

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior District Judge Richard P. Matsch**

Date: March 5, 2013
Courtroom Deputy: J. Chris Smith
FTR Technician: Kathy Terasaki

Civil Action No. 11-cv-02595-RPM

CHRISTINE DOCKSEY and
ROSS DOCKSEY,

Plaintiffs,

James H. Chalot
Russell R. Hatten
Steve McWhirter

v.

TAYLOR JANDA,

Defendant.

Karen R. Wasson

COURTROOM MINUTES

Trial Preparation Conference

10:55 a.m. Court in session.

Discussion regarding witnesses that will testify by videotape deposition.
Counsel state only witnesses by videotape are Dr. Brian Donahue and Dr. Luz Feldman.
Counsel agree, if called, Janice Todd will testify by read deposition.

Discussion regarding objections to exhibits.
Court states it will rule on the objections to the video depositions designations by indicating "O" for overruled and "S" for sustained on the combined objection lists submitted.

ORDERED: Motion to Strike Untimely Disclosed Medical Records and Medical Bills for Christine Docksey [30], is denied, as stated on record.

Ms. Wasson informs the Court that defendant will be present at trial with her mother and father.

Discussion regarding jury instructions (damages).
Mr. Chalot submits a copy of a recent Colorado Court of Appeals opinion regarding apportionment with respect to a pre-existing condition.

Mr. Chalot agrees to permit defendant to call Dr. Messenbaugh out of order.

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Further discussion regarding jury instructions (statutory).

ORDERED: Proposed voir dire, proposed jury instructions and joint statement of the case are to be submitted on March 7, 2013.

Court informs counsel of its advisement to jurors regarding social media.

Discussion regarding verdict form.
Court states its practice regarding verdict forms.

Discussion regarding case facts (skiing /boarding elevation).

Discussion regarding admissibility of statements.
Court states its preliminary view regarding the admissibility of statements between defendant and claims representative/adjuster and between Mr. Docksey and the Segaloffs pre-litigation.

11:35 a.m. Court in recess.

Hearing concluded. Total time: 40 min.