

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

Civil Action: 10-cv-2130-RBJ-BNB
Courtroom Deputy: Julie Dynes

Date: October 11, 2013
FTR: BNB COURTROOM A-401

Parties

Attorney(s)

UNITED STATES OF AMERICA

Lindsay L. Clayton
Roseanne Miller

Plaintiff(s)

v.

CHARLES BARRETT
KATHLEEN BARRETT

Steven R. Anderson
Nick Richards
Brian F. Huebsch

Defendant(s)

COURTROOM MINUTES

EVIDENTIARY HEARING

Court in Session: 9:01 a.m.

Appearance of counsel.

Discussion held on timing and issues for today's hearing.

Plaintiff's witness, Michael Grattan, called and sworn.

9:21 a.m. Direct examination of Mr. Grattan by Ms. Clayton.

Plaintiff's witness, Kathleen Barrett, called and sworn.

9:35 a.m. Direct examination of Ms. Barrett by Ms. Clayton.
Exhibits 1, 5, 3 are ADMITTED.

10:21 a.m. Court in recess.

10:36 a.m. Court in session.

Cross and direct examination of Ms. Barrett by Mr. Richards.
Exhibit 1D is REFUSED.

11:30 a.m. Redirect examination of Ms. Barrett by Ms. Clayton.

11:36 a.m. Redirect examination of Ms. Barrett by Mr. Richards.

Plaintiff's witness, Charles Barrett, called and sworn.

11:39 a.m. Direct examination of Mr. Barrett by Ms. Clayton.

12:05 a.m. Court in recess.

1:17 p.m. Court in session.

Stipulation read onto the record.

1:20 p.m. Continued direct examination of Mr. Barrett by Ms. Clayton.
Exhibits 10, 11, 12, 17 and 2 are ADMITTED.

2:27 p.m. Court in recess.

2:46 p.m. Court in session.

Plaintiff's witness, Roseanne Miller, called and sworn.

2:47 p.m. Direct examination of Ms. Miller by Ms. Clayton.
Exhibit 14 is ADMITTED.

3:06 p.m. Cross examination of Ms. Miller by Mr. Anderson.
Exhibit 4D is ADMITTED.

Without witness testimony, Exhibit 19 is ADMITTED.

Plaintiff rests.

Defense moves to Quash Writ of Ne Exeat Republica. Argument given.

For reasons stated on the record, it is

RECOMMENDED: The Writ of Ne Exeat Republica be DISCHARGED.

[102] Motion for Determination: No Money to Repatriate be DENIED.

Parties have 14 days to object to the recommendations.

Discussion held on show cause, Plaintiff to file a written motion.

Discussion held on pending motions.

ORDERED: [97] Motion in Limine Regarding Fifth Amendment Claims is GRANTED IN PART and DENIED IN PART consistent with the rulings made during the hearing.

[60] Motion to Vacate [52] Default Judgment is DENIED as redundant.

[62] Motion to Vacate [52] Default Judgment is DENIED as redundant.

Defendants are granted leave to submit a brief re: [53] Motion to Vacate [52] Default Judgment within five (5) days with all necessary supporting authority. Response and reply will be allowed within the local rules on time limits. Request for briefs to be filed by next Friday, GRANTED by the court.

Court in Recess: 4:13 p.m. Hearing concluded. Total time in Court: 05:26

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