

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

Courtroom Deputy: Bernique Abiakam
Court Reporter: Janet Coppock

Date: April 6, 2011

Civil Action No.: 09-cv-02512-DME-BNB

Parties:

Counsel:

FREDERICK J. CARBERRY,

Michael Scott Krieger

Plaintiff,

v.

METROPOLITAN LIFE INSURANCE
COMPANY,

Jack M. Englert, Jr.

Defendant.

COURTROOM MINUTES

HEARING: Motions

10:19 a.m. Court in session.

Court calls case. Appearances of counsel.

Preliminary remarks by the court.

Argument heard on Motion For Summary Judgment (Filed 6/8/10; Doc. No. 45).

10:22 a.m. Argument by Mr. Krieger. Questions by the Court.

10:48 a.m. Argument by Mr. Englert. Questions by the Court.

11:05 a.m. Rebuttal argument by Mr. Krieger.

Argument heard on MetLife's Combined Motion and Brief Supporting Its Motion For Summary Judgment (Filed 6/8/10; Doc. No. 44).

11:11 a.m. Argument by Mr. Englert. Questions by the Court.

11:16 a.m. Argument by Mr. Krieger. Questions by the Court.

11:26 a.m. Rebuttal argument by Mr. Englert.

ORDERED: Plaintiff's **Motion For Summary Judgment (Filed 6/8/10; Doc. No. 45)**, and Defendant **MetLife's Combined Motion and Brief Supporting Its Motion For Summary Judgment (Filed 6/8/10; Doc. No. 44)** are taken UNDER ADVISEMENT.

11:29 a.m. Court in recess.

Hearing concluded.

Total in-court time: 1 hour;10 minutes