

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge William J. Martínez

Courtroom Deputy: Deborah Hansen
Court Reporter: Gwen Daniel

Date: January 6, 2015

Civil Action No. 10-cv-02516-WJM-KLM

Counsel:

AURARIA STUDENT HOUSING AT THE
REGENCY, LLC,

Thomas P. McMahon
George S. Long

Plaintiff,

v.

CAMPUS VILLAGE APARTMENTS, LLC,

Michael J. Hofmann
Paul J. Lopach
Sarah L. Hartley

Defendant.

COURTROOM MINUTES

TRIAL PREPARATION CONFERENCE

02:35 p.m. Court in Session

Appearances

Court's comments

This case is set for a nine-day jury trial commencing on Tuesday, January 20, 2015.

Argument/Discussion

ORDERED: 1. Defendant Campus Village Apartments, LLC's Motion to Permit Testimony at Trial of Witness Not Previously Listed on Final Witness List [195] is DENIED.

ORDERED: 2. Plaintiff Regency's Motion *In Limine* to Preclude Introduction of Evidence Relating to Uncharged Tying Arrangement [197] is not ripe; and therefore, HELD IN ABEYANCE.

ORDERED: 3. Plaintiff Regency's Motion for Juror Questionnaire to be Submitted to Jury Array [199] is DENIED.

ORDERED: 4. Plaintiff Regency's Motion to Amend Final Pretrial Order in Certain Limited Respects [206] IS DENIED as to the combination issue. Plaintiff will not be permitted to add the word "combination" to its Jury Instructions or other papers.

Counsel shall meet and confer in an effort to stipulate to Further Jury Instructions and Verdict Forms; and shall file by January 13, 2015 their Amended Final Jury Instructions and Verdict Forms.

The Motion is GRANTED with respect to the clarification of the parties to the conspiracy, and clarification of the content of the state law interference claim.

Discussion/Argument

Court's comments

ORDERED: 5. Each side will have 20 minutes for opening statements.

ORDERED: 6. Counsel shall meet and confer to reach additional stipulations on exhibits, and make another effort to stipulate, to the greatest extent possible, to both authenticity and admissibility, including the subsets referred to today.

The defense shall eliminate the "Dep. Exh." column from its Exhibit List.

The parties shall file Amended Exhibit Lists by Wednesday, January 14, 2015.

ORDERED: 7. The defense shall notify the Court by January 14, 2015 whether Frank Sanchez will be testifying in person or by deposition.

ORDERED: 8. The parties shall send an email to chambers by the end of this week with a list of the names of all persons who will be seated at counsel tables for the trial.

ORDERED: 9. Counsel shall be present at 8:30 a.m. on Tuesday, January 20th to address any pretrial matters. The Court will also address the proposed voir dire questions at that time.

Argument/Discussion

ORDERED: 10. The parties shall file by Tuesday, January 13th, a stipulated statement of the case. If a stipulation cannot be reached, each side shall file its statement of the case and the Court will combine them and decide what is going to be read to the jurors.

ORDERED: 11. No trial briefs will be accepted.

Discussion re settlement

03:54 p.m. Court in Recess
Conference concluded
Time: one hour and 19 minutes