

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior District Judge Richard P. Matsch**

Date: June 11, 2010
Courtroom Deputy: J. Chris Smith
FTR Technician: Kathy Terasaki

Civil Action No. 09-cv-00360-RPM

PATRICK O'DONOVAN,

Plaintiff,

Mary Ewing

v.

CAPITOL PEAK OUTFITTERS, INC.,

Defendant.

Stephen M. Johnson

COURTROOM MINUTES

Pretrial Conference

2:55 p.m. Court in session.

Discussion regarding defendant's motion to strike [20].

ORDERED: Defendant's Motion to Strike Plaintiff's Expert Kathy Kusner, is denied. Counsel shall take Ms. Kusner's deposition to be paid by plaintiff with the scope of permissible testimony as clarified by the Court on record.

Discussion regarding witnesses.

ORDERED: Order of Reference to Magistrate Judge Watanabe to Conduct Settlement will enter at the request of counsel.

ORDERED: 4 day jury trial set January 18, 2011. Proposed voir dire and substantive jury instructions to be submitted by 4:00 p.m. January 12, 2011. Pretrial Order approved.

3:15 p.m. Court in recess.

Hearing concluded. Total time: 20 min.