

**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: March 16, 2009

---

Civil Action No. 07-cv-01535-CMA-MJW

Parties:

PAUL J. MORRISON, an individual,  
  
Plaintiff,

Counsel:

Bryan Kuhn

v.

MACDERMID, INC., a Colorado corporation,  
DONALD G. OGILVY, individually, and in his  
official capacity as Member of the Board of  
Directors and Chairman of the Audit Committee,  
  
Defendants.

Edwin Aro  
Anna Edgar

---

**COURTROOM MINUTES**

---

HEARING: *Daubert*

**8:30 a.m. Court in session.**

**Sworn and testified: TAYLOR SIMONTON:**

**8:33 a.m.** Direct examination by Mr. Aro.

Admitted as an expert in the field of accounting and auditing in  
general corporate governance.

9:04 a.m. Cross-examination.

**Exhibit received:** 1, 2.

**9:08 a.m. Witness excused.**

Argument.

**ORDER:** Plaintiff's Pretrial Motion *in Limine* (60) is **denied**.

**ORDER:** Defendants' First Motion *in Limine* Concerning Plaintiff's Accounting Allegations **(102)** is **granted**.

**ORDER:** Defendants' Second Motion *in Limine* Concerning Plaintiff's Estimates of Lost Future Earnings **(104)** is **granted** to the extent that Mr. Morrison would testify as to anything other than his personal knowledge as to what he was making versus what he is making now.

**ORDER:** Defendants' Motion *in Limine* to Seal Confidential Trial Exhibit in the Record **(118)** is **granted**.

**DEADLINES/HEARINGS:**

Status report due **March 18, 2009**.

Counsel shall provide the Court with additional submissions as to Defendants' Third Motion *in Limine* **(101)**.

**ORDER:** Upon the conclusion of the hearing, counsel for the parties shall retain custody of their respective exhibits until such time as all need for the exhibits has terminated and the time to appeal has expired or all appellate proceedings have been terminated plus sixty days.

**9:30 a.m. Court in recess/hearing concluded.**

Total in-court time: 1:00