

1 exactly right.

2 MR. STEIN: Well --

3 CHAIRPERSON TINNIN: That's what I
4 understand his contention to be.

03:32PM 5 MR. STEIN: Well, that would be --

6 CHAIRPERSON TINNIN: If the Court orders
7 you to do something, two people can't get together and
8 say, Well, we decided not to -- not to obey the Court's
9 order. You can't do that. You go back to the Court and
10 say, Change the order.

03:32PM

11 MR. STEIN: That wasn't --

12 CHAIRPERSON TINNIN: That's what his
13 contention is now.

03:32PM

14 MR. STEIN: Well, that's what his
15 contention is now, but it's not pled. I mean
16 (laughter), he hasn't -- could we just have a break? I
17 really --

03:33PM

18 MR. WIDMAN: I have tried to make this
19 clear since the get-go, and I have said -- this is not
20 the first time I'm making the statement, that
21 Mr. Clinesmith's competency is not an issue in this
22 case.

03:33PM

23 What we have pleaded is that there was a
24 court order and that there -- and that by making a
25 unilateral determination that it was okay to go to the