

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
MAGISTRATE JUDGE BOYD N. BOLAND

Civil Action: 12-cv-01517-MSK-BNB Date: February 12, 2013
Courtroom Deputy: Julie Dynes FTR: BNB COURTROOM A-401

Parties

Attorney(s)

ANGIE ASHLEY

Plaintiff(s)

Matthew R. Osborne

v.

TORMEY BEWLEY CORPORATION

Defendant(s)

Thomas C. Volkmann

COURTROOM MINUTES

JURY TRIAL (Day Two)

8:27 a.m. Court in session.

Jury not present.

Appearances of counsel.

Argument given on Plaintiff's Oral Motion to Amend Pleadings to Conform to the Evidence Presented.

ORDERED: Plaintiff's Oral Motion to Amend Pleadings to Conform to the Evidence Presented is GRANTED.

Defendant's Oral Motion for Directed Verdict is DENIED.

Discussion regarding jury instructions and [45] Motion to Reconsider Order re: Jury Instructions.

ORDERED: [45] Motion to Reconsider Order re: Jury Instructions is GRANTED, the court will amend jury instructions as discussed on the record.

9:06 a.m. Court in recess.

9:49 a.m. Court in session.

Jury not present.

Discussion on jury instructions and time limits.

Jury present.

9:55 a.m. Closing argument by Mr. Osborne.

10:08 a.m. Closing argument by Mr. Volkmann.

10:37 a.m. Rebuttal argument by Mr. Osborne.

10:42 a.m. Court reads jury instructions and verdict forms.

11:04 a.m. C.S.O. sworn as bailiff.

11:05 a.m. Jury excused to commence deliberations.

11:07 a.m. Court in recess.

12:26 p.m. Court in session.

12:28 p.m. Jury enters.

Foreperson confirms that the jury has reached a unanimous verdict and delivers the verdict form to the Court via the bailiff.

Court reads jury verdict.

Court gives the jury closing instructions.

Court thanks jurors for their service and they are discharged.

12:33 p.m. Order entered allowing counsel to meet with the jury.

12:34 p.m. Court in recess.

Trial concluded.

Total time in court: 02:05

Clerk's Note: Exhibits have been returned to counsel. Pursuant to General Order 2007-03; the original verdict form has been filed conventionally by delivery to the clerk's office. A representation of the verdict form is filed separately.