

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
HONORABLE MARCIA S. KRIEGER**

Courtroom Deputy: Patricia Glover
Court Reporter: Paul Zuckerman

Date: October 19, 2011

Civil Action No. 10-cv-00046-MSK-BNB

Parties:

Counsel Appearing:

AB INVESTMENTS LLC, a Colorado limited liability
company,

Steven Skirvin

Plaintiff,

v.

ALLEN W. GELBARD, an individual,

Allen Gelbard, *pro se*

Defendant.

COURTROOM MINUTES

HEARING: Final Pretrial Conference.

11:12 a.m. Court in session.

Parties are present by telephone. John Fuchs, California counsel for defendant is present but not permitted to participate for the reasons stated on the record.

The Court addresses plaintiff's Motion to Dismiss Action and Amendment (**Doc. #97, 99**)

Statements from counsel Skirvin and defendant.

ORDER: Motions to Dismiss (**Doc. #97, 99**) are **DENIED**. The case will proceed to trial.

Review of the proposed final pretrial order - matters addressed:

Claims
Defenses

Courtroom Minutes
Judge Marcia S. Krieger
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Witness List
Exhibit List
Anticipated motions

ORDER: Revised final pretrial order, witness, exhibit lists, proposed *voir dire* and jury instructions will be filed by **November 10, 2011** in accordance with the Court's direction stated on the record. Counsel for plaintiff will provide a copy of the proposed final pretrial order to defendant no later than **November 4, 2011**.

ORDER: Further Final Pretrial Conference is set on **November 17, 2011 at 4:00 p.m.**, in Courtroom A901, 901 19th Street, Denver, CO. The parties and their counsel may appear telephonically by making the appropriate arrangements with the Courtroom Deputy (303) 335-2185, no less than two business days prior to the hearing.

11:42 a.m. Court in recess.

Total Time: 30 minutes.
Hearing concluded.