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COMMONWEALTH OF MASSACHUSETTS
SUFFOLK, SS.
DISTRICT COURT DEPARTMENT OF THE TRIAL COURT

IN RE: INQUEST INTO THE DEATH * 2352 IN000001
OF SAYED ARIF FAISAL *
********************************
RE: INQUEST
(ENTIRE TRANSCRIPT IMPOUNDED)
FURTHER CONFERENCE (VIA ZOOM)
BEFORE THE HONORABLE JOHN F. COFFEY
APPEARANCES:
For the Commonwealth:
Middlesex District Attorney's Office
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By: Caroline Evans, Assistant District Attorney
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Boston, Massachusetts 02122
Kazarosian Costello, LLP
By: Marsha Kazarosian, Esquire
546 Main Street
Haverhill, Massachusetts 01830
Medford, Massachusetts Courtroom (Portable) May 8, 2023

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I N D E X
EXAMINATION
WITNESS:
(None.)
EXHIBITS:
(None.)

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    FOR IDENTIFICATION:
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\(P R O C E E D N G S\)
(Court called to order.)
(2:20 p.m.)
MS. KAZAROSIAN: ...yeah. You probably see a notice that \(I\) just started doing that. I'm sorry about that.

THE COURT: Okay. All right.
And anything else, Attorney Spiros?
MS. SPIROS: Judge, I just wanted to check in on whether the court had an update related to construction at the courthouse, if we were all set to go and...

THE COURT: Well, I guess Attorney -- Ms. Clerk Casey, we have an update that it might not be the cleanest room in the -- in the Commonwealth, but \(I\) think the -- the construction on the windows is going to be complete, correct?

THE CLERK: Yes.
So my -- my understanding was it might not be the prettiest, but it will be clean. THE COURT: Okay. That's what I was told.

THE CLERK: The ceiling tiles are going to be replaced in June and the carpet is going to be replaced in June.

But they will do, you know, a nice job on cleaning everything up.

THE COURT: Okay.
THE CLERK: We won't have to dust off our seats or anything like that. Okay.

THE COURT: Okay. All right.
MS. KAZAROSIAN: But we won't ceiling tiles falling on our head like just happened in Lawrence, right?

THE CLERK: No. No.
THE COURT: All right. So -- so -- and if anything changes, \(I\) will let everybody know.

THE CLERK: Yes.
THE COURT: Okay.
MS. KAZAROSIAN: Are we still planning on having the view the first day?

I wasn't sure if that was still...
THE COURT: I think it's the second.
Correct, Attorney Spiros?
MS. SPIROS: The second day.
THE COURT: Yeah. That will be --
MS. KAZAROSIAN: Oh, okay.
THE COURT: -- that Tuesday.
MS. KAZAROSIAN: And that's in the morning?

MS. SPIROS: Yes.
THE COURT: Attorney Spiros, did you --
MS. SPIROS: Yeah, I think -- I think that we had intended to do that in the morning.

But we can always readdress that on the 2nd if we want to talk more about timing.

THE COURT: Okay. And so we still plan on three, maybe four days?

MS. SPIROS: That's the hope, yes.
THE COURT: Okay. All right.
And I have the -- the dascovery notices, Clerk Casey, here.

So what \(I\) will plan on doing is I'll bring my copies to the -- to the inquest.

THE CLERK: Okay.
THE COURT: Those will all then become the marked official records, okay?

THE CLERK: Sounds good.
THE COURT: Does anybody have a problem with that?

I haven't touched -- I haven't marked anything, so those would be the clean copies.

MS. SPIROS: That sounds perfect.
MS. KAZAROSIAN: That sounds fine.
Um, we can bring our laptops in and use
laptops, right?
THE COURT: Yeah. Yeah, sure.
MS. KAZAROSIAN: I'm not sure I will be able to carry all that stuff.

THE COURT: Okay. Sure.
If -- if the WiFi is in I go like it is at this brand-new building in Lowell, bring your own hotspot because --

MS. KAZAROSIAN: Yeah.
THE CLERK: -- there is no WıFi.

THE COURT: Okay. So...
MS. KAZAROSIAN: Oh, okay. I don't think it -- yeah, or \(I\) can just download everything to my laptop, because \(I\) don't know how to use a hotspot.

THE COURT: Okay. Neither do I. I just heard that someplace.

MS. KAZAROSIAN: It sounded good.
(Inaudible.)
MS. SPIROS: And, I guess, one last question.

I don't think that this is part of the procedure but just, in trying to be prepared, you are not expecting summations at the end from the parties or anything like that?

THE COURT: I don't expect it, but I'll leave it --if anybody wants to make an argument or if someone wanted -- if one of the parties wanted to -- or the interested people wanted to give a written summation on any issue that they want to, I'll take. All right.

But it's --it's -- I don't -- I don't necessarily need it.

And the - - think we talked briefly about it last time; but it makes sense, \(I\) think even for the attorneys - - Attorney Anderson and Attorney Kazarosian if we -- and it would help me -- if we knew the -- the names of the witnesses on the days that we -- that we can get it.

Just so that we can kind of keep it rolling, and we have some -- and I have some idea of -- of where, you know, the -- the -- the time frame or the -- as we go through this so that we -- and like \(I\) said, I'd rather have a couple extra at the end and go right until 4:00 then have to stop at 3:00 because...

MS. SPIROS: Understood.

THE COURT: Okay. And towards that end, when do you think you might have that, Attorney

Spiros?
MS. SPIROS: I had a working list for the last date, so it's just a matter of reviewing that.

THE COURT: Sure. Sure.

MS. SPIROS: I am assuming \(I\) can get that to the court by the 15 th.

THE COURT: Oh, yeah. That's -- that's plenty of time.

MS. SPIROS: Okay.
THE COURT: Okay. And, as far as displaying any exhibits, \(I\) don't know what they have over there, and I don't -- and -- but, I mean, I am going to have everything.

So does anybody need a laptop - - does anybody have a laptop if they want to show a witness that's something that's not in writing, like, or in a document?

MS. SPIROS: I anticipate that, with the Court's permission, we would try to set up an overhead projector --

THE COURT: Okay.

MS. SPIROS: -- a laptop.
That's been a request that \(I\) have in for our IT people.

THE COURT: Okay. Great.
MS. KAZAROSIAN: Then we will be able to see the photos on there?

THE COURT: Yeah.

MS. KAZAROSIAN: You will pull up the photos.

THE COURT: Yeah.

MS. KAZAROSIAN: Okay.

THE COURT: All right. And the DA's Office has access to one that we might be able to use for a few days?

MS. SPIROS: Yes, I believe we -- and I think probably it makes the most sense if your Honor is bringing the official records that we will -- we would display the official version.

THE CoURT: Okay. Yep. Perfect.
MS. SPIROS: All right. We'll work on that here.

And if we could get in the Friday before just to set that up, if it's possible, Madam Clerk.

We can work that out.

THE CLERK: Yep.

THE COURT: Okay. All right. Anything else we should discuss?

MR. ANDERSON: I just had a quick question about the protective order because there are a number of officers, certain deputies, like, who \(I\) sat in the interviews with.

I'm assuming I am allowed to give them those interviews to read to prepare, but I don't know if \(I\) can actually give them copies to keep?

I don't know what the -- how that protective order works with that.

THE COURT: I mean, they are -- they are the witness's own statements, correct?

MR. ANDERSON: Correct.
THE COURT: I mean, I -- I don't think they should get it a copy of it so -- so that copy then leaves your custody.

But it's -- I have no problem with you having them review their witness statements before they take the stand or at any point, as long as you retain -- you know, don't give a copy and you keep -- you keep physical custody of it.

MR. ANDERSON: And that was I didn't want Witness A to get it and then --

THE COURT: And then not -- yeah.
MR. ANDERSON: -- Witness B ends up with
the statement then.

THE COURT: Yeah.

MR. ANDERSON: Okay.

THE COURT: Yeah. And \(I\) think that's just for the spirit of the protective order, as long as we keep everything kind of encapsulated until such time as that \(--i t--\) the protective order doesn't exist.

MR. ANDERSON: Oh, okay.

MS. KAZAROSIAN: And - and I had a quick question.

So are the witnesses going to be in the room when everyone else is testifying? okay.

THE COURT: No. No. I -- I want a sequest - I want everybody outside.

The only people allowed in the room are the interested parties as well as the witness.

And \(I\) also let the witnesses know after they testify they are not to discuss their testimony with anybody else.

MS. KAZAROSIAN: Okay. Makes sense.

THE COURT: Okay.

And so -- and so if anything else does come up between now and, say, that Friday, just
reach out to clerk Casey and so -- just so that at nine o'clock we can get -- get going right on the - - because we are -- we are in somebody else's building, and \(I\) don't want to overstay our welcome.

Not that I'm going to rush anybody but it's -- you know, it is being used for something else as well so -- all right?

MS. SPIROS: Understood.
THE COURT: Okay.
THE CLERK: And, your Honor, just for clarity of the record, since I started recording --

THE COURT: Oh, sure.
THE CLERK: - - there were a few things that \(I\) belueve were discussed before I started recording.

THE COURT: Sure.
THE CLERK: One, that you do want to hear from the medical - the medical examiner, correct?

THE COURT: Yep. Yes.
THE CLERK: Two, that notices of discovery are going to be marked; the first notice Exhibit 1 , the second notice Exhibit 2,
et cetera.
THE COURT: Correct.
THE CLERK: Correct?
And that there are two witnesses that are not available, Jayden Walker and Samuel Stubs?

THE COURT: Correct. Yep.
THE CLERK: Okay. I think everything
else was recorded.
THE COURT: Everything else was after that.

All right. Great.
THE CLERK: All right.
THE COURT: AIl right.
MS. SPIROS: Thank you.
THE COURT: All right. Thank you, everybody.

THE CLERK: Thank you, everyone.
MS. KAZAROSIAN: Thank you, your Honor.
THE CLERK: And my apologies for the delay.

THE COURT: No worries.
THE CLERK: Okay.
MS. KAZAROSIAN: Thank you, Madam Clerk.
THE CLERK: Bye.
THE COURT: Bye.

MS. SPIROS: Bye.
(2:30 p.m. Court in recess.)

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