

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

Date: November 21, 2011  
Courtroom Deputy: J. Chris Smith  
FTR Technician: Kathy Terasaki

---

Civil Action No. 08-cv-01265-RPM

LUIS IRENE and  
GRETCHEN IRENE,

Keith E. Frankl

Plaintiffs,

v.

ALLSTATE PROPERTY AND CASUALTY  
INSURANCE COMPANY and  
ALLSTATE INSURANCE COMPANY,

Richard A. Orona

Defendants.

---

**COURTROOM MINUTES**

---

**Conference on pending motions**

**3:28 p.m. Court in session.**

Discussion regarding pending motions, bad faith claim, damages and scheduling.

Mr. Orona states defendant is not contesting the arbitration award that has been paid.

**Court states no preclusive effect to arbiter's findings.**

**ORDERED: Motion to Confirm Awards, filed 9/16/2011 [123], is moot.**

**Court states insurance experts are unnecessary.**

Counsel make record for preserving right to call a bad faith expert.

Counsel inform Court that JAG mediation is scheduled 12/5/2011.

**ORDERED: Unopposed Motion to Set Disclosure Deadlines for Expert Witnesses, Trial and Pretrial Matters, 10/20/11 [126], is resolved.**

**ORDERED: Plaintiff's brief (damages recovery - contract / tort law) due December 2, 2011, response due December 23, 2011 and reply due January 4, 2012. Four day jury trial set March 26, 2012 at 8:30 a.m.**

**3:50 p.m. Court in recess.** Hearing concluded. Total time: 22 min.