

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF KINGS

PEOPLE OF THE STATE
OF CALIFORNIA

Plaintiff(s)

vs.

DAVID MARTIN HAWK
08-2275
07-2612

Defendant(s)

Date: August 20, 2009 Case # 08CM1633
07CM1925

Assigned Judge:
Honorable Daniel Creed

Reporter: Teresa Pires

Clerk: XXXXXXXXXX

Bailiff: Jerry Costner/ Terry Michalski

Attorneys:

Plaintiff: Deputy District Attorney by:
Larry Crouch and Robert Shane Burns

Defendant: Mark Coleman and Dennis
Peterson

MINUTES OF TRIAL:

Court in session at 8:36 a.m., outside the presence of the Jury and Alternates. The People represented by Deputy District Attorney Robert Shane Burns and Larry Crouch, the Defendant, David Martin Hawk, represented by Attorney Mark Coleman and Co-counsel Dennis Peterson and court staff present. Defense counsel Peterson presents argument regarding Motion for Dismissal of all charges pursuant to 1118 PC. People present argument. Defense counsel Peterson presents rebuttal. Court denies Motion for Dismissal as to all counts.

Exhibits #242- , #243- Financial pie chart, #243a- Pie chart of summary of accounts, #243b- Pie chart referencing bank account activity, #243c- Bank account summary from 1/11/01 through 12/15/05, #243d- Listing of types of non-trust and trust expenses, #243e- Listing of all categories including deposits and withdrawals, #243f- Summary of credit card activity, #243g- Analysis of income and deductions 2001-2005 and #243h- Chart referencing stocks are pre-marked for identification purposes as requested by Defense counsel Coleman.

Court convened at 9:10 a.m., Jury, Alternates, all parties and court staff are present. Witness, Marlene Dunn retakes the witness stand, is reminded that she is still under oath

and resumes with testimony. Witness is excused. Witness, Susan Bradley is sworn and testified as requested by Defense counsel Coleman. Witness is excused. Witness, James Brauhn is sworn and testified as requested by Defense counsel Coleman. Jury and Alternates are admonished and Court recessed for short break.

Court reconvened at 11:01 a.m., Jury, Alternates, all parties and court staff are present. Witness, James Brauhn retakes the witness stand and resumes with testimony. Pre-marked Exhibits #243, #243a, #243b, #243c, #243d, #243e, #243f, #243g and #243h are now identified for the record. Defense counsel Coleman requests to admit Exhibits #243, #243a, #243b, #243c, #243d, #243e, #243f, #243g and #243h into evidence. People not objecting. Court deems Exhibits 243, #243a, #243b, #243c, #243d, #243e, #243f, #243g and #243h be admitted into evidence as requested by Defense counsel Coleman. Jury and Alternates are admonished and court recessed for lunch break. All parties ordered back at 1:30 p.m.

Exhibits #244-11X14 Colored Photograph of blown up image of ladder by side of defendant's house, #245-11X14 Colored Photograph of blown up image of ladder with leaf on it by side of defendant's house, #246-11X14 Colored Photograph , #247-11X14 Colored Photograph, #248-11X14 Colored Photograph, #249-11X14 Colored Photograph, #250-11X14 Colored Photograph of seat of bicycle, #251-11X14 Colored Photograph of close up of ladder, #252-11X14 Colored Photograph of bicycle alongside ladder, are pre-marked for identification purposes as requested by Defense counsel Coleman.

Court reconvened at 1:33 p.m., Jury, Alternates, all parties and court staff are present. Witness, James Brauhn retakes the witness stand and resumes with testimony. Exhibit #253-First Account Summary is marked as requested by the People. People request to admit Exhibit #253 into evidence. No objection by Defense counsel. Court deems Exhibit #253 admitted into evidence as requested by the People. Exhibit #254-Original version of Bank account summary from 1/11/01 through 12/15/05 is marked for identification purposes as requested by the People. Defense counsel not objecting. Court deems Exhibit #254 be admitted into evidence as requested by the People. Witness is excused. H. Ronald Sawl is sworn and testified as requested by Defense counsel Coleman. Witness is excused. Jury and Alternates are admonished and Court recessed for short break.

Court reconvened at 3:17 p.m., Jury, Alternates, all parties and court staff are present. Witness, Mark Kairas is sworn and testified as requested by Defense counsel Peterson. Bailiff, Terry Michalski is now present. Witness is excused. Witness, Darrin Matteson retakes the witness stand, is reminded that he is still under oath and resumes with testimony. Pre-marked Exhibits #244, #245, #250, #251 and #252 now identified for the record. Defense counsel Coleman requests to admit Exhibits #244, #245, #250, #251 and #252. No objection by the People. Court deems Exhibits #244, #245, #250, #251 and

#252 be admitted into evidence as requested by Defense counsel Coleman. Witness is excused. Witness, William Lehman is sworn and testified as requested by Defense counsel Peterson. Jury and Alternates are admonished and Court recessed until August 24, 2009 at 9:00 a.m.