

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

Date: September 2, 2010  
Courtroom Deputy: J. Chris Smith  
FTR Technician: Kathy Terasaki

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Civil Action No. 09-cv-01126-RPM

EMILY BACHMEIER,

Randal R. Kelly

Plaintiff,

v.

TIRE DISTRIBUTION SYSTEMS, INC.,

C. Michael Montgomery  
David C. Fawley

Defendant.

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**COURTROOM MINUTES**

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**Hearing on Motion to Preclude or Limit Opinion Testimony**

**2:54 p.m. Court in session.**

Court's preliminary remarks.

Court advises counsel of its purpose for this hearing and its intent with respect to ruling on the pending motions to limit testimony.

2:58 p.m. Argument by Mr. Kelly.

3:05 p.m. Argument by Mr. Montgomery.

**ORDERED: Motion to Preclude or Limit Opinion Testimony of Plaintiff's Listed Witnesses, Robert Caldwell, Clarence Christiansen, Bastiaan Cornelissen, Joe Culek, Rod Dyer, and Mike Schadegg And To Preclude Mention of Same in Opening Statement, filed August 27, 2010 [79], is resolved as stated on record.**

**ORDERED: Defendant's Motion to Limit Testimony of Plaintiff's Witness, Mike Barnett, To Disclosures, filed September 2, 2010 [83], is resolved as stated on record.**

Discussion regarding trial procedures.

**3:15 p.m. Court in recess.**

Hearing concluded. Total time: 19 min.