

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

Civil Action No.: 07-cv-00968-REB-CBS
Date: January 8, 2010

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

TRUDIE M. ISKOWITZ,
PATRICIA A. COFFMAN,

Thomas Patrick Routh

NINA WINSTON,

Daniel Seth Kirschner

JEAN MASON WIGHTMAN,
CATHERINE S. WALTON,

No appearance

Plaintiffs/Consol Plaintiffs,

v.

CESSNA AIRCRAFT COMPANY,

Mary Alice Wells
Marilyn S. Chappell

MARTINAIR, INCORPORATED,

Thomas J. Byrne
John Carl Knudsen

USA, *et al.*,

Colleen L. Conlin (*via phone*)

Defendants,

CIRCUIT CITY STORES, INC.,

Thomas J. Byrne
John Carl Knudsen

DEPARTMENT OF TRANSPORTATION,
FEDERAL AVIATION ADMINISTRATION,

Consol Defendants.

COURTROOM MINUTES/MINUTE ORDER

HEARING: MOTION HEARING

Court in session: 10:04 a.m.

Court calls case. Appearances of counsel.

The court reviews previous scheduling order deadlines.

Discussion and arguments regarding Motion to Strike Cessna Aircraft Company's Rule 26(a)(2) Rebuttal Disclosures by Defendants Martinair, Inc. and Circuit City Stores, Inc., doc #[140], filed 12/21/2009.

Mr. Byrne presents arguments.

Ms. Wells states that if Mr. Byrne submits a rebuttal-type challenge in writing, she will not move to strike. Ms. Wells requests at least 5 days prior to the scheduled deposition. The parties agree to provide the disclosures on or before February 1, 2010.

For the reasons as stated on the record, it is:

ORDERED: The Motion to Strike Cessna Aircraft Company's Rule 26(a)(2) Rebuttal Disclosures by Defendants Martinair, Inc. and Circuit City Stores, Inc., doc #[140], is **DENIED** to the extent that the motion seeks to strike the expert reports submitted by Drs. Winn and Morris. The motion is **GRANTED** to the extent that it seeks as an alternative relief the right to file, serve, or submit a sur-rebuttal to those reports. Martinair and Circuit City may provide rebuttal reports. The rebuttal reports should be directed to and should rebut the opinions specifically advanced by Cessna's experts.

Discussion regarding setting a trial date.

Discussion regarding reopening settlement discussions.

HEARING CONCLUDED.

Court in recess: 10:55 a.m.

Total time in court: 00:51

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