

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

Courtroom Deputy: Patricia Glover
Court Reporter: Paul Zuckerman

Date: October 7, 2009

Civil Action No. 08-cv-01321-MSK-BNB

Parties:

Counsel Appearing:

FLOYD’S 99 HOLDINGS, LLC, a Colorado limited liability company,

Jeffrey Cowman

Plaintiff,

v.

SHAWN W. WOODRUM,

Melissa Garscin

Defendant.

COURTROOM MINUTES

HEARING: Final Pretrial Conference.

4:03 p.m. Court in session.

Parties are present. Paul and Karen O’Brien are present on behalf of plaintiff.

The Court advises counsel to reassess the amount of time necessary for trial in light of comments with regard to the witness and exhibit lists and proposed final pretrial order.

PENDING MOTIONS.

The Court addresses Plaintiff’s Motion for Summary Judgment (**Doc. #40**) and Plaintiff’s Motion to Dismiss Counterclaims (**Doc. #57**).

No further argument.

Courtroom Minutes
Judge Marcia S. Krieger
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ORDER: Plaintiff's Motion for Summary Judgment (**Doc. #40**) and Plaintiff's Motion to Dismiss Counterclaims (**Doc. #57**) are both **DENIED**.

ORDER: Defendant's Motion to file Response to Motion to Dismiss (**Doc. #66**) is **GRANTED**.

The Court addresses Defendant's Motion to Seal (**Doc. #48**).

No further argument.

ORDER: Defendant's Motion to Seal (**Doc. #48**) is **DENIED**, but the document (**#49**) will **remain sealed**. It was not pertinent to the issues to be determined with regard to the Motion to Dismiss and Motion for Summary Judgment.

Review of the proposed final pretrial order - matters addressed:

- Claims
- Defenses
- Witness List
- Exhibit List
- Anticipated motions
- Trial length, trial process, and any questions posed by counsel.

ORDER: Revised final pretrial order to be filed by **January 4, 2010**.

ORDER: Bench Trial is set **May 3, 2010 at 1:00 p.m.** and subsequent days for the remainder of the week to begin at 8:30 a.m., in Courtroom A901, 901 19th Street, Denver, CO.

5:03 p.m. Court in recess.

Total Time: 1 hour 0 minutes.
Hearing concluded.