

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
HONORABLE MARCIA S. KRIEGER**

Courtroom Deputy: Patricia Glover
Court Reporter: Paul Zuckerman

Date: July 8, 2009

Civil Action No. 08-cv-01179-MSK

Parties:

Counsel Appearing:

QDOBA RESTAURANT CORPORATION,

Plaintiff,

Bradley Block
Michael Lindsay

v.

TAYLORS, LLC,

Defendant.

Harry Souvall
Mikhael Buchanan
Robert Einhorn
Robert Zarco
Jon-Mark Patterson

COURTROOM MINUTES

HEARING: Rule 702 - Evidentiary

1:35 p.m. Court in session.

Opening statements by counsel Block and Zarco.

Witness sworn for the defendant : David Lanter:

2:20 p.m. Direct Examination by Mr. Zarco.

Cross examination of witness by Mr. Block.

Court in recess: 2:44 p.m.

Court in session: 2:57 p.m.

Continued cross examination of witness by Mr. Block.

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Re-direct examination of witness by Mr. Zarco.

No further witnesses for either party.

Argument by counsel Zarco and Block.

EXHIBITS: Received: 1, 2 (for purposes of this hearing)

Oral findings are made of record and incorporated herein.

ORDER: Based upon a preponderance of evidence standard the two challenged foundational requirements for the opinion have been satisfied by the defendants.

4:02 p.m. Court in recess.

**Total Time: 2 hours 14 minutes.
Hearing concluded.**