

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

JUDGE PHILIP A. BRIMMER

COURTROOM MINUTES

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Courtroom Deputy: Kathy Preuitt-Parks  
Court Reporter: Janet Coppock

Date: October 26, 2015  
Time: 6 hours and 23 minutes

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**CASE NO. 14-cv-00317-PAB-MJW**

Parties

Counsel

**BOXER F2, L.P.,**

Christopher Taravella  
Adrienne Toon

Plaintiff,

vs.

**FLAMINGO WEST, LTD.,  
BRONCHICK & ASSOCIATES,  
WILLIAM BRONCHICK, and  
BRONCHICK & ASSOCIATES, P.C.,**

William Bronchick  
Richard Strauss  
Angela DeVine

Defendants.

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**TRIAL TO COURT - DAY ONE**

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**8:42 a.m. COURT IN SESSION**

APPEARANCES OF COUNSEL. Also present is plaintiff's representative Zachary Segal.

Court and counsel discuss pending pretrial matters.

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**ORDERED:** Defendants Bronchick & Associates, P.C. and William Bronchicks' Motion to Strike Plaintiff's Second Supplemental Expert Disclosure Pursuant to Fed.R.Civ.P. 26(a)(2)(E) [Docket No. 163], is **GRANTED**.

**8:49 a.m.** Opening statement by Ms. Toon.

**9:04 a.m.** Opening statement by Ms. DeVine.

Defendant Flamingo West, Ltd. waives its opening statement.

**9:15 a.m.** Direct examination of defendant William Bronchick by Mr. Taravella.

Plaintiff's **exhibits 1 through 5 (inclusive)** identified, offered and ADMITTED.

Plaintiff's **exhibit 7** identified, offered and ADMITTED.

Plaintiff's **exhibit 8** identified, offered and ADMITTED.

Plaintiff's **exhibit 9** identified, offered and ADMITTED.

Plaintiff's **exhibit 12** identified, offered and ADMITTED, over objections by Mr. Strauss and Mr. Bronchick.

Plaintiff's **exhibit 18** identified, offered and ADMITTED, over objection by Mr. Strauss and Mr. Bronchick.

Plaintiff's **exhibit 57** identified, offered and ADMITTED, over objection by Mr. Strauss and Mr. Bronchick.

Plaintiff's **exhibit 144** identified, offered and ADMITTED, over objection by Mr. Strauss.

Plaintiff's **exhibit 15** identified, offered and ADMITTED, over objection by Mr. Strauss and Mr. Bronchick.

Plaintiff's **exhibit 17** identified, offered and ADMITTED, over objection by Mr. Strauss.

**10:30 a.m. COURT IN RECESS**

**10:50 a.m. COURT IN SESSION**

Direct examination by Mr. Taravella continues.

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Plaintiff's **exhibit 21** identified, offered and ADMITTED.

Plaintiff's **exhibit 22** identified, offered and ADMITTED.

Plaintiff's **exhibit 19** identified, offered and ADMITTED.

Plaintiff's **exhibit 30** identified, offered and ADMITTED, over objections by Mr. Strauss and Mr. Bronchick.

Plaintiff's **exhibit 9** identified, offered and ADMITTED.

Plaintiff's **exhibit 68** identified, offered and ADMITTED, over objection by Mr. Strauss.

Plaintiff's **exhibit 24** identified, offered and ADMITTED.

Plaintiff's **exhibit 25** identified, offered and ADMITTED.

Plaintiff's **exhibit 26** identified, offered and ADMITTED.

Plaintiff's **exhibit 28** identified, offered and ADMITTED.

Plaintiff's **exhibits 45 through 49 (inclusive)** identified, offered and ADMITTED, over objection by Mr. Strauss.

Plaintiff's **exhibit 55** identified, offered and ADMITTED, over objections by Mr. Strauss and Mr. Bronchick.

Plaintiff's **exhibit 56** identified, offered and ADMITTED, over objection by Mr. Strauss.

Plaintiff's **exhibits 69 through 100 (inclusive) first page each** identified, offered and ADMITTED, over objection by Mr. Strauss and Mr. Bronchick.

Plaintiff's **exhibits 103 through 109 (inclusive) and 111** identified, offered and ADMITTED, over objection by Mr. Strauss and Mr. Bronchick.

Plaintiff's **exhibit 112** identified, offered and ADMITTED.

Plaintiff's **exhibit 122** identified, offered and ADMITTED.

**12:15 p.m. COURT IN RECESS**

**1:47 p.m. COURT IN SESSION**

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Direct examination by Mr. Taravella continues.

Plaintiff's **exhibit 124** identified, offered and ADMITTED, over objection by Mr. Strauss.

Plaintiff's **exhibit 131** identified, offered and ADMITTED.

Plaintiff's **exhibit 120** identified, offered and ADMITTED.

Plaintiff's **exhibit 11** identified, offered and ADMITTED, over objection by Mr. Strauss.

Plaintiff's **exhibits 61(beginning at page 5), 62, 63 (beginning at page 6), 64 (beginning at page 5), and 65 (beginning at page 5)** identified, offered and ADMITTED, over objection by Mr. Strauss and Mr. Bronchick.

**3:05 p.m. COURT IN RECESS**

**3:25 p.m. COURT IN SESSION**

Direct examination by Mr. Taravella continues.

Plaintiff's **exhibit 67 (pages 6 through 19)** identified, offered and ADMITTED.

**5:09 p.m. COURT IN RECESS**

**Total in court time: 383 minutes**

**Hearing continued**