

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
LEWIS T. BABCOCK, JUDGE**

Civil Case No. 08-cv-01661-LTB-KLM

ESTATE OF DAVID RANCE ROSSITER, by Charles Rossiter and Erin Rossiter as Co-Personal Representatives,
CHARLES ROSSITER, as Parent and Co-Personal Representative of the Estate of David Rance Rossiter, and
ERIN ROSSITER, as Parent and Co-Personal Representative of the Estate of David Rance Rossiter,

Plaintiffs,

v.

SHERIFF GRAYSON ROBINSON, in his individual and official capacity, and
OFFICER DANIEL JOSEPH MONTANA, JR., in his individual and official capacity,

Defendants.

MINUTE ORDER

BY ORDER OF JUDGE LEWIS T. BABCOCK

Plaintiff's Motion to Strike Motion for Order to Determine Admissibility of Plaintiff's Proffered Expert Testimony, Motion in Limine and for Determination of Admissibility of Expert Testimony, filed January 19, 2010 (docket #142) is **DENIED** for the reasons stated on the record.

The Final Trial Preparation Conference set on March 5, 2010 at 9:00 a.m. is **VACATED**. The Jury Trial set on the week of March 29, 2010 at 9:00 a.m. is **VACATED**. The Final Trial Preparation Conference and Jury Trial will be reset at a later date.

A hearing on Plaintiff's Motion in Limine to Preclude Evidence of: David Rossiter's Medical Records from Southwest Chemical Dependency Program; DUI Conviction; Incident at the Sump Saloon in 2006; and Incident at the Bale of Hay Saloon in 2007, and Testimony Based on, filed on October 7, 2009 (docket #85) is **SET on Friday, March 5, 2010 at 9:00 a.m.**

A hearing on the following motions: Plaintiff's Motion to Exclude Opinions and Testimony of Jonathan Ritvo, MD, filed November 16, 2009 (docket #109); Defendant Montana's Motion for Order to Determine Admissibility of Plaintiff's Proffered Expert

Testimony, filed on January 13, 2010 (docket #138); and Motion in Limine and for Determination of Admissibility of Expert Testimony, filed January 15, 2010 (docket #140) is **SET on Monday, March 29, 2010 - Wednesday, March 31, 2010 at 9:00 a.m.** Expert witnesses shall be present to testify.

Defendants shall file streamlined expert opinions on or before **Friday, February 19, 2010**. Plaintiff shall file streamlined expert opinions on or before **Wednesday, March 17, 2010**.

DATED: February 9, 2010