

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
CHIEF JUDGE WILEY Y. DANIEL**

Courtroom Deputy: Robert R. Keech
E.C.R./Reporter: Therese Lindblom

Date: April 27, 2009

Civil Action No: **07-cv-01916-WYD-KMT**

Counsel:

**VERONICA I. DELOREY; and
DENNIS P. DELOREY,**

Stefanie Seldon

Plaintiffs,

v.

**P & B TRANSPORTATION, INC.; and
DAVID HONDL,**

J. Bradley Hardman
Joel A. Palmer

Defendants.

COURTROOM MINUTES

TRIAL PREPARATION CONFERENCE

4:11 p.m. Court in Session

APPEARANCES OF COUNSEL.

Court's opening remarks.

4:13 p.m. Discussion regarding outcome of hearing before Magistrate Judge Kathleen M. Tafoya.

Plaintiffs' Motion to Permit Telephonic or Teleconference Testimony of a Lay Witness, Tanga Williams, at Trial [doc. #122], filed April 27, 2009, is raised for argument.

4:14 p.m. Argument by Plaintiffs (Ms. Selden).

4:16 p.m. Argument by Defendants (Mr. Palmer).

4:18 p.m. Argument by Plaintiffs (Ms. Selden).

ORDERED: Plaintiffs' Motion to Permit Telephonic or Teleconference Testimony of a Lay Witness, Tanga Williams, at Trial [doc. #122], filed April 27, 2009, is **GRANTED**. Witness Tanga Williams will be allowed to testify by video conference.

ORDERED: Counsel shall meet and confer in an attempt to resolve issues pertaining to the scope of the testimony of Tanga Williams.

4:26 p.m. Discussion regarding exhibit lists, witness lists, and estimated length of trial.

ORDERED: Parties shall file amended exhibit and witness lists not later than **Wednesday, May 6, 2009**.

Pending motions are raised for argument.

4:55 p.m. Argument by Defendants (Mr. Palmer).

4:58 p.m. Argument by Plaintiffs (Ms. Selden).

5:01 p.m. Argument by Defendants (Mr. Palmer).

5:04 p.m. Argument by Defendants (Mr. Palmer).

ORDERED: Plaintiffs' First Motion in Limine [doc. #56], filed December 10, 2008, is **GRANTED IN PART and DEFERRED IN PART**.

ORDERED: Defendants' Motion in Limine [doc. #76], filed March 13, 2009, is **DEFERRED**.

ORDERED: Plaintiffs' Second Motion in Limine [doc. #77], filed March 13, 2009, is **DEFERRED**.

5:09 p.m. Discussion regarding time limits for opening statements.

ORDERED: Opening statements shall not exceed **forty-five (45) minutes per side**.

5:11 p.m. Court outlines procedures for voir dire and jury selection.

ORDERED: Counsel will be allowed supplemental voir dire not to exceed **fifteen (15) to twenty (20) minutes per side**.

ORDERED: Counsel shall file trial briefs, addressing the threshold issues outlined by the Court, not later than **Monday, May 4, 2009.**

ORDERED: Responses to trial briefs shall be filed not later than **Wednesday, May 6, 2009.**

5:25 p.m. Court in Recess - HEARING CONCLUDED

TOTAL TIME: 1:14