

**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 14, 2016

Civil Action No. 13-cv-00769-MSK-KMT

Parties:

Counsel Appearing:

GENERAL STEEL DOMESTIC SALES, LLC,

Plaintiff,

David Fein
Adam Bialek
Henry Solano
Patrick Frye

v.

ETHAN DANIEL CHUMLEY,
ATLANTIC BUILDING SYSTEMS, LLC,
GOTTFRID SWARTHOLM, AND
PRQ INTERNET KOMMANDITBOLAG (LIMITED
PARTNERSHIP),

Defendants.

Mark Baird
Kenneth Stalzer
Craig May

and

ETHAN DANIEL CHUMLEY, and
ATLANTIC BUILDING SYSTEMS, LLC,

Counterclaim/Third-Party Plaintiff

v.

GENERAL STEEL DOMESTIC SALES, LLC, and
JEFFREY KNIGHT,

Counterclaim/Third-party Defendants.

COURTROOM MINUTES

HEARING: Final Pretrial Conference.

1:08 p.m. Court in session.

Parties are present. Jeffrey Knight is present on behalf of plaintiff and Eric Beavers as representative of defendant Atlantic.

PENDING MOTIONS.

The Court address Defendants' Objections to the Magistrate Judge's denial of Armstrong's Motion to Compel (**Doc. #173**).

ORDER: The Court sustains the determination and recommendation of the Magistrate Judge and overrules Armstrong's objections in all regards.

The Court addresses Plaintiff's Objections to the Magistrate Judge's Order denying General Steel's Motion for an Order to Show Cause (**Doc. #569**)

ORDER: The Court affirms the Magistrate Judge's denial of General Steel's motion and sustains General Steel's Objections and vacates that portion of the Magistrate Judge's order (**Doc. #566**) granting sanctions against General Steel.

The Court addresses Defendants' Motion to Clarify the Court's summary judgment ruling (**Doc. #571**)

ORDER: Defendants' Motion to Clarify the Court's summary judgment ruling (**Doc. #571**) is **GRANTED** to the extent the Court has clarified its summary judgment ruling, but the Court finds that Armstrong may not proceed on a false advertising claim relating to either the sales representatives' statements or the "Fraudulent Steel" brochure.

The Court addresses Plaintiff's Motion to Bifurcate (**Doc. #582**)

ORDER: Plaintiff's Motion to Bifurcate (**Doc. #582**) is **DENIED**.

The Court addresses anticipated motions and special issues set forth in the Proposed Final Pretrial Order. The Court's findings and/or rulings are as reflected on the record.

Review of the proposed final pretrial order - matters addressed:

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

The Court addresses the options of either setting the matter for trial or retaining, at the parties' own expense, a Special Master to assist them with the issues as set forth on the record.

3:15 p.m. Court in recess
3:30 p.m. Court in session

The parties cannot agree on how to proceed. The Court will set the matter for trial.

ORDER: Jury Trial (2 weeks) is set to commence on **June 20 through the week of June 27, 2016 at 8:30 a.m.**, in Courtroom A901, 901 19th Street, Denver. CO. Trial will run Monday-Friday. The parties are allotted a total amount of 52 hours (26 hours of time each side) to use however they wish (opening/closing arguments, evidence presentation). The time is tracked on a chess clock by the Courtroom Deputy.

ORDER: Revised final pretrial order, witness and exhibit lists to be submitted by **February 16, 2016**. Trial briefs (simultaneous), if any, will be filed 10 days before trial.

3:58 p.m. Court in recess.

Total Time: 2 hours 35 minutes.
Hearing concluded.