

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

Courtroom Deputy: Patricia Glover
Court Reporter: Terri Lindblom

Date: July 25, 2013

Civil Action No. 09-cv-00309-MSK-KMT

Parties:

Counsel Appearing:

SUZANNE SHELL,

Suzanne Shell *pro se*

Plaintiff,

v.

LEONARD HENDERSON,
BRENDA SWALLOW,

Defendants.

COURTROOM MINUTES

HEARING: Final Pretrial Conference.

2:19 p.m. Court in session.

Plaintiff is present. The defendants are not present.

The Court will issue an order to show cause why default judgment should not be entered against them for failure to appear at this hearing as ordered.

The Court reviews and states the claims that will proceed to trial as stated on the record.

The Court addresses setting the matter for jury trial.

PENDING MOTIONS.

Doc. #876 is a motion by a former defendant American Family, referred to the Magistrate Judge for determination and will not be resolved prior to trial.

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The Court addresses Plaintiff's Motion for Reconsideration (**Doc. #1173**) of the Court's May 31, 2013 (# 1172) Opinion and Order denying her Motion for Default Judgment (# 926)

Oral findings and conclusions of law are made of record and incorporated herein.

ORDER: Plaintiff's Motion for Reconsideration (**Doc. #1173**) of the Court's May 31, 2013 (# 1172) Opinion and Order denying her Motion for Default Judgment (# 926) is **DENIED** in its entirety.

The Court addresses Plaintiff's Motion to Amend the Complaint (**Doc. #1195**) and # Plaintiff's Motion for Partial Summary Judgment against Mr. Henderson (**Doc. #1197**).

ORDER: Plaintiff's Motion to Amend the Complaint (**Doc. #1195**) and # Plaintiff's Motion for Partial Summary Judgment against Mr. Henderson (**Doc. #1197**) are **DENIED**.

The Court addresses witnesses, trial length, trial process, testimony by pro se parties and any questions posed by plaintiff.

ORDER: Pertinent to trial process: The parties will collectively be given 20 hours to try their case: Ten (10) hours go to the plaintiff and five (5) hours to **each** defendant to use however they wish (openings/closings, presentation of evidence). The time will be tracked by the Courtroom Deputy. As to jury selection, each party will be allowed to exercise 3 peremptory challenges for a total of 9, and a jury of 12 will be seated. Exhibits shall be prepared in conformity as stated by the Court today and in accordance with the Court's practice standards. Exhibits not produced in the parties' submissions for today's conference will be excluded, absent a showing of good cause for not identifying it early.

No request for sequestration.

ORDER: Jury trial (4 days) is set on **September 30, 2013 at 9:00 a.m.**, in Courtroom A901, 901 19th Street, Denver, CO.

2:53 p.m. Court in recess.

Total Time: 34 minutes.
Hearing concluded.