

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior Judge Sterling Johnson Jr.

Case Number: 09-cv-00799-SJJ-KLM

K. Weckwerth
Deputy Clerk

Anthony Frisolone
Court Reporter

Date: December 14, 2012

GRANITE SOUTHLANDS TOWN CENTER, LLC

Jeff Dykes

v.

ALBERTA TOWN CENTER, LLC, et al.

Stuart Bennett

STATUS CONFERENCE

Court in Session: 9:13 am

Introduction of counsel. Judge Johnson, Mr. Dykes and Mr. Bennett appearing by video.

The court questions counsel re: 10th Circuit remand.

Attorney Dykes provides overview of case status.

The court questions counsel re: [258] Magistrate Recommendation and [210] Motion for Attorney Fees.

Counsel discuss issue of attorney fees.

Court - Reserve ruling on attorney fees.

Attorney Dykes addresses court re: claims. Release Fraud claim, Escrow claim and True-up claim regarding expenses after closing.

Attorney Bennett addresses parties represented.

Attorney Dykes addresses court re: adjudication on merits.

Court - Reserve ruling on motion to amend.

Court questions counsel re: pretrial order.

Counsel agree discovery is complete and a Final Pretrial Conference is needed prior to trial.

Court questions re: length of trial.

Attorney Dykes indicates three days needed for trial.

Court - Status conference will be held after the Final Pretrial Conference which will be scheduled before Magistrate Judge Mix. Counsel are to place a joint call to Magistrate Judge Mix to obtain a date/time.

Attorney Bennett informs the court that there is a case currently pending in Arapahoe County. Trial is scheduled for February, 2012 and the parties are actively engaged in settlement discussions. If a settlement is reached, it will address all cases including the case pending before this court.

Court - The parties are to contact Magistrate Judge Mix to obtain a Final Pretrial Conference date. A status conference will be held before this court on January 25, 2013 at 9:30 a.m (Denver time) in Courtroom A601 of the Alfred A. Arraj Courthouse, 901 19th Street, Denver, CO.

Court in recess: 9:31 am

Total Time: 18 minutes

Hearing concluded.