

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
JUDGE WILEY Y. DANIEL**

Courtroom Deputy: Robert R. Keech
E.C.R./Reporter: Kara Spitler

Date: February 7, 2008

**Master Docket No. 06-cv-17430-WYD-CBS (MDL Docket No. 1743)
IN RE: AMERICAN FAMILY MUTUAL INSURANCE COMPANY, OVERTIME PAY LITIGATION**

Counsel:

ROCKY BALDOZIER, et al.,

Plaintiffs,

v.

**AMERICAN FAMILY MUTUAL
INSURANCE COMPANY,**

Defendant.

James M. Finberg
Kenneth J. Sugarman
Michael S. Hilicki
Robert S. Hill

James M. Finberg
Julie M. Williamson
Julie A. Trent

COURTROOM MINUTES

**HEARING ON PENDING DEFENDANT'S MOTION TO DISMISS and PLAINTIFFS' MOTION
FOR CERTIFICATION OF STATE LAW CLASSES**

9:10 a.m. Court in Session

APPEARANCES OF COUNSEL.

Court's opening remarks.

9:12 a.m. Statement by Plaintiffs (Mr. Hilicki).

Plaintiffs' First Motion to Certify State Law Classes (#140 - 11/16/07) and

Plaintiffs' First Motion to Certify Class for Illinois PDR's Under Illinois Law (#151 - 12/2/07); Plaintiffs' First Motion to Supplement Hoffman-LaRoche Notice (#141 - 11/16/07); Plaintiffs' Amended Motion to Supplement First Motion to Supplement Hoffman-LaRoche Notice (#152 - 12/3/07); Defendant's Motion to Dismiss Baldozier Plaintiffs' Rule 23 State Law Claim (#132 - 10/23/07); and Plaintiff's First Motion to Send Supplemental Hoffman-LaRoche Notice (#145 - 11/21/07) are raised for argument.

9:17 a.m. Argument by Plaintiffs (Mr. Finberg).

9:32 a.m. Argument by Plaintiffs (Mr. Sugarman).

9:33 a.m. Argument by Plaintiffs (Mr. Hilicki).

9:47 a.m. Argument by Defendant (Ms. Williamson).

10:41 a.m. Court in Recess

11:10 a.m. Court in Session

Argument by Plaintiffs (Mr. Finberg).

11:20 a.m. Argument by Plaintiffs (Mr. Hill).

11:38 a.m. Argument by Defendant (Mr. DeNardo).

11:42 a.m. Argument by Plaintiffs (Mr. Finberg).

ORDERED: Counsel shall meet in an attempt to agree on language for a Hoffman-LaRoche Notice.

11:48 a.m. Argument by Defendant (Mr. DeNardo).

11:49 a.m. Argument by Plaintiffs (Mr. Finberg).

ORDERED: Parties shall file their proposed supplemental Hoffman-LaRoche Notices not later than **Wednesday, February 20, 2008.**

11:52 a.m. Argument by Defendant (Mr. DeNardo).

11:52 a.m. Argument by Plaintiffs (Mr. Finberg).

11:54 a.m. Argument by Defendant (Mr. DeNardo).

11:57 a.m. Argument by Plaintiffs (Mr. Finberg).

12:02 p.m. Argument by Defendant (Mr. DeNardo).

12:05 p.m. Argument by Defendant (Ms. Williamson).

12:12 p.m. Argument by Plaintiffs (Mr. Sugarman).

12:27 p.m. Argument by Defendant (Ms. Williamson).

12:30 p.m. Argument by Plaintiffs (Mr. Finberg).

ORDERED: Plaintiffs' First Motion to Certify State Law Classes (#140 - 11/16/07) is **TAKEN UNDER ADVISEMENT.**

ORDERED: Plaintiffs' First Motion to Certify Class for Illinois PDR's Under Illinois Law (#151 - 12/2/07) is **TAKEN UNDER ADVISEMENT.**

ORDERED: Plaintiffs' First Motion to Supplement Hoffman-LaRoche Notice (#141 - 11/16/07) is **TAKEN UNDER ADVISEMENT.**

ORDERED: Plaintiffs' Amended Motion to Supplement First Motion to Supplement Hoffman-LaRoche Notice (#152 - 12/3/07) is **TAKEN UNDER ADVISEMENT.**

ORDERED: Defendant's Motion to Dismiss Baldozier Plaintiffs' Rule 23 State Law Claim (#132 - 10/23/07) is **TAKEN UNDER ADVISEMENT.**

ORDERED: Plaintiff's First Motion to Send Supplemental Hoffman-LaRoche Notice (#145 - 11/21/07) is **TAKEN UNDER ADVISEMENT.**

ORDERED: Supplemental briefings on C.A.F.A. shall be filed not later than **Thursday, February 21, 2008.**

12:33 p.m. Court in Recess - HEARING CONCLUDED

TOTAL TIME: 2:54