

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

Courtroom Deputy: Patricia Glover
Court Reporter: Paul Zuckerman

Date: March 30, 2011

Civil Action No. 09-cv-00832-MSK-MEH

Parties:

TARA WOODS LIMITED PARTNERSHIP

Counsel:

Angela Ekker

Plaintiff,

v.

FANNIE MAE; and
EICHLER, FAYNE & ASSOCIATES, a/k/a
EF&A Funding, L.L.C. d/b/a Alliant Capital,
L.L.C.,

Frank Visciano

Defendants.

COURTROOM MINUTES

HEARING: Rule 702- Evidentiary

8:55 a. m. Court in session

The Court addresses the Joint 702 motion in light of the Court's rulings in this matter.

Statements by counsel Ekkers and Visciano.

Witness sworn for the plaintiff : Ronald Throupe :

9:13 a.m. Direct Examination by Ms. Ekkers.

EXHIBITS: Received: 1

The Court addresses continuance of this hearing to allow defendant the opportunity to review the documents relied upon and depose this witness with regard to his Supplemental Expert Report dated March 17, 2011. Plaintiff requests that the hearing be continued to allow for same. The Court will not reschedule this portion of the hearing at this time.

ORDER: This hearing is continued with regard to witness Throupe's testimony for the reasons stated herein. Plaintiff will bear the cost of the deposition, including Dr.

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Judge Marcia S. Krieger
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Throupe and opposing counsel's fees incurred for same. The hearing will not be reset at this time.

ORDER: The Court's reference of defendant's Motion to Strike (Doc. #22) to Magistrate Judge Hegarty is **WITHDRAWN** and the motion is **DENIED**.

10:03 a.m. Court in recess.

Total Time: 1 hour 8 minutes.
Hearing continued.