

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Craig B. Shaffer**

Civil Action No.: 10-cv-00992-DME-CBS
Date: February 1, 2011

FTR - Reporter Deck - Courtroom A402
Courtroom Deputy: Linda Kahoe

JAMES ALLEN LOVELL, *et al.*,

Gerald P. McDermott

Plaintiffs,

v.

DAVID W. MILLER,

Kim Brian Childs

Defendant.

COURTROOM MINUTES/MINUTE ORDER

HEARING: TELEPHONIC STATUS CONFERENCE

Court in session: 1:17 p.m.

Court calls case. Appearances of counsel.

Discussion regarding the Addendum to Scheduling Order, doc #[38].

Discussion regarding settlement. The Settlement Conference date will remain set for April 19, 2011. The court suggests that Mr. Childs send a letter to Mr. McDermott, with a copy to the court, stating Dr. Miller's settlement position.

Discussion regarding Plaintiffs' Motion to Strike Defendant's Notice of Non-Party Fault, doc #[26], filed 10/22/2010.

ORDERED: Plaintiffs' Motion to Strike Defendant's Notice of Non-Party Fault, doc #[26], is **DENIED WITHOUT PREJUDICE** to the Plaintiffs' rights to challenge the merits of the designation through a Motion under Rule 56.

Discussion regarding additional time to designate experts on the non-party at fault issue.

ORDERED: A Telephonic Status Conference is set for **1:00 p.m. on Thursday, FEBRUARY 24, 2011** to discuss what additional discovery is necessary (either lay or expert) relative to the non-party at fault issue. (*Counsel shall coordinate a conference call among themselves prior to contacting the court at 303.844.2117 at the scheduled time.*)

HEARING CONCLUDED.

Court in recess: 1:41 p.m.

Total time in court: 00:24

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