

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

Courtroom Deputy: Robert R. Keech
E.C.R./Reporter: Mary George

Date: April 12, 2016

Civil Action No: **13-cv-00578-WYD-NYW**

Counsel:

STACEY COHEN,

Barry D. Roseman

Plaintiff,

v.

**PUBLIC SERVICE COMPANY OF
COLORADO d/b/a Xcel Energy,**

Beth A. Doherty Quinn
Meghan W. Martinez
Elizabeth Imhoff Mabey

Defendant.

COURTROOM MINUTES

TRIAL PREPARATION CONFERENCE and MOTION HEARING

10:03 a.m. Court in Session

APPEARANCES OF COUNSEL.

Court's opening remarks.

10:06 a.m. Discussion regarding jury instructions and verdict form.

ORDERED: Counsel shall meet and confer **Tuesday, April 12, 2016, at 2:00 p.m.** to resolve issues regarding jury instructions.

ORDERED: Counsel shall file revised jury instructions and objections, with a basis for the objections, not later than **Wednesday, April 20, 2016.**

10:18 a.m. Discussion regarding witness lists and areas to be covered with witnesses.

ORDERED: Counsel shall file revised witness lists not later than **Wednesday, April 20, 2016.**

10:25 a.m. Discussion regarding exhibit lists.

ORDERED: Counsel shall file revised exhibit lists not later than **Wednesday, April 20, 2016.**

10:27 a.m. Court in Recess

10:47 a.m. Court in Session

Court's remarks regarding motions in limine.

Plaintiff's Motion in Limine to Admit Plaintiff's EEOC Charges into Evidence [ECF Doc. No. 257], filed March 18, 2016, is raised for argument.

10:52 a.m. Argument by Plaintiff by Mr. Roseman.

11:00 a.m. Argument by Defendant by Ms. Mabey.

ORDERED: Plaintiff's Motion in Limine to Admit Plaintiff's EEOC Charges into Evidence [ECF Doc. No. 257], filed March 18, 2016, is **DENIED.**

ORDERED: EEOC Charges shall not be brought out in testimony in a way that undermines the Court's ruling.

Defendant's Motion in Limine to Preclude Five of Plaintiff's Trial Witnesses [ECF Doc. No. 258], filed March 18, 2016, is raised for argument.

11:07 a.m. Argument by Plaintiff by Mr. Roseman.

11:07 a.m. Argument by Defendant by Ms. Mabey.

ORDERED: Defendant's Motion in Limine to Preclude Five of Plaintiff's Trial Witnesses [ECF Doc. No. 258], filed March 18, 2016, is **DEFERRED.**

ORDERED: Pamela Ragoschke shall not be mentioned in opening statements.

11:11 a.m. Discussion regarding schedule of witnesses and the duration of their testimony.

11:14 a.m. Discussion regarding time limits for opening statements.

ORDERED: Opening statements shall not exceed **thirty (30) minutes per side.**

11:17 a.m. Discussion regarding back pay, punitive damages, and actual damages.

11:25 a.m. Discussion regarding withdrawal of age discrimination claims.

ORDERED: Plaintiff shall file notice of withdrawal of age discrimination claim not later than **Wednesday, April 20, 2016.**

11:27 a.m. Discussion regarding Plaintiff's renewed application for commercial driver's license and obtaining records from the State of Colorado Department of Motor Vehicles.

ORDERED: Plaintiff shall provide Defendant with application for commercial driver's license not later than **Wednesday, April 20, 2016.**

11:30 a.m. Court in Recess - HEARING CONCLUDED.

TOTAL TIME: 1:07