

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
U.S. MAGISTRATE JUDGE BOYD N. BOLAND

Civil Action No. 09-cv-02858-CMA-BNB
Courtroom Deputy: Laura Galera

Date: February 6, 2012
FTR BNB COURTROOM A-401

ILONA KIRZHNER,
an individual

Thomas Lee DeVine, Jr.

Plaintiff(s),

v.

DAVID SILVERSTEIN,
an individual
EVERGREEN INDUSTRIES, INC.,
DAVID SILVERSTEIN INVESTMENTS,
LLC,
DSI INVESTMENTS, LLC.,
BMGI CORPORATION, and
BMGI HOLDINGS, LLC,

Amy Benson

Defendant(s).

COURTROOM MINUTES

HEARING: MOTIONS

Court in session: 2:02 p.m.

Appearances of counsel.

Mr. DeVine, Jr. provides the Court with a copy of the documents in question regarding the request for an *in camera* review consistent with the Order on Pending Motions, Doc. #[305].

Mr. Schafer is questioned by the Court regarding privileged information contained within the documents.

Argument by Mr. DeVine Jr. and Ms. Benson regarding Motion to Strike or Exclude Testimony of Defendants' Proffered Expert J. William Callison Doc. #[225].

Rebuttal argument by Mr. DeVine, Jr and Ms. Benson.

For the reasons as stated on the record it is:

ORDERED: Schafer documents 14, 15 and 16 shall be produced in their current, redacted form with the single exception that the last redaction on Page 15 be removed. The documents are to be produced to the defendant by the close of business on **February 10, 2012**.

ORDERED: Motion to Strike or Exclude Testimony of Defendants' Proffered Expert J. William Callison Doc. #[225] is TAKEN UNDER ADVISEMENT.

ORDERED: Settlement Conference is set **March 22, 2012 at 1:30 p.m.** The parties may contact chambers and reset if necessary.

Court in Recess: 2:59 p.m. Hearing concluded. Total time in Court: 00:57

* To obtain a transcript of this proceeding, please contact Avery Woods Reporting at (303) 825-6119.