

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
SENIOR JUDGE WILEY Y. DANIEL**

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Courtroom Deputy: Robert R. Keech  
E.C.R./Reporter: Tammy Hoffschildt

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Date: July 2, 2014

Civil Action No: **12-cv-02834-WYD-MJW**

Counsel:

**NATIONAL JEWISH HEALTH,**

John L. Watson  
Ellen E. Stewart

Plaintiff,

v.

**WEBMD HEALTH SERVICES GROUP,  
INC., et al.,**

K. C. Groves  
Mark E. Lacis  
Benjamin J. Larson

Defendants.

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**COURTROOM MINUTES**

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**MOTION HEARING**

**10:06 a.m.** Court in Session

APPEARANCES OF COUNSEL.

Court's opening remarks and review of the history of the case.

**ORDERED:** Defendants' Motion to Strike [ECF Doc. No. 115], filed January 24, 2014, is **DENIED.**

**ORDERED:** Plaintiff's Motion to Strike [ECF Doc. No. 138], filed February 14, 2014, is **DENIED.**

Plaintiff's Motion for Partial Summary Judgment of Breach of Contract [ECF Doc. No. 92], filed December 20, 2013, and Defendants' Motion for Partial Summary Judgment on Plaintiff's Claims for Lost Profits Damages [ECF Doc. No. 126], filed January 31, 2014, are raised for argument.

10:13 a.m. Argument by Plaintiff (Mr. Watson).

10:32 a.m. Argument by Defendants (Mr. Groves).

10:52 a.m. Argument by Plaintiff (Mr. Watson).

Court makes findings.

**ORDERED:** Plaintiff's Motion for Partial Summary Judgment of Breach of Contract [ECF Doc. No. 92], filed December 20, 2013, is **DENIED**.

**ORDERED:** Defendants' Motion for Partial Summary Judgment on Plaintiff's Claims for Lost Profits Damages [ECF Doc. No. 126], filed January 31, 2014, is **DENIED**.

10:57 a.m. Discussion regarding the filing of motions in limine, briefing schedule, and setting a hearing on the motions in limine.

**ORDERED:** Any motions in limine shall be filed on or before **Monday, September 15, 2014**.

**ORDERED:** Responses to motions in limine shall be filed on or before **Friday, October 3, 2014**.

**ORDERED:** Replies shall be filed on or before **Friday, October 17, 2014**.

**ORDERED:** A motion hearing is set for **Friday, November 21, 2014, at 1:30 p.m., in Courtroom A-1002**.

11:08 a.m. Court in Recess - HEARING CONCLUDED.

**TOTAL TIME: 1:02**