

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

Courtroom Deputy: Patricia Glover  
Court Reporter: Kara Spitler

Date: January 6, 2011

Civil Action No. 09-cv-00403-MSK-KMT

Parties:

Counsel Appearing:

UNITED STATES SECURITIES AND EXCHANGE  
COMMISSION,

Nancy Gegenheimer

Plaintiff,

v.  
PHILLIP R. TRUJILLO,  
WEALTH MANAGEMENT RESOURCES,  
PTV 22, LLC  
PTV 33, LLC,  
PTV 44, LLC,

David Zisser

Defendants.

---

**COURTROOM MINUTES**

---

HEARING: Final Pretrial Conference.

**4:06 p.m. Court in session.**

Parties are not present.

**ORDER:** Counsel for defendant shall purchase on an expedited basis a transcript of these proceedings and transmit to defendants. The clients shall not bear the cost of the transcript.

**PENDING MOTIONS.**

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

Courtroom Minutes  
Judge Marcia S. Krieger  
Page Two

The Court addresses Defendants' Renewed Motion to Stay Proceedings Due to Pending Criminal Proceeding (**Doc. #92**)

Argument.

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

**ORDER:** Defendants' Renewed Motion to Stay Proceedings Due to Pending Criminal Proceeding (**Doc. #92**) is **DENIED** with leave to renew.

The Court addresses setting the matter for trial.

**ORDER:** Five day jury trial is set to begin on **April 4, 2011 at 1:00 p.m.**, in Courtroom A901, 901 19<sup>th</sup> Street, Denver, CO. All subsequent days of trial will begin at 8:30 a.m. unless counsel are advised otherwise. The parties will be allotted 12.5 hours each to use however they wish. The time will be tracked by the Courtroom Deputy on a chess clock. This trial is set in a junior position to a criminal trial set in Case No. 09-cr-00526.

Review of the proposed final pretrial order - matters addressed:

- Claims
- Defenses
- Stipulated Facts
- Witness List
- Exhibit List
- Trial length, trial process, technology training, evidentiary issues and any questions posed by counsel.

**ORDER:** The proposed Final Pretrial Order (**Doc. #104**) is **APPROVED**. Proposed jury instructions and voir dire will be filed by **February 7, 2011**. Counsel will also provide a statement of the case and stipulated facts instruction.

**4:54 p.m. Court in recess.**

**Total Time: 48 minutes.**  
**Hearing concluded.**