

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

Courtroom Deputy: Patricia Glover
Court Reporter: Terri Lindblom

Date: December 21, 2015

Civil Action No. 10-cv-02868-MSK-KMT

Parties:

Counsel Appearing:

L-3 COMMUNICATIONS CORP., and
L-3 SERVICES, INC.,

Steven Levitt
Karen Weiss
Benjamin Chew

Plaintiffs,

v.

JAXON ENGINEERING & MAINTENANCE, INC.,
JONI ANN WHITE,
RANDALL K. WHITE,
SCOTT WHITE,
SUSAN RETTIG,
CHARLES RETTIG,
JAMES YOUNGMAN,
JERRY LUBELL,
KELLY RICE,
JOHN McCLURE,

Lora Brzezynski
Abigail Brown
Daniel Johnson

Defendants.

COURTROOM MINUTES

HEARING: Final Pretrial Conference.

1:35 p.m. Court in session.

Parties are present. Steve Wahl is present on behalf of the plaintiffs; all individual defendants are present and Joni White also appears as representative of the corporate defendant.

The Court addresses it's Order to Show Cause (**Doc. #1316**)

No further argument.

ORDER: the Court directs that L-3 Applied Technologies, Inc. be substituted for Plaintiff L-3 Services, Inc. in the caption and all future pleadings.

The Court addresses Plaintiffs' Motion for Reconsideration (**Doc. #1319, #1320**)

No further argument.

ORDER: Plaintiffs' Motion for Reconsideration (**Doc. #1319, #1320**) are **GRANTED**. The Tortious Interference claim may proceed.

The Court addresses Defendants' Motion for Leave to File a motion to dismiss challenging the Plaintiffs' standing (**Doc. #1337**)

Argument.

ORDER: Defendants' Motion for Leave to File a motion to dismiss challenging the Plaintiffs' standing (**Doc. #1337**) is **DENIED** with leave to renew.

The Court addresses plaintiffs' Supplemental motions to restrict (**Doc. #1321, 1323, 1324, 1325**)

No further argument.

ORDER: Plaintiffs' Supplemental motions to restrict (**Doc. #1321, 1323, 1324, 1325**) are **GRANTED** to the extent that these motions reflect that the parties have submitted redacted versions of exhibits that are suitable for public filing. Public access to the following documents will be restored in their entirety. Those exhibits are:

Docket # 1177-2 through 1177-6
#1177-8
#1177-9
#1180-1
#1180-4 through 1180-11
#1181-1 through 1181-13
#1181-15 and 1181-16

#1182-1 through 1182-5
1188-1
1184-7 and 1184-8
1248-2 and # 1248-3
1274-33

In addition, the parties have agreed that the following documents may have their public access restored:

1182-5
1247-18

The Court addresses Plaintiffs' Motion to Restrict (**Doc. #1326**)

No further argument.

ORDER: Plaintiffs' Motion to Restrict (**Doc. #1326**) is **DENIED**. Public access will be restored to Doc. #1319 in its entirety.

The Court addresses the parties' Joint 702 Motion (**Doc. #1340, #1341**)

The Court declines to set such hearing(s) at this time for the reasons stated on the record.

The Court advises this matter is not ready to proceed to trial.

Review of the proposed final pretrial order - matters addressed:

Claims
Defenses
Witness List
Exhibit List

ORDER: Revised final pretrial order, the new/revised joint motion under Rule 702 and the name(s) of individuals the parties would like to be considered for appointment as Special Master will be filed by **January 29, 2016**. If a further final pretrial conference is held, the parties need not appear with their counsel.

3:11 p.m. Court in recess.

Total Time: 1 hour 36 minutes.
Hearing concluded.