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Hirabayashi v. United States

6-27-1985

Judge Voorhees Trial Minutes

United States District Court - Western District of Washington

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HONORABLE DONALD S. VOORHES
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

COURT CLERK: Eileen Scollard TRIAL CRIMINAL JURY

REPORTER: Vern Sorensen CIVIL XXX NON JURY XXX

AUSE # C83-122V TITLE Gordon Hirabayashi vs U.S.A.

PLAINTIFF(S) ATTORNEY(S):

Rodney Kawakami

Camden Hall

DEFENDANT(S) ATTORNEY(S):

Victor Stone

~~Susan Barnes~~ Richard Edwards

PLAINTIFF(S) WITNESSES:

John Herzig (rebuttal)

DEFENDANT(S) WITNESSES:

Richard Ham

Richard Hood

EXHIBITS ADMITTED: 144 thru 149, A-108, A-109, A-111, A-124, 139, 140, 141

EXCLUDED: A-101 thru A-106, A-110, A-113, A-114, A-123, A-116, A-115,
A-122, A-125, A-141, A-201 to A-226, 123

PROCEEDINGS: 7th DAY OF TRIAL.

9:30 AM Called. Cnsl. present.

Testimony for Respondent continues.

11:20 AM Respondent rests. Rebuttal testimony begins.

3:45 PM Both Sides Rest. Pet. moves to strike testimony re MAGIC: Denied
The Court sets briefing schedule. Petitioners brief due
7-31-85; Respondent's brief due 9-5-85; Pet's response
due 10-4-85. The briefs shall be limited to 50 pgs. for Petitioner,
60 pgs. for Respondent & 20 pgs. for Pet's reply.

4:30 PM Court adjourns.

HONORABLE DONALD S. VOORHHES
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

COURT CLERK: Eileen Scollard TRIAL CRIMINAL JURY

REPORTER: Vern Sorensen CIVIL XXX NON JURY XXX

AUSE # C83-122V TITLE Gordon Hirabayashi vs U.S.A.

PLAINTIFF(S) ATTORNEY(S): DEFENDANT(S) ATTORNEY(S):

Rodney Kawakami Victor Stone

Camden Hall Susan Barnes R. Edwards

PLAINTIFF(S) WITNESSES: DEFENDANT(S) WITNESSES:

David Lowman

Robert Mayer

Hannah Zeidlik

EXHIBITS ADMITTED: A-66, A-70, A-72 thru A-74, A-76, A-78, A-80 thru A-86,

96

EXCLUDED: A-65, A-80

PROCEEDINGS: 6th DAY OF TRIAL.

9:00 AM Cnsl. present. Court rules on admission of exhibits.

9:30 AM Testimony for respondent continues. Petitioner moves to
strike testimony of David Lowman: Denied

4:30 AM Court adjourns to 6-27-85, 9:30 AM.

HONORABLE DONALD S. VOORHES
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

COURT CLERK: Eileen Scollard

TRIAL

CRIMINAL

JURY

REPORTER: Vern Sorensen

CIVIL XXX

NON JURY XXX

AUSE # C83-122V TITLE Gordon Hirabayashi vs U.S.A.

PLAINTIFF(S) ATTORNEY(S):

Rodney Kawakami

Camden Hall

DEFENDANT(S) ATTORNEY(S):

Victor Stone

~~Susan Barnes~~ R. Edwards

PLAINTIFF(S) WITNESSES:

DEFENDANT(S) WITNESSES:

William Hammond

David Lowman

EXHIBITS ADMITTED: 133, A-50, A-51 thru A-64, A-71, A-81

EXCLUDED: 142, A-4, A-79

PROCEEDINGS: 5th DAY OF TRIAL.

9:00 AM Cnsl. present in chambers. Court makes rulings on exhibits. Court excludes
Exhbt. 142. Mr. Barrett makes offer of proof.

9:30 AM Called. Testimony for Respondent continues.

4:30 PM Court adjourns to 6-26-85, 9:30 AM.

File

HONORABLE DONALD S. VOORHES
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

COURT CLERK: Eileen Scollard

TRIAL

CRIMINAL

JURY

REPORTER: Vern Sorensen

CIVIL XXX

NON JURY XXX

AUSE # C83-122V TITLE Gordon Hirabayashi vs U.S.A.

PLAINTIFF(S) ATTORNEY(S):

Rodney Kawakami

Camden Hall

DEFENDANT(S) ATTORNEY(S):

Victor Stone

~~ROSEMARY~~ Richard Edwards

PLAINTIFF(S) WITNESSES:

Aiko Herzig-Yoshinaga

Gordon Hirabayashi

DEFENDANT(S) WITNESSES:

William Hammond

EXHIBITS ADMITTED: A-8, A-11, A-12 thru A-39, A-40 thru A-40(b) excluding all marked portions;

A-42 thru A-45, A-47, A-48(a), A-49, 134, 138

EXCLUDED: A-41, A-48

PROCEEDINGS: 4th DAY OF TRIAL.

9:00 AM Cnsl. present in chambers. Court rules on admission of exhibits.

9:30 AM Testimony for Petitioner begins.

4:00 PM Petitioner rests. Testimony for Respondent begins.

4:30 PM Court adjourns to 6-25-85, 9:30 PM.

HONORABLE DONALD S. VOORHES
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

COURT CLERK: Eileen Scollard TRIAL CRIMINAL JURY

REPORTER: Vern Sorensen CIVIL XXX NON JURY XXX

CAUSE # C83-122V TITLE Gordon Hirabayashi vs U.S.A.

PLAINTIFF(S) ATTORNEY(S): DEFENDANT(S) ATTORNEY(S):

Rodney Kawakami Victor Stone

Camden Hall ~~Susan Barnes~~ Richard Edwards

PLAINTIFF(S) WITNESSES: DEFENDANT(S) WITNESSES:

Edward Ennis

Peter Irons

Aiko Herzig Yoshinaga

EXHIBITS ADMITTED: A-46, A-6, A-7, A-77, A-8

EXCLUDED: A-75

PROCEEDINGS: 3rd DAY OF TRIAL.

9:00 AM Conference in chambers re Respondent's exhibits.

9:30 AM Testimony for Petitioner continues.

4:30 PM Court adjourns. Trial cont'd to 6-24-85, 9:30 AM.

HONORABLE DONALD S. VOORHHES
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

COURT CLERK: Eileen Scollard

TRIAL

CRIMINAL

JURY

REPORTER: Vern Sorensen

CIVIL XXX

NON JURY XXX

USE # C83-122V TITLE Gordon Hirabayashi vs U.S.A.

PLAINTIFF(S) ATTORNEY(S):

Rodney Kawakami

Camden Hall

DEFENDANT(S) ATTORNEY(S):

Victor Stone

~~XXXXXXXXXXXX~~
Susan Barnes R. Edwards

PLAINTIFF(S) WITNESSES:

Edward Ennis

DEFENDANT(S) WITNESSES:

EXHIBITS ADMITTED: 124 thru 132, A-2, A-5

EXCLUDED: A-1

PROCEEDINGS: 2nd DAY OF TRIAL.

9:30 AM Cnsl. present opening statements to the Court.
10:35 AM Testimony for the Petitioner begins.
4:30 PM Court cont'd case to 6-20-85, 9:30 AM.

Wed. June 19, 1985

HONORABLE DONALD S. VOORHHES
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

COURT CLERK: Eileen Scollard

TRIAL

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REPORTER: Vern Sorensen

CIVIL

XXX

NON JURY

XXX

AUSE # C83-122V TITLE Gordon Hirabayashi vs U.S.A.

PLAINTIFF(S) ATTORNEY(S):

Rodney Kawakami

Camden Hall

DEFENDANT(S) ATTORNEY(S):

Victor Stone

Susan Barnes

Richard Edwards

PLAINTIFF(S) WITNESSES:

DEFENDANT(S) WITNESSES:

EXHIBITS ADMITTED: 1-38, 40 thru 95, 97 thru 107, 109 thru 112, 116

WITHDRAWN: 39, 108

R/R: 117, 123

EXCLUDED: 96, 113 thru 115, 118 thru 122

PROCEEDINGS: 1st DAY OF TRIAL.

9:30 AM Called. Cnsl. present. After hearing argument of cnsl. the Court denies mot. of Japanese American Citizens League etal to file amicus briefs; Petitioner's mot. to preclude introduction of document's as exhibits by respondent: Granted in part for Resp.'s failure to provide list of exhibits. The Court will only allow those exhibits that were listed in the March 1, 1985 PTO.

The Court excludes Kahn & Trask as Pet's expert witnesses.

3:00 PM Cont'd to 6-19-85, 9:30 AM.