

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Magistrate Judge Michael J. Watanabe**

**Civil Action No.** 13-cv-02566-CMA-MJW

FTR - Courtroom A-502

**Date:** September 03, 2014

Courtroom Deputy, Ellen E. Miller

Parties

Counsel

TRAVIS J. SIMMONS,

David A. Helmer

Plaintiff(s),

W. Alex Marsh

v.

BRYCE HINTON, Individually,  
SCOTT BIRD, Individually,  
LAKE COUNTY SHERIFF RODNEY FENSKE,  
in his Official capacity, and Individually,

Leslie L. Schluter  
Kurt A. Kropp

Defendant(s).

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**COURTROOM MINUTES / MINUTE ORDER**

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**HEARING: FINAL PRETRIAL CONFERENCE**

**Court in Session:** 10:00 a.m.

Court calls case. Appearances of counsel.

It is noted defendant St. Vincent General Hospital was dismissed from this case by Order entered by Judge Arguello March 26, 2014 [Docket No. 39]. Therefore, the pending Motion for Summary Judgment and Motion to Stay Discovery [Docket No. 37], filed by St. Vincent General Hospital on March 14, 2014, is deemed moot. By the parties agreement,

**It is ORDERED:** Defendant St. Vincent General Hospital's [sic] MOTION FOR SUMMARY JUDGMENT FOR PLAINTIFF'S FAILURE TO TIMELY COMPLY WITH COLORADO GOVERNMENTAL IMMUNITY ACT AND MOTION TO STAY DISCOVERY [Docket No. 37, filed March 14, 2014] is **DENIED AS MOOT**, for reasons as set forth on the record.

The proposed Final Pretrial Order is reviewed.

**It is ORDERED:** The proposed FINAL PRETRIAL ORDER, with all attachments, which was tendered to the court, and modified from the bench, is made an Order of Court.

Counsel are directed to the chambers of Judge Arguello for trial settings. The parties anticipate a five (5) day trial to a jury.

Hearing concluded.

**Court in recess:** 10:06 a.m. Total In-Court Time 00:06