

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE, TENNESSEE

Thomas Neely, :  
 :  
 Plaintiff, :  
 :  
 vs. : Case No. 3:05-cv-304  
 :  
 Fox of Oak Ridge, : **Jury Trial-Day 1**  
 :  
 Defendant. :

Transcript of proceedings before the Honorable H. Bruce Guyton,  
U. S. Magistrate Judge, on June 20<sup>th</sup>, 2006.

Appearances:

On behalf of the Plaintiff:

Robert J. English, Esq.  
Michael C. Inman, Esq.  
Knoxville, Tennessee

On behalf of the Defendant:

Clint J. Woodfin, Esq.  
Jennifer M. Caywood, Esq.  
Knoxville, Tennessee

Court Reporter:

Donnetta Kocuba, RMR  
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1 same question. Would you have any problems, if we prove our  
2 case, as we must, by a preponderance of the evidence, not beyond a  
3 reasonable doubt, in awarding an adequate award in this particular  
4 case, if we prove it?

5 JUROR NO. 154: I wouldn't have any problem with it.

6 MR. ENGLISH: Thank you very much.

7 THE COURT: All right. Thank you, counsel. there are  
8 peremptory challenge forms on your table. If you'd please execute  
9 those promptly, and, Madam Clerk, if you'll collect those.

10 COURTROOM DEPUTY: Yes, your Honor.

11 (Counsel filled out juror strike sheets; Court reviewed them.)

12 THE COURT: All right. Mr. (Juror 154), you are  
13 excused; and Ms. (Juror 8), you are excused; and Mr.— I'm sorry—  
14 Ms. (Juror 29), you are excused. If you'll just report back  
15 tomorrow morning, please. Thank you.

16 (Jurors 8, 29 and 154 excused and left the courtroom.)

17 THE COURT: Madam Clerk, if you could give us three  
18 jurors, please.

19 COURTROOM DEPUTY: Yes, your Honor.

20 (Whereupon, Jurors 27, 7 and 18 were called to the jury box.)

21 THE COURT: Good morning to you folks. Have all of  
22 you had a chance to hear the questions that have been asked and the  
23 answers given so far? If so, please raise your right hand, all three  
24 of you. Thank you.

25 Do any of you know Mr. Neely? Do any of you know Mr. Fox?