

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

Courtroom Deputy: Patricia Glover
Court Reporter: Tamara Hoffschildt

Date: April 23, 2014

Civil Action No. 13-cv-00066-MSK-MEH

Parties:

Counsel Appearing:

THE UNITED STATES OF AMERICA for the use and benefit of FISHER SAND AND GRAVEL CO. d/b/a Arizona Drilling and Blasting, an Arizona corporation; FISHER SAND AND GRAVEL CO. d/b/a ARIZONA DRILLING AND BLASTING, an Arizona corporation,

Kevin Bonner
Troy Rackham

Plaintiff,

v.

KIRKLAND CONSTRUCTION, LLP, a Colorado company;
TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, a Connecticut corporation,

Jason Kane
Richard Ranson

Defendants.

COURTROOM MINUTES

HEARING: Final Pretrial Conference.

4:00 p.m. Court in session.

Parties are present. Luke Meister present on behalf of plaintiff; Jim Kirkland and Jamie Burgett on behalf of defendants.

PENDING MOTIONS.

Oral findings and conclusions of law are made of record and incorporated herein.

The Court addresses Plaintiff's Motion for Reconsideration (**Doc. #83**).

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Argument.

ORDER: Plaintiff's Motion for Reconsideration (**Doc. #83**) is **DENIED**. Claims will be removed as set forth on the record. Plaintiff may file a motion to amend the Final Pretrial Order to include the additional claim(s) discussed.

Review of the proposed final pretrial order - matters addressed:

Claims
Defenses
Stipulated Facts
Witness List
Exhibit List
Anticipated motions
Trial length, trial process, evidentiary issues and any questions posed by counsel.

ORDER: Pertinent to trial process: When the trial is set, each side will be given a set number of hours per side which will be tracked by the Courtroom Deputy on a chess clock. The time may be used however the parties wish (openings/closing arguments, demonstrative exhibit, aids.)

ORDER: Revised final pretrial order, witness, exhibit lists to be submitted by **May 14, 2015**.

ORDER: Further Final Pretrial Conference is set on **June 1, 2015 at 3:00 p.m.**, in Courtroom A901, 901 19th Street, Denver, CO. The parties (representatives) do not need to appear.

ORDER: Additional deposition of the expert discussed will be concluded not later than **May 29, 2015**.

5:08 p.m. Court in recess.

Total Time: 1 hour 8 minutes.
Hearing continued