

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge R. Brooke Jackson**

Date: March 21, 2013  
Courtroom Deputy: J. Chris Smith  
Court Reporter: Kara Spitler

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Civil Action No. 12-cv-00316-RBJ

PAMELA EPPS,

Christina L. Dixon

Plaintiff,

v.

UNITED PARCEL SERVICES COMPANY,

Steven M. Gutierrez  
Judith A. Biggs

Defendant.

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**COURTROOM MINUTES**

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**Trial Preparation Conference**

**9:00 a.m. Court in session.**

Discussion regarding 3-30-2010 evidence (expression/phrase/incident) and the Court's previous ruling.

Discussion and argument regarding case claims.

**ORDERED: Plaintiff's claim for disparage treatment is dismissed.**

Court and counsel agree case will proceed to trial on claim of hostile work environment based on race and gender.

Discussion regarding procedures.

Discussion regarding jury questionnaire.

Ms. Dixon states plaintiff does not object to written questionnaire.

**Court rules on permitted scope of questionnaire as stated on record, agrees that prospective jurors will complete it prior to being brought to the courtroom, and court clerks will make copies of completed questionnaires for counsel and give originals to the Court.**

Court states it will not require counsel to provide lists of witnesses to prospective jurors.

Court advises counsel that case will be tried to seven jurors, counsel will have three peremptory challenges per side and that it will request a prospective panel of 16 to 17 jurors.

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Discussion regarding proposed jury instructions.  
Counsel withdraw and or agree to inapplicable instructions.  
**Court rules on permitted instructions as stated on record.**

Discussion and argument regarding motion in limine [65].

Ms. Dixon agrees that Kamala Martinez was not disclosed.  
**Court states Ms. Martinez is not permitted to testify as stated on record.**

**Court rules on Part One of Motion [65].**  
**Motion denied with respect to Rob Blake and Noble S. Kelly as stated on record.**  
**Motion granted with respect to Lance Foster and Kamala Martinez.**

**Court rules on Part Two of Motion [65].**  
**Motion denied but ruling is limited to the purpose as stated on record.**

**Court rules on Part Three of Motion [65].**  
**Motion denied, letter admissible to show notice as stated on record.**

**Court rules on Part Four of Motion [65].**  
**Motion granted.**

**Court rules on Part Five of Motion [65].**  
**Motion granted.**

**Part Six of Motion [65], is withdrawn by counsel.**

**ORDERED:** Defendant United Parcel Service's Motion in Limine [65], is granted in part and denied in part as stated on record.

**9:52 a.m. Court in recess.**

Hearing concluded. Total time: 52 min.