

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Lewis T. Babcock, Judge

Civil Action No. 09-cv-02976 - LTB - BNB

SHIRLEY DOLL KOCH and
JIMMIE KOCH,

Plaintiffs,

v.

KAZ USA, INC., and
KAZ, INC.,

Defendants.

ORDER

As further set forth on the record at the hearing held on August 5, 2011, IT IS HEREBY ORDERED as follows:

1. Defendants' Motion to Continue Trial [Doc # 195] is DENIED;
2. The referral of Defendants' Motion to Amend Scheduling Order [Doc # 194] to the magistrate judge is WITHDRAWN, and the motion is GRANTED;
3. Defendants may depose Plaintiffs' experts Mr. Finocchiaro, Dr. Verdeal, Dr. Keller, and Dr. Aylesworth for up to 2 hours no later than August 19, 2011 on the limited issue of how Plaintiff Shirley Doll Koch's recovered memories bolster or change their expert opinions;
4. A hearing is set for September 8, 2011 at 9:00 a.m. on (1) Plaintiffs' Motion to Exclude Evidence Pertaining to Drugs [Doc # 198]; (2) Plaintiffs' Motion to Exclude All Evidence Proffered by Treating Physician Donald Ross, M.D. and Retained Expert Physician Stephen Cantrill, M.D. that Mrs. Koch's injuries Were Caused by a Drug Overdose [Doc # 199]; (3) Plaintiffs' Motion to Exclude Certain Testimony re: Defendants' IME Expert Witness Gary

S. Gutterman, M.D. [Doc # 200]; and (4) Plaintiffs' Motion to Exclude All Opinion Testimony of Defense Expert David A. Krauss [Doc # 204];

5. No further motions shall be filed in this case;

6. Plaintiffs' deposition designations are due on or before August 10, 2011; Defendants' depositions designations are due on or before August 24, 2011; and Plaintiff's rebuttal deposition designations are due on or before September 7, 2011;

7. On or before September 13, 2011, the parties shall file their witness lists; exhibits lists with stipulations and objections; one set of jury instructions with authority; proposed voir dire questions; and video depositions with written transcripts; and

8. A trial preparation conference is set in this case for September 15, 2011 at 9:00 a.m.

Dated: August 8, 2011 in Denver, Colorado.

BY THE COURT:

s/Lewis T. Babcock
LEWIS T. BABCOCK, JUDGE