

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
JUDGE CHRISTINE M. ARGUELLO**

Courtroom Deputy: Valeri P. Barnes
Court Reporter: Darlene Martinez

Date: April 17, 2009

Civil Action No. 07-cv-01146-CAM-BNB

Parties:

JAMES RIVER INSURANCE COMPANY, an
Ohio Corporation,

Plaintiff,

v.

RAPID FUNDING, LLC, a Colorado Limited
Liability Company,

Defendant.

Counsel:

Brent Anderson
Kyle Seedorf

Michael Burg
David TeSelle
Thomas Henderson, IV
Brian Matise

COURTROOM MINUTES

HEARING: Final Trial Preparation Conference

3:55 p.m. Court in session.

ORDER: Defendant/Counterclaimant's Motion *in Limine* to Exclude Portion of John A. Meyer's Expert Opinion Under Fed.R.Evid. 702 and *Daubert*, and this Court's February 24, 2009 Order **(127)** is **denied**.

ORDER: James River Insurance Company's Cross-Motion to Exclude Testimony Regarding the Cost Approach **(132)** is **denied**.

ORDER: Rapid Funding LLC's Motion to Strike James River Insurance Company's Late Filed Motions *in Limine* **(162)** is **denied**.

The case shall be tried to a jury of 10.

The jurors shall be allowed to take notes.

Parties shall have 15 minute per side for *voir dire*.

Parties shall have 30 minutes per side for openings.

ORDER: Rapid Funding's Oral Motion to Clarify the Court's Ruling (Doc. # 126) is **taken under advisement.**

DEADLINES/HEARINGS:

- 1) Responses to James River Insurance Company's Motions *in Limine* are due no later than **April 21, 2009, 5:00 p.m.**
- 2) Rapid Funding's supplemental objections to exhibits due no later than **April 21, 2009, 5:00 p.m.**
Parties are directed to meet and confer and try to pare down the exhibit list.
- 3) Counsel shall submit to the Court one copy of highlighted portions of deposition designations no later than **April 21, 2009, at 5:00 p.m.**
Parties are directed to meet and confer and try to resolve as many of the objections to deposition designations as possible.
- 4) Stipulated Statement of the Case due **April 27, 2009.**
- 5) Glossary due no later than **April 24, 2009, 4:00 p.m.**
- 6) Continued Motions hearing set for **April 24, 2009, at 2:00 p.m.**
The Court will also address unresolved disputes as to exhibits, deposition designations, and Rapid Funding's Oral Motion to Clarify the Court's Ruling (Doc. # 126) at that time.

4:58 p.m. Court in recess/hearing concluded.

Total in-court time: 1:03