

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

**JUDGE PHILIP A. BRIMMER**

**COURTROOM MINUTES**

Courtroom Deputy: Kathy Preuitt-Parks  
Court Reporter: Janet Coppock

Date: March 31, 2009  
Time: 7 minutes

**CASE NO. 07-cv-00967-PAB-BNB**

Parties

Counsel

**KIM BRETOI,**

Thomas Bulger

Plaintiff (s),

vs.

**PROVIDENT LIFE and ACCIDENT  
INSURANCE COMPANY,**

Robert Baldwin

Defendant (s).

**STATUS CONFERENCE**

**3:04 p.m. COURT IN SESSION**

APPEARANCES OF COUNSEL, who appear by telephone.

Discussion regarding how this case should proceed, in light of the Arbitration Agreement, which sets arbitration proceedings to commence September 14, 2009 through September 22, 2009 before Judge Richard Borchers.

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**ORDERED:** Defendant's Motion for Sanctions for Spoliation of Evidence (**Doc #48**), filed 4/1/08 is **WITHDRAWN**.

**ORDERED:** Defendant's Motion for Partial Summary Judgment on Bad Faith (**Doc #54**), filed 4/2/08 is **WITHDRAWN**.

**ORDERED:** Plaintiff's Motion for Summary Judgment (**Doc #58**), filed 4/7/08 is **WITHDRAWN**.

**ORDERED:** Defendant's Motion for Sanction for Spoliation of Evidence (**Doc #96**), filed 10/23/08 is **WITHDRAWN**.

**ORDERED:** Defendant's Stipulated Motion for Ruling on Jury Instructions for an Adverse Party (**Doc #97**), filed 10/23/08 is **WITHDRAWN**.

**ORDERED:** Defendant's Stipulated Motion to Stay Defendant's Motion for Sanctions for Spoliation of Evidence (**Doc #98**), filed 10/23/08 is **WITHDRAWN**.

**ORDERED:** Defendant's Motion in Limine to Exclude Unscientific Evidence and Opinions (**Doc #99**), filed 11/11/08 is **WITHDRAWN**.

**ORDERED:** Plaintiff's Stipulated Motion to Stay Case for Arbitration (**Doc #117**), filed 3/25/09 is **WITHDRAWN**.

**ORDERED:** The Trial Preparation Conference scheduled for 2:00 p.m. on August 28, 2009 and the Trial scheduled for September 14, 2009 are **VACATED**.

**ORDERED:** Written order to administratively close this case shall issue. Counsel shall provide the Court with a status report by **September 30, 2009**.

**3:11 p.m. COURT IN RECESS**

**Total in court time: 7 minutes**

**Hearing concluded**