

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
JUDGE RAYMOND P. MOORE**

Courtroom Deputy: Cathy Pearson
Court Reporter: Tammy Hoffschildt

Date: January 23, 2015

CASE NO. 11-cv-01907-RM-KMT

ELECTROLOGY LABORATORY, INC.,
d/b/a Rocky Mountain Laser College,

Harold R. Bruno, III

Plaintiff,

v.

LARRY PAUL KUNZE, a/k/a Lorenzo Kunze,
a/k/a Lorenzo Blackstone Kunze, M.E.,
d/b/a American Laser College, d/b/a The Laser College,
LARRY PAUL KUNZE, JR., a/k/a Lorenzo Kunze, Jr.,

Peter Goldstein

Defendants.

RAY FLUKEN,
JODY RIGGS FLUKEN, and
JESSICA RIGGS,

Harold R. Bruno, III

Third Party Defendants and Counterclaimants.

AMENDED COURTROOM MINUTES

TRIAL PREPARATION CONFERENCE

COURT IN SESSION: 8:59 a.m.

Court calls case. Appearances of counsel. Ray Fluken and Jody Riggs Fluken are present.

Court's initial remarks.

Discussion held regarding pending motions; the subject matter jurisdiction issue; stipulation of the parties to dismiss Defendant Kunze's first counterclaim; and the proper party designation of Ray Fluken, Jody Riggs Fluken, and Jessica Riggs.

Court's findings regarding Defendants and Third-Party Plaintiffs' Combined

Motion for Summary Judgment Dismissing Plaintiff's Third Claim for Relief and Memorandum Brief in Support Thereof (Doc. 203, filed 5/22/14).

ORDERED: Defendants and Third-Party Plaintiffs' Combined Motion for Summary Judgment Dismissing Plaintiff's Third Claim for Relief and Memorandum Brief in Support Thereof (Doc. 203, filed 5/22/14) is DENIED.

ORDERED: By close of business on **January 26, 2015**, counsel shall file a stipulation as to which counterclaim they wish to dismiss.

Discussion held regarding claims and defenses, presentation of evidence, the Court's trial practices and procedures, and sequestration of witnesses.

ORDERED: Witnesses will be excluded from the courtroom during the course of the trial.

Discussion held regarding Plaintiff's amended exhibit list supplemental exhibits, witness lists, and use of deposition testimony at trial.

Mr. Bruno advises that Plaintiff's exhibits will be provided to Defendants today.

ORDERED: Defendants shall supplement their exhibit list, if necessary, by noon (12:00 p.m.) on **January 27, 2015**, and provide copies of their exhibits to Plaintiff noon (12:00 p.m.) on **January 28, 2015**.

ORDERED: Defendants shall provide a more refined deposition designation of Mr. Sharp by noon (12:00 p.m.) on **January 28, 2015**.

ORDERED: Counsel shall designate what documents should be marked as confidential for purposes of trial and file a stipulation and motion for protective order by noon (12:00 p.m.) on **January 28, 2015**.

COURT IN RECESS: 10:06 a.m.
Total in court time: 1:07
Hearing concluded