

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

JUDGE PHILIP A. BRIMMER

COURTROOM MINUTES

Courtroom Deputy: Kathy Preuitt-Parks
Court Reporter: Janet Coppock

Date: June 10, 2013
Time: one hour and 32 minutes

CASE NO. 11-CV-02369-PAB-KMT

Parties

Counsel

LARRY SIPES,

Bruce Kaye
Mari Bush
Robert Fishman

Plaintiff (s),

vs.

ALLSTATE INDEMNITY COMPANY,

Habib Nasrullah
Terence Ridley
Michael Song

Defendant (s).

TRIAL PREPARATION CONFERENCE

2:36 p.m. COURT IN SESSION

APPEARANCES OF COUNSEL.

Matter is set for a four day jury trial commencing July 9, 2013. Counsel are advised that this case will likely be bumped because of an older civil case scheduled to commence the same day.

Court advises counsel that if they agree to continue the trial they should file a joint motion to vacate.

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Court and counsel address pending motions.

Argument by Mr. Kaye in support of plaintiff's Motion to Exclude All Trial Testimony on Fire Cause and Origin. Questions by the Court.

Argument by Mr. Ridley. Questions by the Court.

Further argument by Mr. Kaye.

ORDERED: Plaintiff's Motion to Exclude All Trial Testimony on Fire Cause and Origin [Docket No. 101] is **GRANTED**. The Court also excludes live testimony of John Lentini and Rita Booker.

ORDERED: Plaintiff's Motion to Exclude Defense Experts [Docket No. 38] is **DENIED as MOOT**.

ORDERED: Plaintiff's Motion for Partial Summary Judgment [Docket No. 40] is **DENIED as MOOT**.

ORDERED: Defendant's Motion in Limine to Preclude Evidence of Polygraph Test Taken by Plaintiff [Docket No. 138] is **GRANTED**.

Court and counsel discuss Judge Brimmer's Practice Standards regarding jury selection of 9, voir dire by counsel limited to 15 minutes, opening statements limited to 30 minutes, witnesses and exhibits.

ORDERED: Counsel shall confer with each other and file a brief statement of the case.

ORDERED: Witnesses will be **SEQUESTERED**.

ORDERED: Defendant's motion in limine regarding issues discussed in these proceedings is due by **June 20, 2013**. Plaintiff's response is due by **June 27, 2013**.

ORDERED: Counsel shall contact chambers on **June 13, 2013** advising if they want to reschedule the trial.

4:08 p.m. COURT IN RECESS

Total in court time: 92 minutes

Hearing concluded