

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
JUDGE R. BROOKE JACKSON

Courtroom Deputy: Laura Galera
Court Reporter: Kara Spitler

Date: February 16, 2012

Civil Action No. 11-cv-01120-RBJ-MEH

Parties:

NICK LYNCH,

Plaintiff,

v.

ADAM BARRETT,
STEPHEN KENFIELD,
MICHAEL MORELOCK,
ABBEGAYLE DORN, and
THE CITY AND COUNTY OF DENVER,

Defendants.

Counsel:

Robert M. Liechty

L. Douglas Jewell
Reid Elkus
Wendy J. Shea

COURTROOM MINUTES

STATUS CONFERENCE

1:59 p.m. Court in Session.

Opening remarks by the Court.

Argument by Mr. Liechty and Ms. Shea as to the Motion to Strike Untimely Expert Designations or in the Alternative to Amend Scheduling Order Deadlines and Continue Trial Date Doc.#[37].

Discussion regarding the deposition testimony of Officer Dorn.

For the reasons as stated on the record it is:

ORDERED: The Motion to Dismiss Doc.# [12] is DENIED subject to the findings made on the

record. The Court tentatively denies the judicial estoppel motion pending review of the deposition testimony and the videotaped statement.

ORDERED: Motion to Strike Untimely Expert Designations or in the Alternative to Amend Scheduling Order Deadlines and Continue Trial Date Doc.#[37].
is GRANTED.

Given the Court's ruling, Mr. Liechty requests the identified doctors be allowed to testify as nonexperts.

Ms. Shea has no objection as long as the doctors do not provide any opinions as to causation.

ORDERED: The identified doctors can testify they saw the patient, what they did to treat or diagnose him, and what treatment they prescribed as a treating physician. They can not express opinions beyond that.

2:50 p.m. Court in Recess.

Hearing concluded.

Total time: 00:51