

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
JUDGE RAYMOND P. MOORE**

Courtroom Deputy: Cathy Pearson
Court Reporter: Tammy Hoffschildt

Date: December 18, 2015

CASE NO. 14-cv-01318-RM-CBS

GAYLA MORTENSEN,

Plaintiff,

Marc Harden
Ashley Fetyko

v.

AMERICAN FAMILY MUTUAL INSURANCE COMPANY,

Defendant.

Jacquelyn Booker

COURTROOM MINUTES

TRIAL PREPARATION CONFERENCE

COURT IN SESSION: 9:58 a.m.

Court calls case. Appearances of counsel.

Discussion held regarding the status of the case, trial procedures, and courtroom technology.

Witnesses will be sequestered prior to their testimony.

The Court directs counsel to be present at 8:30 a.m. on the first day of trial, January 11, 2016, and 9:00 a.m. thereafter.

Fourteen (14) potential jurors will be called into the jury box, and each side will have three (3) peremptory strikes.

Discussion held regarding *voir dire*, closing arguments, jury instructions, exhibits, and pending motions.

ORDERED: Plaintiff's Unopposed Motion *In Limine* to Exclude Evidence of Plaintiff's Traffic Citation (Doc. 41) is GRANTED as stated on the record.

ORDERED: A hearing on Plaintiff's *Daubert* Motion to Preclude Testimony of Dr. C. E. "Ted" Bain (Doc. 28) is set for **January 4, 2016, at 10:00 a.m.**

ORDERED: As to Plaintiff's Motion *In Limine* to Exclude Evidence of Collateral Source Benefits at Trial (Doc. 40), counsel for Defendant may file any opposition to motion on or before **December 30, 2015**, and the Court will address the motion at the *Daubert* hearing set for January 4, 2016.

The Court will take a brief recess to allow Ms. Booker time to contact Dr. Bain regarding the *Daubert* hearing date.

Court in recess: 10:39 a.m.

Court in session: 10:48 a.m.

Ms. Booker advises the Court that Dr. Bain is available on January 4, 2016, for the *Daubert* hearing.

COURT IN RECESS: 10:49 a.m.

Total in court time: 00:42

Hearing concluded