

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge John L. Kane

Civil Action No. **01-cv-2313-JLK**

GLN COMPLIANCE, INC.,

Plaintiff /Counter Defendant,

v.

JONATHAN ROSS,

Defendant/Third Party Plaintiff /Counter Claimant,

v.

GERALD NAEKEL,

Third-Party Defendant.

FINAL ORDER re Doc. 189 Motion for Reconsideration

Kane, J.

Having considered GLN's Supplemental Response to Defendant's February 13, 2010 Motion for Reconsideration (Doc. 204), and GLN's acknowledgment that it did not offer Mr. Resling's expert report (Trial Ex. 101) into evidence during the course of the trial, Defendant Ross's Motion for Reconsideration (Doc. 189) is GRANTED. As I stated in my Order dated February 18, 2010 (Doc. 197), it was not my intent, when confronted in chambers after trial to clarify the matter, to admit any document that had not already been admitted. GLN did not call Mr. Resling as a witness at trial and concedes it did not offer his report into evidence. Based on the foregoing, GLN's request, reiterated in its Supplemental Response, to admit Dr. Resling's Report notwithstanding its failure to offer it during trial, is DENIED.

Dated: March 2, 2010

s/John L. Kane
SENIOR U.S. DISTRICT JUDGE