

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Senior District Judge Richard P. Matsch**

Date: August 21, 2009  
Courtroom Deputy: J. Chris Smith  
FTR Technician: Kathy Terasaki

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Civil Action No. 05-cv-00086-RPM

CCC GROUP, INC.,

Plaintiff,

v.

MARTIN ENGINEERING COMPANY,

Defendant.

Ted D. Lee  
Richard K. Kornfeld

Mark A. Hagedorn  
Peter A. Gergely

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**COURTROOM MINUTES**

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**Final Pretrial Conference**

**2:55 p.m. Court in session.**

**ORDERED: Plaintiff, CCC's Group, Inc.'s Motion to Dismiss Pursuant to Fed. R. Civ P. 9(b), or in the Alternative, Motion for Summary Judgment Pursuant to Fed. R. Civ. P. 56, filed August 20, 2009, is denied.**

**ORDERED: Defendant's' Motion to Limit the Testimony of David J. Lee, filed August 11, 2009 (384) is granted in part and denied in part. Witness is permitted to testify regarding knowledge of patent application process.**

**Court states trial will be on the inequitable conduct claim.**

**ORDERED: By agreement of counsel, fact witnesses sequestered and expert witnesses excluded.**

Counsel agree Court will read prior trial testimony after hearing this trial's live witness testimony.

**Rulings on the permissible scope of witness testimony and issue regarding privilege documents are made as stated on record.**

**3:50 p.m. Court in recess.**

Hearing concluded. Total time: 55 min.