

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
SENIOR JUDGE JOHN L. KANE**

Civil Action No. 06-cv-02528-JLK-CBS

Date: December 22, 2006

ECR/ Deputy Clerk: Shelley Moore

CHRIS BRAY,
SABINE BRAY,
TRAINING PROS, INC.,
JEHAD MAJED,
ALI MAJED,
Q FOOD SERVICE, INC.,
BRAD FIX,
JAN FIX,
BJ and F, LLC,
RICHARD NEWKIRK,
MAUREEN NEWKIRK,
DAVID NEWKIRK,
NEWKIRK ENTERPRISES, INC.,
R&M ENTERPRISES, LLP,
HAKIM ABID,
ALLISON ABID,
DANIEL G. CARTER, JR.,
JODY L. CARTER,
DANIEL G. CARTER, SR.,
MADELEINE CARTER,
CARTER GROUP, LLC,
CARTER GROUP ROSEVILLE, LLC,
GLENN KEANE,
ANNE KEANE,
LKB, LLC,
DAVID TATE,
BIG LITTLE PROPERTY INVESTMENTS,
CTH INVESTMENTS,

Gregory R. Stross
Justin M. Klein (via telephone)

Plaintiffs,

v.

QFA ROYALTIES, LLC,

Frederic A. Cohen
Leonard H. MacPhee

Defendant.

06-cv-02528-JLK-CBS
December 22, 2006

COURTROOM MINUTES

Hearing on Motion for Order to Preserve the Status Quo Pending a Hearing on Plaintiffs' Motion for Preliminary Injunction

9:15 a.m. Court in Session.

Court calls case. Appearances of counsel. Present with Defendant's counsel is Patrick Meyer, general counsel for the Defendant company.

The court makes preliminary remarks.

The court notes for the record that this courthouse was closed yesterday, December 21, 2006, due to inclement weather of record proportions.

ORDERED: The Motion for Expedited Discovery following Today's Hearing is GRANTED.

9:20 a.m. Mr. Cohen presents argument on the Motion for Order to Preserve the Status Quo Pending a Hearing on Plaintiffs' Motion for Preliminary Injunction (document 23).

9:27 a.m. Mr. Stross presents responsive argument.

The Court makes findings and conclusions of law.

ORDERED: The Motion for Order to Preserve the Status Quo Pending a Hearing on Plaintiffs' Motion for Preliminary Injunction (document 23) is GRANTED as stated on the record. The franchisees may continue operating. The Defendant company will take no action whatsoever to terminate these franchisees. Plaintiffs shall continue to pay their royalties. This order shall remain in effect until further order of Court.

ORDERED: Neither side shall present any further press releases with respect to the matter of Bob Baber & Ryan Baber.

9:35 a.m. Mr. Klein makes statements concerning delivery of product.

Counsel discuss with the Court the time needed to complete discovery.

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ORDERED: A Preliminary Injunction Hearing is set for February 12, 13, and 14, 2007, commencing at 9:00 a.m., in courtroom A-802. Discovery may be conducted up to and including February 8, 2007.

ORDERED: The TSA website regarding donations for Mr. Baber shall be taken down.

9:42 a.m. Court in Recess

Total time in Court 0:27; hearing concluded