

TRIAL EX. NO.	TIME OFFERED	ID	EVI. REC	DESCRIPTION	BY
	8:03 a.m.			On the record with Court and counsels, outside the presence of the jury. Exhibits and deposition designations were discussed. The Court rules that the time amounts of video depositions shown the jury will be split amongst the parties.	
	8:37 a.m.			The jury entered the courtroom.	
	8:39 a.m.			Court gives the jurors preliminary instructions.	
	8:49 a.m.			Opening statement conducted by A. Sanghvi on behalf of plaintiff, EEOC.	
	9:19 a.m.			Opening statement conducted by D. Marek on behalf of plaintiff intervenor, A. Duane.	
	9:22 a.m.			Opening statement conducted by J. Wilson on behalf of defendant.	
	9:58 a.m.			Jurors released for a break while the Court remains on the record discussing plaintiffs' objection to the slides used by defendant in their opening statement.	
	10:05 a.m.			Court recess.	
	10:15 a.m.			The plaintiff called <b>Adrian Duane</b> to testify. Mr. Duane is sworn by the clerk. Direct examination conducted by A. Sanghvi.	
123	10:50 a.m.				PLTF
	10:55 a.m.			Break.	
	11:01 a.m.			Back on the record. Testimony of Mr. Duane resumed.	
243	11:09 a.m.				PLTF

205	11:20 a.m.				PLTF
124	11:24 a.m.				PLTF
	11:48 a.m.			Jury released for a break. Court and counsel remain on the record to discuss plaintiffs' objections to defendant's proposed exhibits for cross examination for Mr. Duane.	
	12:03 p.m.			Court lunch break.	
	12:37 p.m.			Back on the record. Direct examination continued with Mr. Duane.	
101	12:41 p.m.				PLTF
103	12:44 p.m.				PLTF
104	12:45 p.m.				PLTF
164	12:46 p.m.				PLTF
125	12:57 p.m.				PLTF
68	12:59 p.m.				PLTF
83	1:11 p.m.				PLTF
156	1:14 p.m.				PLTF
	1:17 p.m.			Break.	
	1:28 p.m.			Back on the record. Cross examination of Mr. Duane conducted by J. Wilson.	
	2:17 p.m.			Jury retired for the evening. Court and counsels remained on the record to discuss exhibit usage.	
	2:20 p.m.			Court is adjourned for the evening and will reconvene at 8:00 a.m. on Wednesday, October 24, 2018.	