

BENCH TRIAL - DAY 5

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

Date: 9/27/2013

Case No. 1:12-CV-560-BLW

Judge: B. Lynn Winmill

Place: Boise

Deputy Clerk: Jamie Gearhart

Reporter: Tammy Hohenleitner

Time: 5 hours and 8 minutes

Saint Alphonsus Medical Center - Nampa Inc., et al v. St Luke's Health System, LTD, et al

Counsel for Saint Alphonsus: David Ettinger and Keely Duke

Counsel for FTC: Peter Herrick and Thomas Greene

Counsel for State of Idaho: Brett DeLange and Eric Wilson

Counsel for Treasure Valley: Raymond Powers

Counsel for St. Luke's: Jack Bierig, Scott Stein, Ben Keith, Walt Sinclair, and Charles Schafer

Counsel for Saltzer Medical Group: Brian Julian

9:10 a.m. - Courtroom closed for the continued testimony of Randall Billings via video deposition.

The Court admitted all exhibits stipulated to by counsel and referenced in the parties' amended exhibit lists.

9:55 a.m. - Courtroom opened.

2:23 p.m. - Courtroom closed during a portion of the testimony of Nancy Powell.

2:35 p.m. - Courtroom opened.

2:54 p.m. - Courtroom closed during a portion of the testimony of Nancy Powell.

3:45 p.m. - Courtroom opened.

4:29 p.m. - Courtroom closed.

4:34 p.m. - Courtroom opened.

WITNESSES

Plaintiff:

- 1) Randall Billings by video deposition (continued from 9/26/2013)
- 2) Joni Summers Stright by video deposition
- 3) Geoffrey Norman Swanson by video deposition
- 4) Robert Walker by video deposition
- 5) Nancy Diane Powell
- 6) Ed Castledine by video deposition
- 7) Mark Johnson by video deposition

* Depositions will be published on 9/30/2013.

EXHIBITS

Plaintiff: 1998, 1219, 1240, 1255, 1008, 1009, 1010, 1011, 1012, 1014, 1015, 1016, 1017, 1019, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1031, 1032, 1034, 1035, 1036, 1037, 1039, 1040, 1041, 1043, 1045, 1047, 1048, 1050, 1051, 1055, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1065, 1066, 1067, 1068, 1069, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1084, 1085, 1086, 1087, 1088, 1089, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1107, 1109, 1110, 1111, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1130, 1131, 1132, 1133, 1134, 1135, 1137, 1138, 1139, 1141, 1147, 1158, 1161, 1167, 1168, 1170, 1171, 1173, 1175, 1178, 1179, 1180, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1193, 1194, 1195, 1199, 1201, 1203, 1206, 1209, 1212, 1213, 1214, 1216, 1218, 1221, 1222, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1233, 1234, 1237, 1245, 1247, 1249, 1256, 1257, 1261, 1262, 1264, 1265, 1266, 1268, 1269, 1270, 1271, 1274, 1275, 1276, 1277, 1279, 1280, 1281, 1283, 1285, 1286, 1287, 1288, 1289, 1291, 1292, 1293, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1312, 1314, 1316, 1317, 1318, 1320, 1321, 1323, 1328, 1330, 1336, 1338, 1339, 1340, 1343, 1346, 1347, 1349, 1352, 1353, 1358, 1359, 1364, 1365, 1367, 1369, 1370, 1371, 1372, 1373, 1375, 1376, 1378, 1379, 1380, 1383, 1384, 1385, 1387, 1389, 1390, 1391, 1392, 1393, 1394, 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1410, 1415, 1416, 1418, 1419, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1457, 1459, 1460, 1461, 1464, 1466, 1467, 1469, 1470, 1471, 1472, 1473, 1474, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1488, 1503, 1504, 1505, 1508, 1510, 1528, 1537, 1539, 1548, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1564, 1565, 1568, 1569, 1570, 1573, 1575, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1589, 1590, 1592, 1593, 1594, 1602, 1604, 1606, 1607, 1615, 1617, 1618, 1621,

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1659, 1660, 1662, 1663, 1664, 1840, 1861, 1863, 1947, 1948,
1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958

Defendant: 2002, 2005, 2013, 2014, 2015, 2018, 2019, 2021,
2022, 2023, 2024, 2025, 2026, 2028, 2029, 2030, 2031, 2032,
2039, 2047, 2048, 2049, 2050, 2053, 2054, 2055, 2059, 2062,
2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074,
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5:05 p.m. - Court recessed for the weekend. Bench trial to continue
on 9/30/2013 at 8:30 a.m.