

1 STATE OF MINNESOTA DISTRICT COURT
2 COUNTY OF WASHINGTON TENTH JUDICIAL DISTRICT

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4 State of Minnesota **JURY TRIAL**
5 Plaintiff, **VOLUME III**

6 vs. **Court File No 82-CR-17-242**

7 Stephen Carl Allwine,
8 Defendant.

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10 The above-entitled matter came duly on for
11 hearing before the Honorable B. William Ekstrum, one
12 of the Judges of the above-named Court, on the 12th
13 day of July, 2017, at the Washington County Judicial
14 Center, City of Stillwater, County of Washington,
15 State of Minnesota.

16 * * *
17 A P P E A R A N C E S

18 Jamie Kreuser and Fred A. Fink, Jr.,
19 Assistant Washington County Attorneys, appeared as
20 counsel for and on behalf of the plaintiff.

21 Kevin DeVore, Esq., appeared as counsel
22 for and on behalf of the defendant, who was
23 personally present.

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MINNESOTA
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1 (Whereupon, the following proceedings were
2 duly had of record:)

3 THE COURT: This is the State vs. Stephen
4 Allwine.

5 MR. DEVORE: He's making his way in, Your
6 Honor.

7 THE COURT: All right. State vs. Stephen
8 Carl Allwine. Appearances, please.

9 MS. KREUSER: For the State is Fred Fink
10 and Jamie Kreiser.

11 MR. DEVORE: Kevin Devore on behalf of
12 Mr. Allwine, who is here with me at counsel table.

13 THE COURT: We did have a conversation in
14 the back of the courtroom regarding scheduling.
15 Tell me where we are.

16 MR. DEVORE: At this time there is still
17 additional discovery needed to be produced so we are
18 not prepared to waive omnibus at this time.

19 However, I anticipate that once the discovery is
20 finally completed, and if I don't identify any
21 contested issues, I will be able to do that in a
22 written format to the court. I believe the Court
23 said that would be acceptable.

24 THE COURT: That's correct.

25 MR. DEVORE: In lieu of that, we are

1 asking the court to set for a pretrial and also a
2 trial date. I believe we have a pretrial date of
3 December 1st in the morning, so 8:30, 9:00 and trial
4 date starting January 16th. We anticipate this will
5 take about three weeks to try.

6 MR. FINK: That's a correct recitation of
7 the status, Your Honor. One other thing I would
8 like to put on the record. I have talked with
9 counsel, and absent one of the expert reports, I
10 believe discovery is complete and has been provided
11 to counsel. However, given the volume of paper in
12 this case, I have invited counsel, if he chooses, to
13 come up to our office and review the entirety of our
14 file and make sure he has everything. In addition,
15 we would be providing a bate stamp copy of
16 everything we have.

17 THE COURT: All right. I appreciate that.
18 I assume that's your understanding as well,
19 Mr. Devore.

20 MR. DEVORE: That's correct, Your Honor.

21 THE COURT: I am also, in response to a
22 brief conversation in the back of the courtroom, had
23 been handed a proposed order that says no contact
24 order in this matter shall be modified to allow the
25 defendant to have written correspondence with

1 Charles and Joann Zutz. And I believe that's
2 consistent with what we have discussed.

3 That's your understanding, Mr. Fink?

4 MR. FINK: It is.

5 THE COURT: All right. I will sign that.

6 Well, that's all we can take care of today.

7 (Proceedings concluded.)

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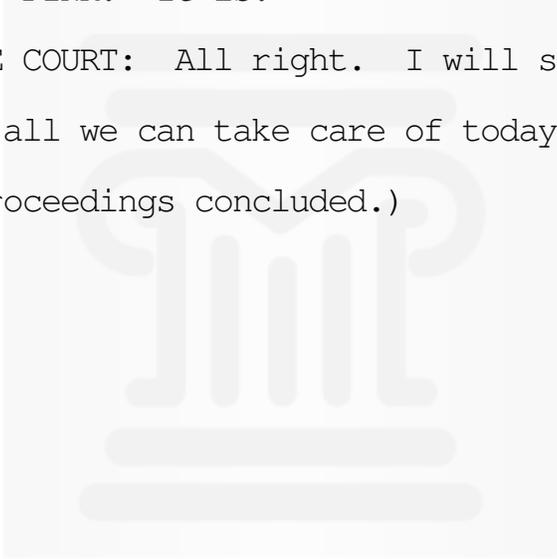
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1 STATE OF MINNESOTA)
) ss:
2 COUNTY OF WASHINGTON)

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REPORTER'S CERTIFICATE

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I, DEBORAH L. FOSTER, do hereby certify

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that the above and foregoing transcript, consisting

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of the preceding pages, is a correct transcript of

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my stenographic notes and is a full, true, and

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complete transcript of the proceedings to the best

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of my ability.

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Dated: December 12, 2017

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DEBORAH L. FOSTER
Official Reporter
Washington County District Court
(651) 430-6354

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