

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

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Courtroom Deputy: Deborah Hansen  
Court Reporter: Gwen Daniel

Date: March 12, 2010

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Civil Case No. 08-cv-02173-LTB-KLM

Counsel:

ARIELLA WERDEN,

Cameron Tyler

Plaintiff,

v.

ALLSTATE INSURANCE COMPANY,

Andrew Scott

Defendant.

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COURTROOM MINUTES

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HEARING - Trial Preparation Conference

09:00 a.m. Court in Session

Court's comments

This matter is set for a five-day jury trial April 12, 2010.

Discussion concerning the claims left for trial

Discussion concerning the pending motion to strike the claim for lost wages.

Court's findings and conclusions entered on the record.

**ORDERED: The Motion to Strike Late-Disclosed Damages Claim (Doc No. 65) is GRANTED.**

**ORDERED: By Friday, April 2, 2010 counsel shall submit Jury Instructions which**

include (1) a statement of the case instruction; (2) the substantive instruction or instructions on the law that governs the main claim; (3) damage instructions; and (4) verdict form. Stock instructions are not needed. One hard copy of the Jury Instructions, with citation of authority, and also on a WPX3 disk shall be submitted.

If the plaintiff is proposing a word, a clause, a sentence or a paragraph that the defense objects to, the plaintiff's language shall be set forth in caps. Alternative language by the defense should be set out in brackets.

**ORDERED:** Trial briefs highlighting evidentiary issues expected to appear during the course of the trial may be filed by April 2, 2010.

**ORDERED:** Counsel shall submit updated Exhibit and Witness Lists and proposed voir dire questions by April 2, 2010.

Counsel shall have an exhibit conference in advance of the trial preparation conference and stipulate as many of the exhibits into the evidence as possible. The stipulated exhibits should be indicated on the exhibit list. To the extent that there is an objection to an exhibit, counsel should state the rule of exclusion relied upon on the exhibit list; and that will be the rule that may be relied upon at trial.

Mr. Tyler's comments

Plaintiff has one videotaped deposition.

**ORDERED:** Plaintiff shall submit a hard copy of the videotaped deposition with the objections highlighted in red, or notification that there are no objections, by April 2nd.

A jury of nine will be selected.

Mr. Tyler revises his estimate of the length of trial to two to three days. Mr. Scott agrees with Mr. Tyler's estimate.

**ORDERED:** Counsel shall be present at 8:30 a.m. the first day of trial.

09:45 a.m. Court in Recess  
Hearing concluded  
Time: /45

