

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Craig B. Shaffer**

Civil Action No.: 07-cv-00563-CBS-MJW
Date: June 4, 2009

FTR - Reporter Deck - Courtroom A402
Courtroom Deputy: Linda Kahoe

L&W INNOVATIONS, LLC,

J. Mark Smith

Plaintiff,

v.

LINLI CONSTRUCTION, INC., *et al.*,

Todd Laurence Vriesman

Ryan Christopher Gill

PAUL CLUCKIES,

James R. Benson, Jr.

Defendants.

AMENDED COURTROOM MINUTES/MINUTE ORDER

HEARING: TRIAL PREPARATION CONFERENCE

Court in session: 10:59 a.m.

Court calls case. Appearances of counsel.

Discussion and arguments regarding Motion for Partial Summary Judgment (doc #154, filed 3/26/2009) and Motion in Limine Regarding Damages Due to Nondisclosure (doc #153, filed 3/26/2009).

For reasons as stated on the record, it is

ORDERED: The court will issue a written order that the CCPA claims as to all defendants are dismissed, and the common law conspiracy claims as to defendants Linli and Yelenick are dismissed. The court will address the unjust enrichment claim in the written order. Defendants may file a response on or before 6/12/2009. Plaintiff may file a reply on or before 6/19/2009.

ORDERED: The Defendants may file a motion for summary judgment on or before June 12, 2009 to include good cause to modify the scheduling order.

ORDERED: The current trial dates of June 22, 2009 through July 1, 2009 are VACATED. Trial is RESET for 8:30 a.m. August 24, 2009 through September 2, 2009.

ORDERED: Defendants are allowed to take additional discovery as outlined by the court. Discovery must be completed on or before July 20, 2009.

ORDERED: Defendants may retake the deposition of Mr. Lips, or to take a Rule 30(b)(6) deposition on or before June 24, 2009. The court reporting costs of the deposition shall be paid for by Plaintiff L&W. The cost of any transcript ordered by Defendant as a result of the deposition will be paid for by Plaintiff L&W. Plaintiff L&W shall reimburse Defendant Linli for reasonable attorney's fees up to \$1,500.00

HEARING CONCLUDED.

Court in recess: 12:10 p.m.

Total time in court: 01:11

POST RECESS ORDER

As discussed on the record, it is

ORDERED: Defendants' Motion in Limine Regarding Damages Due to Nondisclosure (doc #153, filed 3/26/2009) is **GRANTED IN PART**.

To order transcripts of hearings with Magistrate Judge Shaffer, please contact Avery Woods Reporting at (303) 825-6119 or toll free at 1-800-962-3345.