

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
JUDGE LEWIS T. BABCOCK

Courtroom Deputy: LaDonne Bush
Court Reporter: Tracy Weir

Date: April 1, 2011

Civil Action No. 09-cv-02581-LTB-KLM

Counsel:

THOMAS J. GRAFFIS, JR.,

Fredric Bremseth

Plaintiff,

v.

UNION PACIFIC RAILROAD
COMPANY, a Delaware corporation,

Thomas Hayden
Torry Garland

Defendant.

COURTROOM MINUTES

Hearing on Motion and Further Trial Preparation Conference

9:02 a.m. Court in session.

Court's comments regarding the Motion to Exclude William Bogett [42].

Court takes judicial notice of a transcript of a hearing before Judge Brimmer in *Smith v. Union Pacific*, 07-cv-00549-TJM-CBS, addressing Mr. Bogett's testimony in that case and the motion to exclude it.

Argument by Messrs. Hayden and Bremseth regarding the Motion.

Court's ruling.

ORDERED: Motion to Exclude William Bogett [42] is denied.

9:53 a.m. Court in recess.

10:05 a.m. Court in session.

Court's comments regarding the continuing resolution and the possibility of a government shutdown.

Court's comments regarding jury instructions, clarification of exhibit lists, witness lists, voir dire questions, Plaintiff's trial brief, and depositions.

10:16 a.m. Court in recess.

Hearing concluded.

Time: 01:02