

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO, DENVER

JUDGE: MICHAEL E. HEGARTY

Nancy M. Marble, Deputy Clerk

Date: July 1, 2009

Civil Action Number: 08-cv-01687-REB-MEH

FTR / FTCC-am

STATE FROM MUTUAL AUTOMOBILE  
INSURANCE COMPANY,  
v.

Marc Levy

BARBARA FISHER,  
LORRIE VASQUEZ,  
JEREMY VASQUEZ,  
a/k/a Jeremy Vialpondo,  
STACY MOORE, and  
CALEB MOORE

Joseph Winston  
Patric J. LeHouillier

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**COURTROOM MINUTES/MINUTE ORDER**

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**Final Pretrial Conference**

Court in Session: 11:10 am

Court calls case. Appearances of counsel.

Discussion was held.

**ORDERED:**

1. Plaintiff's Motion to Compel Fee Agreements from Fisher, Vasquez and Moore Defendants or in the alternative Motion to Strike Any Claim for Fees (docket # 146) is denied as moot.
2. Motion to Strike Expert Witness James Johnson and/or Vasquez/Vialpando and Moore Defendants; First Supplemental 26(A)(2) Disclosure (docket #147) is withdrawn, and deemed denied as moot.

3. Plaintiff's Motion to Compel Fisher, Vasquez and Moore Defendants' Purported Agreement to Split State Farm Insurance Benefits (docket # 149) is granted.

4. Vialpando/Moore Defendants' Motion to Compel Ellsworth Data (docket # 153) is granted.

**ORDERED:** A Phone Conference is to be scheduled within 3 days of the parties receiving the Order on Summary Judgment. Counsel to contact Judge Hegarty's chambers to schedule the phone conference.

The time for filing discovery motions is past. Trial is still set to proceed.

A revised exhibit list is to be re-submitted to the court by Mr. LaHouillier by the close of business today.

Court in recess: 11:40 am

Total time in Court: 0:30

Hearing concluded.