

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
**JUDGE R. BROOKE JACKSON**

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Courtroom Deputy: Laura Galera  
Court Reporter: Kara Spitler

Date: November 27, 2012

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Civil Action No. 12-cv-00441-RBJ

Parties:

CAROL SONNENBERG,  
MICHAEL SONNENBERG,  
AMERICAN FINANCIAL SECURITY  
HOLDINGS, INC.,

Plaintiffs,

v.

ERIC DAVID SIPF  
STEPHEN S.S. HYDE,  
STEPHEN O. JAMES,  
DAVID C. BAKER,  
TAMARA S. KEFFELER,  
FIRSTBANK HOLDING COMPANY,

Defendant,

ERIC DAVID SIPF  
STEPHEN S.S. HYDE,  
STEPHEN O. JAMES,

Third Party Plaintiffs,

v.

JOHN C. HERBERS,  
ROBERT RUIZ-MOSS,  
JAMES LUBINSKI,  
THOMAS KELLER,  
CRAIG MAGNUSON,  
MAGNUM ACTUARIAL GROUP LLC,

Counsel:

Donald Ray  
John Malesovas

Alan Friedberg

Frederick Baumann  
Tamara Goodlette

Alan Friedberg

Chad Lieberman  
Pro Se  
Pro Se  
Daniel Murphy

Third Party Defendants.

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**COURTROOM MINUTES**

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**HEARING: RULE 16(b) SCHEDULING CONFERENCE**

**Court in session: 1:29 p.m.**

Appearances of counsel.

Discussion regarding length of depositions.

Each side shall be limited to twenty-five (25) Interrogatories, twenty-five (25) Requests for Production, and twenty-five (25) Requests for Admissions, absent further leave of Court.

Motions should be limited to 20 pages and not more than ten exhibits.

**THE FOLLOWING WILL CONFIRM THE ACTIONS TAKEN AND DATES SET AT THE SCHEDULING CONFERENCE HELD THIS DATE:**

Rule 26 Disclosures Due: **November 30, 2012.**

Deadline for Amendment of pleadings/Joinder of parties: **August 5, 2013.**

Discovery Cut-off: **September 21, 2013.**

Dispositive Motions Deadline: **October 21, 2013.**

Parties shall designate affirmative experts **on or before July 5, 2013.**

Parties shall designate rebuttal experts **on or before August 5, 2013.**

Motion in Limine Deadline: **November 21, 2013.**

**FINAL PRETRIAL/TRIAL PREPARATION CONFERENCE** is set for **January 8, 2014 at 8:00 a.m.** before the Honorable Judge R. Brooke Jackson in Courtroom A-902, Ninth Floor, Alfred A. Arraj United States Courthouse, 901 19<sup>th</sup> Street, Denver, Colorado 80294. **Parties should exchange jury instructions in advance and be prepared to discuss them at this proceeding.**

**JURY TRIAL** is set for **January 21, 2014 at 9:00 a.m.** before the Honorable Judge R. Brooke Jackson in Courtroom A-902, Ninth Floor, Alfred A. Arraj United States Courthouse, 901 19<sup>th</sup> Street, Denver, Colorado 80294.

Counsel are instructed that should a discovery dispute arise they are to comply with Local Rule 7.1A. in an effort to resolve the issues. If that is unsuccessful, counsel shall establish a conference call adding Judge Jackson as the last connection. The Court will hear arguments and attempt to mediate a resolution. The Court will instruct counsel at that time as to whether or not to file a discovery motion.

**ORDERED:** Defendant's Motion to Dismiss [49] is DENIED.

**ORDERED:** Third-Party Plaintiffs' Motion for Award of Service of Process Costs Against Third-Party Defendant Herbers [59] is GRANTED. The Court awards \$230.00 plus \$155.00 in attorneys' fees.

**ORDERED:** Plaintiff to file a revised Scheduling Order reflecting the changes that were made at today's proceeding.

HEARING CONCLUDED.

**Court in recess: 1:50 p.m.**

Total time in court: 00:21