

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

Date: November 20, 2012  
Courtroom Deputy: J. Chris Smith  
FTR Technician: Kathy Terasaki

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Civil Action No. 12-cv-00221-RPM

SHARON KELLY and  
COLIN D. WRIGHT,

Plaintiffs,

v.

ALEX MARUSARZ,  
Defendant.

Andrew R. McLetchie  
Daniel M. Fowler

Carl W. Dowdy  
Gregory R. Giometti

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**COURTROOM MINUTES**

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**Pretrial Conference**

**2:50 p.m. Court in session.**

**ORDERED: Plaintiffs' Motion to Strike Certain Defenses and Affirmative Defenses [29], is granted as stated on record.**

Oral motion to dismiss plaintiff Colin D. Wright by Mr. McLetchie.

**ORDERED: Plaintiff Colin D. Wright is dismissed.**

Discussion regarding witnesses.

Discussion regarding damages (physicians and doctors).

Counsel stipulate to the admissibility of the Australian medical records and that Australian physicians will not be witnesses at trial.

Discussion regarding Ms. Kelly's current medical condition.

Court states its practice regarding orders of reference to magistrate judge for settlement (joint motion).

Discussion regarding experts and Court's states its view.

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**ORDERED: Motion to Strike Defendant's Expert Designation and to Preclude Expert Testimony [28], is granted.**

**ORDERED: Three day jury trial scheduled May 20, 2013.**

Further discussion regarding witnesses.

**Janet and Eric Scharling not permitted to testify because of late disclosure.**

Discussion regarding exhibits.

Counsel stipulate to pay records (no records custodian necessary).

**ORDERED: Counsel to submit revised proposed pretrial order by November 27, 2012.**

**3:15 p.m. Court in recess.**

Hearing concluded. Total time: 20 min.