

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
CHIEF JUDGE MARCIA S. KRIEGER

Courtroom Deputy: Patricia Glover  
Court Reporter: Terri Lindblom

Date: November 13, 2014

Civil Action No. 12-cv-00901-MSK-BNB

Parties:

JAMES RALPH DAWSON, JR.,

Plaintiff,

v.

DONALD BRIGHTWELL,

Defendant.

Counsel Appearing:

James Ralph Dawson, Jr., *pro se*

Kristin Ruiz  
Jacquelynn Fredericks

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**COURTROOM MINUTES**

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HEARING: Final Pretrial Conference.

**10:27 a.m. Court in session.**

Plaintiff is present by telephone. Defendant is present.

The Court addresses non-conformity with it's Final Pretrial Order form and attachments.

**PENDING MOTIONS.**

Oral findings are made of record and incorporated herein.

The Court addresses Plaintiff's Motion to Allow Plaintiff to Contact Judge's Chambers for Pretrial Conference (**Doc. #103**).

**ORDER:** Plaintiff's Motion to Allow Plaintiff to Contact Judge's Chambers for Pretrial Conference (**Doc. #103**) is **DENIED as moot**.

Courtroom Minutes  
Chief Judge Marcia S. Krieger  
Page Two

The Court addresses Defendant's Motion to Clarify re Trier of Fact (**Doc. #108**)

**ORDER:** Defendant's Motion to Clarify re Trier of Fact (**Doc. #108**) is **GRANTED**. The Court's previous order is modified to reflect that this matter will be tried to a jury rather than the Court.

The Court addresses Plaintiff's Motion Objecting to Summary Judgment Order (**Doc. #102**).

**ORDER:** Plaintiff's Motion Objecting to Summary Judgment Order (**Doc. #102**) is **DENIED**.

The Court addresses Plaintiff's Motion to Appoint Counsel (**Doc. #101**)

**ORDER:** Plaintiff's Motion to Appoint Counsel (**Doc. #101**) is **GRANTED in part and DENIED in part** as set forth in the record.

Review of the proposed final pretrial order.

**ORDER:** Defense counsel will file a trial brief pertaining to its affirmative defenses in the Final Pretrial Order that would have been included had they filed a dispositive motion on these issues.

**ORDER:** Pertinent to trial process: This matter will be set for a four day jury trial. Each party will be allocated nine (9) hours of time to use however they wish (openings, closings, evidence presentation, etc.) The time will be tracked on a chess clock by the Courtroom deputy. *Voir dire* will be conducted by the Court.

**ORDER:** Proposed *voir dire* and jury instructions will be filed by **December 15, 2014**.

**ORDER:** A four day jury trial is scheduled to commence on **March 9, 2015 at 9:00 a.m.** in Courtroom A901, 901 19<sup>th</sup> Street. It will be concluded no later than **5:00 p.m. on March 12, 2015**.

**11:22 a.m. Court in recess.**

**Total Time: 55 minutes.**  
**Hearing concluded.**