



**CIVIL MINUTE SHEET**

IN OPEN COURT  IN CHAMBERS DATE: 6/26/2006 TIME: 9:00 a.m.

HONORABLE BEVERLY B. MARTIN

Montrell Vann , Court Reporter

Pamela Wright, Deputy Clerk

CHEP USA

Chilton Varner, Randall Bassett and  
Robert Friedman, counsel for plaintiff

vs

1:02-CV-2053-BBM

MOCK PALLET COMPANY

Eugene Butt, counsel for defendant

Cause came on for Non-Jury trial on the merits. Came the parties in person and/or as shown above.

The Rule of Sequestration  was  was not invoked.

**HEARINGS/PRE-TRIALS/EVIDENCE: BENCH TRIAL CONDUCTED**

Opening arguments made by parties. Plaintiff's case presented. Plaintiff's exhibit 69 admitted. Elton Potts sworn and testified. Defendant's exhibit 8 admitted. Defendant's exhibit 4 admitted **under seal** as part of the record, but not for consideration in this matter. Plaintiff's exhibits 32, 34A, 34B, 35, 37A, 37B1-37B4, 39A1, 39A2, 39B1, 39B2, 40A, 41A, 41B and 42 admitted. Glen Kolb sworn and testified. Defendant's exhibits 1 and 2 admitted **under seal**. Plaintiff rested. Defendant's case presented. Nancy Mock sworn and testified. Ricky Mock sworn and testified. Defendant rested. Plaintiff waived presentation of rebuttal case. Parties directed to file Findings of Fact on or before July 11, 2006.

Court adjourned at 4:15 p.m. until

until further order

Exhibits returned to counsel for  plaintiff(s)  defendant(s)  Court Reporter

Exhibits retained by the Court

**TIME IN COURT: 6 HRS. 15 MINS.**