

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Craig B. Shaffer

Civil Action: 15-cv-00692-CBS

Date: October 28, 2015

Courtroom Deputy: Amanda Montoya

FTR – Reporter Deck-Courtroom A402

Parties:

Counsel:

GWYNETH GLISSMANN,

Reeves Whalen

Plaintiff,

v.

GRAHAM LIVESAY, *et al.*,

Deana Dagner

Defendant.

COURTROOM MINUTES/MINUTE ORDER

HEARING: TELEPHONE DISCOVERY HEARING

Court in session: 09:58 a.m.

Court calls case. Appearances of counsel.

Discussion regarding [30] *Plaintiff's Motion to Amend Complaint to Include Exemplary Damages Pursuant to C.R.S. § 13-21-102 Against Defendant Livesay*. This motion is opposed. After further discussion with the court, Ms. Dagner will not oppose the motion.

ORDERED: [30] *Plaintiff's Motion to Amend Complaint to Include Exemplary Damages Pursuant to C.R.S. § 13-21-102 Against Defendant Livesay* is **GRANTED** without prejudice to the defendant's right to address the issue of punitive damages at trial or through a motion for summary judgment. The amended complaint (doc. 30-13) is deemed as filed today.

Motions filed under Rule 702 and Rule 56 shall be filed **on or before December 15, 2015**.

Parties intend on attending mediation.

ORDERED: Oral argument on [26] *Defendant Hilda Borko's Motion for Summary Judgment* is set for **November 13, 2015 at 1:30 p.m.** Parties should anticipate a ruling from the bench. This hearing will occur by phone and counsel shall initiate a conference call among themselves and call the court (303.844.2117) at the scheduled time.

Further discussion regarding *[32] Motion to Compel Rule 35 Examinations of Plaintiff*. Prior to this hearing, counsel has come to an agreement regarding the motion. There are still a few things counsel are trying to work out but are in agreement that this motion is moot.

ORDERED: *[32] Motion to Compel Rule 35 Examinations of Plaintiff* is **DENIED AS MOOT.**

Hearing Concluded.

Court in recess: 10:21 a.m.

Total time in court: 00:23

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