

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
JUDGE DAVID M. EBEL

Courtroom Deputy: LaDonne Bush  
Court Reporter: Darlene Martinez

Date: January 5, 2012

Civil Action No. 09-cv-00724-DME-MEH

Parties:

Counsel:

AMERICAN FAMILY MUTUAL INSURANCE  
COMPANY, a Wisconsin corporation,

Shauna Hilgers

Plaintiff,

v.

DENVER HASLAM,  
COMMERCIAL CAPITAL, INC.,  
ONEWEST BANK, FSB,  
DEUTSCHE BANK NATIONAL TRUST COMPANY,

John Young  
Steven Rider  
Michael Carrigan  
Jose Antonio Ramirez

Defendants;

DENVER HASLAM,  
COMMERCIAL CAPITAL, INC.,

Counter-Claimants,

v.

AMERICAN FAMILY MUTUAL INSURANCE  
COMPANY, a Wisconsin corporation,

Counter-Defendant;

COMMERCIAL CAPITAL, INC.,  
ONEWEST BANK, FSB,  
DEUTSCHE BANK NATIONAL TRUST COMPANY,  
FALL RIVER VILLAGE COMMUNITIES, LLC,

Cross-Claimants,

v.

DENVER HASLAM,  
COMMERCIAL CAPITAL, INC.,  
ONEWEST BANK, FSB,  
DEUTSCHE BANK NATIONAL TRUST COMPANY,

Cross-Claim Defendants.

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COURTROOM MINUTES

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Motions Hearing

10:04 a.m. Court in session.

Noel Lane, a principal of Fall River Village, is present.

Court's preliminary comments.

10:08 a.m. Argument by Ms. Hilgers in support of Motion to Disqualify Holland & Hart as Counsel for Defendants/Crossclaimants/Crossclaim Defendants OneWest Bank, FSB and Deutsche Bank National Trust Company (Doc. 350).

10:27 a.m. Argument in opposition by Mr. Carrigan.

10:41 a.m. Argument in opposition by Mr. Young.

10:44 a.m. Rebuttal argument by Ms. Hilgers.

10:51 a.m. Further argument in opposition by Mr. Carrigan.

10:52 a.m. Further rebuttal argument by Ms. Hilgers.

**ORDERED:** Motion to Disqualify Holland & Hart as Counsel for Defendants/Crossclaimants/Crossclaim Defendants OneWest Bank, FSB and Deutsche Bank National Trust Company (Doc. 350) is denied and a written order will be issued.

**ORDERED:** Ruling is deferred on Motion for Sanctions Pursuant to Rule 11 and 28 U.S.C. Section 1927 (Doc. 375).

Court's comments regarding the pretrial conference set January 30, 2012, before Magistrate Judge Hegarty.

**ORDERED:** Within three business days after the pretrial conference with Magistrate Judge Hegarty, counsel shall contact Judge Ebel's chambers to schedule a five day trial and a final trial preparation conference.

Court expects that the trial will be scheduled within 90 days after the pretrial conference with Magistrate Judge Hegarty on January 30, 2012. If the parties and the Court are unable to find a five day trial period within that 90 day time frame, on good cause shown, the Court might consider another 30 days to 120 days. If the parties cannot agree on a date, the Court will set a date.

10:57 a.m. Court in recess.

Hearing concluded.

Time: 00:53