

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
JUDGE PHILIP A. BRIMMER**

Courtroom Deputy: Patricia Glover
Court Reporter: Janet Coppock

Date: September 24, 2009

CASE NO. 07-cv-01844-PAB-KLM

(Consolidated with 07-cv-02248-PAB-BNB)

Parties

Counsel

WENDY WILSON, as an individual and
as the next of kin and personal
representative of Ryan Wilson,
deceased,
JACK WILSON,

Michael Thomson
Martin Beier
Victoria Lovato

Plaintiffs,

v.

CITY OF LAFAYETTE,
LAFAYETTE POLICE DEPARTMENT,
PAUL SCHULTZ,
JOHN HARRIS,
TASER INTERNATIONAL, INC.,

Eric Ziporin
Marni Nathan Kloster
J. Andrew Nathan
David Ballard
John Maley

Defendants.

COURTROOM MINUTES

MOTIONS HEARING

1:37 p.m. Court in Session.

Court calls case. Appearances of counsel.

Preliminary remarks by the Court.

The Court addresses Defendant Harris' Motion to Strike (**Doc.#175**).

ORDERED: Defendant Harris' Motion to Strike (**Doc. #175**) is **GRANTED in part and**

DENIED in part. It is **GRANTED** as to Ex. 13 (pg. 1 only), 18, 21 and 31 and **DENIED** as to Ex. 5, 6, 7, 8, 9, 10, 12, 13 (except page 1), 14, 25, 27, 16, 17, 19, 24, 28, 29, 30 and **GRANTED** as to Ex. 13 (page one only), 18, 21, 31.

The Court addresses City of Lafayette and Chief Schultz's Motion to Strike (**Doc. #174**)

ORDERED: Defendant City of Lafayette and Chief Schultz's Motion to Strike (**Doc. #174**) is **GRANTED in part and DENIED in part.** It is **GRANTED** as to Ex. 10 and 11 and **DENIED** as to Ex. 7, 28, 12, 13, 15, 16, 17, 18, 21, 22, 23, 24, 25, 27, 30.

The Court addresses Defendant City of Lafayette and Schultz's Motion to Seal (**Doc. #121**)

ORDERED: Defendant City of Lafayette and Schultze's Motion to Seal (**Doc. #121**) is **GRANTED.**

The Court addresses Plaintiff W. Wilson's Motions (**Doc. #148 and #165**).

ORDERED: Plaintiff W. Wilson's Motions (**Doc. #148, 165**) are **DENIED** as moot.

The Court addresses the Rule 702 motions and whether hearings are requested.

Counsel that filed the motions concur that no hearings are necessary.

The Court will take the motions under advisement and issue a written ruling.

The Court addresses the Motions for Summary Judgment.

Argument heard on Motions for Summary Judgment (**Doc. #119, 123, 131**).

Argument by Mr. Nathan (**Doc. #119**). Questions by the Court.

Argument by Mr. Ziporin (**Doc. #131**).

Argument by Mr. Maley (**Doc. #123**). Questions by the Court.

3:17 p.m. Court in recess

3:30 p.m. Court in session

Argument by counsel Thomson and Beier. Questions by the Court.

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Rebuttal argument by counsel Maley, Nathan and Ziporin.

The Court takes the Motions for Summary Judgment under advisement and will issue a written ruling.

4:35 pm. Court in Recess.

Hearing concluded.

Total time in court: 2 hours 45 minutes.