

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Kathleen M. Tafoya

Civil Action No: 13-cv-00079-PAB-KMT
Courtroom Deputy: Sabrina Grimm

Date: November 10, 2015
FTR: Courtroom C-201

Parties:

Counsel:

NATIONAL UNION FIRE INSURANCE COMPANY
OF PITTSBURGH, PA,

Joseph Lang
Amy Kunzer
Douglas Stevens

Plaintiff,

v.

INTRAWEST ULC f/k/a INTRAWEST
CORPORATION,

FEDERAL INSURANCE COMPANY,
NATIONAL FIRE INSURANCE COMPANY OF
HARTFORD, and
CONTINENTAL CASUALTY COMPANY,

Kellie Fetter
Chris Mosley
Katherine Varholak
Ann Nolte
Cathleen Heintz
Michael O'Bresly (by telephone)

Defendants, and

INTRAWEST U.S. HOLDINGS, INC.,
INTRAWEST RESORTS, INC.,
UPPER BENCH DEVELOPMENT CORPORATION,
INTRAWEST CALIFORNIA HOLDINGS, INC.,
SIERRA STAR THREE DEVELOPMENT
CORPORATION,
THE STRATTON CORPORATION, and
INTRAWEST STRATTON DEVELOPMENT
CORPORATION,

Intervenor Plaintiffs,

INTRAWEST ULC f/k/a INTRAWEST
CORPORATION,

Third-Party Plaintiff

v.

WILLIS NORTH AMERICA, INC. f/k/a WILLIS
CORROON CORPORATION,
WILLIS OF NEW YORK, INC.,
WILLIS INSURANCE BROKERAGE OF UTAH, INC.,
WILLIS OF NEW JERSEY, INC.,
WILLIS CONSTRUCTION SERVICES
CORPORATION OF NEW JERSEY f/k/a WILLIS
CORROON CONSTRUCTION SERVICES
CORPORATION OF NEW JERSEY,
WILLIS CORROON CONSTRUCTION SERVICES
CORPORATION OF CONNECTICUT,
WILLIS CORROON CONSTRUCTION SERVICES
CORPORATION,
WILLIS OF NEW HAMPSHIRE, INC. f/k/a WILLIS
CORROON CORPORATION OF NEW
HAMPSHIRE,
WILLIS OF MASSACHUSETTS, INC., and
JOHN DOE WILLIS ENTITY,

David Satnick (by telephone)

Third-Party Defendants, and

FEDERAL INSURANCE COMPANY,
INTRAWEST ULC f/k/a INTRAWEST
CORPORATION,

Counter Claimant.

COURTROOM MINUTES

FINAL PRETRIAL AND MOTION HEARING

1:35 p.m. Court in session.

Court calls case. Appearances of counsel.

Court has reviewed the proposed Final Pretrial Order. Discussion regarding the numbering system used on the exhibits.

Trial Preparation Conference and trial dates will be set by District Judge Philip A. Brimmer. The parties are directed to contact chambers on Wednesday, December 2, 2015 for further dates.

Final Pretrial Order is signed.

Discussion and argument regarding privileged documents with respect to Mr. Schratz and subpoena to obtain documents from Tarkington.

ORDERED: National Union Fire Insurance Company of Pittsburgh, PA.'s Motion to Compel a Second Deposition of James P. Schratz and Production of Improperly Withheld Documents [569] is DENIED, for reasons stated on record.

ORDERED: Intrawest's Motion to Quash Subpoenas and For Protective Order [576] is GRANTED.

Discussion and argument regarding Federal's request for National Union to produce unredacted expert bills.

Mr. Lang agrees to review the expert bills and redact only those portions that are protected on or before December 8, 2015.

Mr. Mosley informs the Court that the O'Farrell deposition has not been scheduled. The deposition is anticipated to be scheduled in January.

Discussion regarding Mr. O'Farrell's failure to comply with Federal's subpoena. Ms. Nolte requests an expedited briefing schedule.

ORDERED: Defendant Federal is permitted to file its motion regarding Mr. O'Farrell's failure to comply with its subpoena on or before December 4, 2015. A response to the motion shall be filed on or before December 14, 2015. Any replies shall be filed on or before December 18, 2015.

3:16 p.m. Court in recess.

Hearing concluded.

Total in-court time 01:41

*To obtain a transcript of this proceeding, please contact Stevens-Koenig Reporting at 303-988-8470.