

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

Date: March 19, 2014
Courtroom Deputy: J. Chris Smith
FTR Technician: Kathy Terasaki

Civil Action No. 11-cv-03341-RPM

LEVETTE KYEREMEH,

Keith E. Frankl

Plaintiff,

v.

UNITED STATES OF AMERICA,

Edwin Winstead
J. Chris Larson

Defendant.

COURTROOM MINUTES

Trial Preparation Conference

1:55 p.m. Court in session.

Mr. Frankl informs the Court regarding plaintiff's recent medical condition and treatment.

Mr. Frankl states plaintiff aggravated her condition by moving household goods (plaintiff went to the emergency room on two occasions, St. Joseph and University Colorado Hospital, and received an injection and narcotics for pain respectively).

Counsel state plaintiff was videotaped moving items and agree to stipulate to its admissibility.

Discussion regarding witnesses (physicians) and exhibits.

Mr. Frankl states he will most likely call Dr. Gibson.

Mr. Winstead states defendant intends to cross examine Dr. Gibson regarding his position with respect to plaintiff being videotaped moving items.

Mr. Frankl informs the Court that there is no definitive diagnosis on plaintiff medical condition with backup pathology.

Mr. Winstead states Dr. Pitzer's I.M.E. of plaintiff was videotaped (approx. 35 to 40 min.).

Counsel agree to use stipulated excerpts of videos.

Mr. Frankl states he intends to call Dr. Ramos, James Petersen, Dr. Connolly, Dr. Gibson, Dr. Holmes, Dr. Knight, and Mr. Orbino.

Mr. Winstead states defendant intends to call Dr. Pitzer and Mr. McLennan.

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Mr. Frankl states plaintiff is not claiming her condition, caused by the accident, is a reason for her divorce.

Counsel agree to stipulate to the value of the car.

Discussion regarding a summary of Dr. Pitzer's prior Rule 35 examinations.

Mr. Frankl states plaintiff's witnesses identified as pastors will only be called to show what they observed before and after the accident.

Counsel anticipate 4 days for trial.

Mr. Frankl agrees to permit defendant to call Mr. McLennan out of order if necessary to accommodate scheduling.

Court and counsel agree to informal supplemental expert reports.

Court advise counsel to have one complete copy of medical records but to have another additional notebook with only the records they intend to use.

**ORDERED: Amended Final Pretrial Order signed.
Plaintiff's Motion in Limine [48] resolved at 9/27/2013 pretrial conference.**

2:25 p.m. Court in recess.

Hearing concluded. Total time: 30 min.