

STATE OF MINNESOTA  
COUNTY OF WASHINGTON  
TENTH JUDICIAL DISTRICT COURT

<b>DATE:</b> December 9, 2019	<b>FILE NUMBER:</b> 82-CR-19-2887
<b>JUDGE:</b> Mary A. Yunker	<b>COURT REPORTER:</b> Paul Wild
<b>DEPUTY:</b> Russell Fox, Cory Reedy	<b>JUDICIAL AIDE:</b> Jolene Erickson

TITLE OF CASE

<b>Petitioner</b>	<b>Attorneys</b>
State of Minnesota	Thomas Hatch & Andrew Johnson

VS.

<b>Respondent</b>	<b>Attorneys</b>
Brian Jeffrey Krook	Paul Engh & Kevin Short

The above entitled action came on for contested omnibus hearing with the court:

- 1:30** Court is in session  
Court inquires as to late filings – counsel responds
- 1:35** Court breaks (due to technological issues)
- 1:50** Court is in session  
Court clarifies all motions that have been filed
- 1:53** Attorney Engh moves to sequester witness to testify today – no objections – court grants  
Attorney Engh argues motions
- 1:59** Attorney Hatch responds
- 2:03** Court inquires as to whether there are any documents submitted to support probable cause  
Counsel responds
- 2:06** **Witness Richard Dusterhoff sworn**
  - Direct by Attorney Hatch
  - [Exhibit 5 MOR without objection](#)
  - [Exhibit 6 MOR without objection](#)
  - [Exhibit 7 MOR without objection](#)
  - [Exhibit 8 MOR without objection](#)
  - [Exhibit 9 MOR without objection](#)
  - [Exhibit 1 MOR by stipulation](#)
- 2:40** Cross by Attorney Engh
  - [Exhibit 4 MOR by stipulation](#)
  - [Exhibits 2 & 3 MOR by stipulation](#)
- 3:00** Re-direct by Attorney Hatch  
Witness steps down

- 3:02**    **Witness Steven Frazer sworn**  
            Direct by Attorney Johnson
- 3:34**            Cross by Attorney Engh
- 3:47**            Re-direct by Attorney Johnson
- 3:51**            Re-cross by Attorney Engh
- 3:52**            Re-direct by Attorney Johnson
- 3:52**            Witness steps down
- 
- 3:53**    Discussion about proceeding – Attorney Engh requests briefing schedule – court grants request  
            Discussion about in camera review motion  
            Court to leave record open for additional briefs and exhibits

***Defense briefs due 1/6/20, State's response due 1/20/20, then taken under advisement***