

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior District Judge Richard P. Matsch**

Date: June 11, 2010
Courtroom Deputy: J. Chris Smith
FTR Technician: Kathy Terasaki

Civil Action No. 08-cv-00454-RPM

JAMES K. STILES,

Jeffrey A. Bogue

Plaintiff,

v.

ARKANSAS VALLEY ADVENTURES, LLC.,

Hayden Kane

Defendant.

COURTROOM MINUTES

Trial Preparation Conference

10:58 a.m. Court in session.

Counsel agree to use Sherman's trial testimony as prior testimony under oath and his original report.

ORDERED: Plaintiff's Motion for Leave to Take the Preservation Deposition of Jerome Sherman, Ph.D. and for Forthwith Ruling, filed June 3, 2010 [70], is denied.

Discussion regarding release defense, prior voir dire statement, instructions, voir dire, Exhibit Q, witnesses and claims.

Counsel state parties are still discussing settlement.

ORDERED: Based on prior evidence heard the release defense is not a bar to plaintiff's claim. Plaintiff's Motion in Limine to Exclude Releases, filed June 4, 2010 [72], is denied.

11:35 a.m. Court in recess.

Hearing concluded. Total time: 37 min.