

**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 19, 2010

Civil Action No: **07-cv-01985-WYD-MJW**

Counsel:

**ZEILER FARMS, INC.,**

Thomas R. Rice  
Lance Astrella

Plaintiff,

v.

**ANADARKO E.P. COMPANY, L.P., et al.,**

Michael J. Gallagher  
Osborne J. Dykes, III  
Ken Wonstolen

Defendants.

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**COURTROOM MINUTES**

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**TRIAL TO COURT (DAY 1)**

**9:18 a.m.** Court in Session

APPEARANCES OF COUNSEL.

Court's opening remarks.

9:19 a.m. Opening statement by Plaintiff (Mr. Astrella).

9:21 a.m. Opening statement by Defendants (Mr. Dykes).

9:28 a.m. Opening statement by Defendants (Mr. Gallagher).

9:36 a.m. Plaintiff's witness **Conrad Zeiler** sworn.

Direct examination by Plaintiff (Mr. Astrella).

**EX ID: 2, 1, 3, 4, 5, 13, 9, 10, 11**

**Exhibit/s 2, 1, 3, 4, 5, 13, 9, 10, 11 RECEIVED.**

10:40 a.m. Cross examination by Defendants (Mr. Gallagher).

**EX ID: 1, 44, 5, 13, 10, 49**

**Exhibit/s 44 RECEIVED.**

11:22 a.m. Court in Recess

11:50 a.m. Court in Session

Plaintiff's witness **Conrad Zeiler** resumes.

11:50 a.m. Cross examination by Defendants continues (Mr. Gallagher).

11:53 a.m. Cross examination by Defendants (Mr. Dykes).

**EX ID: A33, 37, 38, 39, A31, 8**

**Exhibit/s A33, 8 RECEIVED.**

12:21 p.m. Re-Direct examination by Plaintiff (Mr. Astrella).

**EX ID: 10, A33, 14, 48, A22, 8, 7, 6, A21, A22, A23, A24, A25, A26, A27, A28, A29, A30**

**Exhibit/s 14, 48, 7, 6, A21 A22, A23, A24, A25, A26, A27, A28, A29, A30 RECEIVED.**

12:34 p.m. Court's examination of witness.

12:43 p.m. Court in Recess

2:01 p.m. Court in Session

Plaintiff's witness **Richard Zeiler** sworn.

Direct examination by Plaintiff (Mr. Astrella).

**EX ID: 5, 15, 17, 18, 19**

**Exhibit/s 15, 17, 18, 19 RECEIVED.**

2:27 p.m. Cross examination by Defendants (Mr. Gallagher).  
**EX ID: 17, 16, A4, A5**

**Exhibit/s 16, A4, A5 RECEIVED.**

3:00 p.m. Cross examination by Defendants (Mr. Dykes).  
**EX ID: 170**

3:07 p.m. Re-Direct examination by Plaintiff (Mr. Astrella).  
**EX ID: 1**

3:13 p.m. Re-Cross examination by Defendants (Mr. Gallagher).

**3:15 p.m.** Court in Recess

**3:34 p.m.** Court in Session

3:34 p.m. Plaintiff's witness **Arthur Ronald Briggs** sworn.

Direct examination by Plaintiff (Mr. Astrella).  
**EX ID: 1, 9**

***Witness tendered and accepted as an expert.***

**ORDERED:** Defendant Unioil, Inc.'s Amended Motion to Exclude the Testimony of Plaintiff's Expert, Ron Briggs [doc. #90], filed April 2, 2010, is **DENIED**.

4:11 p.m. Cross examination by Defendants (Mr. Dykes).  
**EX ID: 26, deposition of Ron Briggs (8/6/08) for purposes of impeachment, 22**

**4:59 p.m.** Court in Recess - TRIAL CONTINUED

**TOTAL TIME: 5:36**