

**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: January 22, 2014

Civil Action No. 12-cv-01856-MSK-BNB

Parties:

GAIL WATERS, as personal representative of the
Estate of Alonzo Ashley,

Counsel:

William Frankfurt
Kevin Flesch

Plaintiff,

v.

CITY AND COUNTY OF DENVER, a
municipality;
PETE CONNER, a Denver Police Department
Lieutenant, in his official and individual capacity;
JOE GASKA, a Denver Police Department deputy,
in his official and individual capacity;
JUSTIN JONES, a Denver Police Department
Lieutenant, in his official and individual capacity;
JOHN DOE I - V, employees of the Denver Police
Department, in official and individual capacities;
and
JOHN DOES VI - X, employees of Denver
Zoological Foundation, in official and individual
capacities,

Wendy Shea
Jessica Allen

Defendants.

COURTROOM MINUTES

HEARING: Rule 702 Evidentiary Hearing - Day Two

8:36 a.m. Court in session

The plaintiff states the opinions as to expert witness Dan Montgomery and defendants state their objections to same.

Witness sworn for the plaintiff : Dan Montgomery :

8:51 a.m. Direct Examination by Mr. Flesch.

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EXHIBITS: Received: 3 (pg 6-8);

Cross examination of witness by Ms. Shea.

9:45 a.m. Court in recess
9:59 a.m. Court in session

Continued cross examination of witness by Ms. Shea.

No redirect examination of witness.

ORDER: The proffered opinions of Mr. Montgomery have or have not met the foundational requirements of Rule 702 as set forth in the record.

The defendants state the opinions as to expert witness Clarence Chapman and plaintiff states the objections to same.

11:23 a.m. Court in recess
12:45 p.m. Court in session

The parties stipulate to information and/or withdraw certain opinions as stated on the record. There is no need for Mr. Chapman to testify.

Witness sworn for the defendant :Dr. Gary Vilke :
p.m. Direct Examination by Ms. Allen.

EXHIBITS: Received: 16

Cross examination of witness by Mr. Flesch.

ORDER: The remaining proffered opinions of Dr. Vilke have met the foundational requirements of Rule 702 as set forth in the record.

1:40 p.m. Court in recess.

Total Time: 3 hours 38 minutes
Hearing concluded.