

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Senior Judge John L. Kane**

Date: November 13, 2009

Deputy Clerk: Bernique Abiakam  
Court Reporter: Kara Spitler

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Civil Action No. 92-cv-00870-JLK

JESSE MONTEZ, et al., as representatives  
of themselves and all others similarly  
situated,

Paula D. Greisen  
Jennifer Riddle

Plaintiffs,

v.

BILL RITTER, et al.,

Elizabeth H. McCann  
James X. Quinn  
Berina Ibrisagic

Defendants.

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**COURTROOM MINUTES**

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**Day 2 Oral Argument / Criteria For Disability Determinations**

10:07 a.m. Court in session.

Counsel present. Also present, advisory witnesses for the Defendants, Kathleen Baxter and Joanie Shoemaker.

Conclusion regarding appropriate criteria to determine if someone is hearing disabled that's in the Department of Corrections.

10:08 a.m. Closing argument by Ms. McCann.

10:20 a.m. Closing argument by Ms. Greisen.

10:39 a.m. Rebuttal argument by Ms. McCann.

10:44 a.m. Comments and rulings by the Court regarding criteria for hearing aides, standards, and weighted averages.

Argument heard on Defendants Motion To Stop Discovery Requests (Filed 11/10/09; Doc. No. 4186).

11:13 a.m. Argument by Ms. McCann.

11:18 p.m. Argument by Ms. Greisen.

**ORDERED: Defendants Motion To Stop Discovery Requests (Filed 11/10/09; Doc. No. 4186) is GRANTED as Specified. Discovery cutoff is December 1, 2009.**

Argument heard on Defendants Motion To Limit Cathie Holst's Deposition (Filed 11/10/09; Doc. No. 4187).

11:27 a.m. Argument by Ms. McCann.

11:28 a.m. Argument by Ms. Greisen.

**ORDERED: Defendants' Motion To Limit Cathie Holst's Deposition (Filed 11/10/09; Doc. No. 4187) is GRANTED as specified. Counsel may have 2 days for the requested deposition. If more time is needed, grounds must be shown.**

Discussion regarding hearings by Special Masters.

11:32 a.m. Court in recess.

Hearing concluded.

Total time in court: 1 hour, 25 minutes.