

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
JUDGE LEWIS T. BABCOCK

Courtroom Deputy: Emily Buchanan
Court Reporter: Terri Lindblom

Date: August 28, 2015

Civil Case No. 14-cv-00246-LTB-MJW

Counsel:

ROBIN DILLON,

Plaintiff,

Neil Piller

v.

AUTO-OWNERS INSURANCE COMPANY,

Defendant.

John Mereness
Gregory Giometti

COURTROOM MINUTES

HEARING - TRIAL PREPARATION CONFERENCE

9:00 a.m. Court in Session.

Discussion regarding Plaintiff's List of Witnesses and Exhibits for Trial Preparation Conference, Defendant's witness and exhibit lists, the lack of stipulations in this case, Defendant's Motion to Exclude Certain Opinion Testimony of Janet N. Lemmon, Ph.D, Pursuant to FRE 702 and FRE 403, liability and damages, the Court's summary judgment order, and the possibility of settlement.

ORDERED: Plaintiff's counsel shall amend his exhibit list by using the proper form and shall also amend his witness list to indicate estimates of time.

ORDERED: Stipulated Motion to Modify Pre-trial Order (Doc. No. 56) is **GRANTED**.

ORDERED: Plaintiff shall respond to Defendant's Motion to Exclude Certain Opinion Testimony of Janet N. Lemmon, Ph.D, Pursuant to FRE 702 and FRE 403 (Doc. No. 52) on or before **September 10, 2015**. Defendant shall reply to its motion on or before **September 24, 2015**. A two day Evidentiary

Hearing on the motion is set for **September 30, 2015 and October 1, 2015 at 9:00 a.m.**

ORDERED: The ten day jury trial set for September 21, 2015 is **VACATED**.

ORDERED: Once the 702 motion is resolved, counsel shall file updated witness lists; updated exhibit lists, showing stipulations regarding admissibility and authenticity, and if there is an objection, the rule of exclusion; one set of annotated proposed jury instructions, including a statement of the case instruction, liability instructions, and damages instructions; and a proposed verdict form. If Plaintiff proposes language Defendant objects to, Plaintiff shall submit the language in capital letters. If Defendant proposes language Plaintiff objects to, Defendant shall submit the language in brackets.

9:26 a.m. Court in Recess.
Hearing concluded.
Time: 00:26