

1 VENIRE PERSON: Good afternoon, Judge.

2 THE COURT: Hello.

3 Now, Mr. Venire Person, we're having you come in
4 because there are some questions that I want to ask
5 you. And I want to apologize that you're here past
6 5:00. You're not usually supposed to be here past
7 5:00, but I just want to just ask you a couple of
8 questions.

9 I know that counsels have been questioning you
10 for some time to try to get an idea of different
11 things from you. And I just wanted to know that,
12 based on everything that you heard today, is there
13 anything that you can think of that would not would
14 stand in the way for you following the law, or
15 following an instruction that was given to you by the
16 Court?

17 VENIRE PERSON: No, ma'am, I would be alright.

18 THE COURT: Okay. So could you follow - even if
19 you had an opinion about something that you might
20 disagree with, and the Judge indicates a certain
21 standard that you need to follow, or certain things
22 that you need to exclude, could you follow what the
23 Judge said even if that wasn't what you're opinion
24 was?

25 VENIRE PERSON: I believe so.

26 THE COURT: Okay. And do you have any issues
27 that you can think of that might stand in the way

1 from this?

2 VENIRE PERSON: No, ma'am. No.

3 THE COURT: Okay. And do you want to serve on
4 the jury?

5 VENIRE PERSON: Sure.

6 THE COURT: Okay. Do you have any strong
7 predilection either way?

8 VENIRE PERSON: No, ma'am.

9 THE COURT: Okay. All right.

10 Do you have any questions?

11 ATTY. FARRY: Yes.

12 THE COURT: Just - but as brief as possible.

13 ATTY. FARRY: Yes.

14 THE COURT: I understand this is important, sir,
15 but -

16 ATTY. FARRY: Yes.

17 DIRECT EXAMINATION BY ATTORNEY FARRY:

18 Q Sir, you indicated that you enjoy pain.

19 A Yes.

20 Q And part of the issues in this case -

21 A I do.

22 Q - is pain.

23 A Yes.

24 Q So I'm wondering whether or not, if pain is enjoyable
25 to you -

26 A Yes.

27 Q - do you think it would be fair for you to sit on a

1 jury where pain is being - evidence will be presented that
2 pain is not enjoyable -

3 A Right.

4 Q - and that the plaintiff is seeking money damages for
5 that?

6 A Yes, that's the part I want to hear. Yes.

7 Q That's the part you like, the pain.

8 A Yes. Yes.

9 Q Yes.

10 A I want to hear what she feels.

11 Q No, no, no. Sir, I asked you -

12 THE COURT: What?

13 Q Sir, I asked you -

14 THE COURT: No. Do you enjoy pain?

15 VENIRE PERSON: Yes, I do. I'm a masochist at
16 heart. Yes.

17 THE COURT: Really?

18 VENIRE PERSON: Yeah. You asked me.

19 THE COURT: Okay. So, like, what kind of pain?

20 VENIRE PERSON: Broken foot, dislocated finger.

21 THE COURT: And you like that - that feeling of
22 pain?

23 VENIRE PERSON: Yes. Yeah - well, it doesn't
24 bother me.

25 THE COURT: Okay.

26 VENIRE PERSON: I live with it every day. I
27 mean, I dislocated my fingers and - so, I have a

1 tendency to sort of accept it. You know, like work
2 with it. It doesn't - I mean I understand she's in
3 pain. And I feel -

4 THE COURT: Well, we don't know.

5 VENIRE PERSON: Well, I don't know.

6 THE COURT: I mean, obviously, we haven't heard
7 any evidence.

8 VENIRE PERSON: Right.

9 THE COURT: Exactly. Okay.

10 ATTY. GASSER: Just one quick -

11 THE COURT: Sure.

12 CROSS-EXAMINATION BY ATTORNEY GASSER:

13 Q Basically, are you kind of joking that you like pain?

14 A No, I'm not joking. No.

15 Q Okay.

16 THE COURT: Okay.

17 ATTY. FARRY: Thank you.

18 VENIRE PERSON: I'm not joking.

19 THE COURT: Well, thank you -

20 VENIRE PERSON: I'm not joking.

21 THE COURT: - very much, sir.

22 VENIRE PERSON: A pleasure.

23 THE COURT: A pleasure, sir.

24 ATTY. GASSER: Based on the comment, Your Honor,
25 I will - I'll withdraw my objection.

26 THE COURT: Yeah, I -

27 ATTY. GASSER: I thought he was kidding when he

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said I like that.

THE COURT: Okay.

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