

**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:

Counsel Appearing:

JAMES RALPH DAWSON, JR.,

James Ralph Dawson, Jr., *pro se*

Plaintiff,

v.

DONALD BRIGHTWELL,

Kristin Ruiz
Jacquelynn Fredericks

Defendant.

COURTROOM MINUTES

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**.

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 19th 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.