

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
**Judge Edward W. Nottingham**

Nel Steffens, Deputy Clerk  
Therese Lindblom, Court Reporter

Date: May 30, 2007

Civil Action No. 07-cv-01018-EWN-MEH

Parties:

AUTONATION HOLDING  
CORPORATION,

Plaintiff,

v.

DRIVETIME CAR SALES, INC.,

Defendant.

Counsel:

Michael Dommermuth, Michael McGloin,  
Robert Shaughnessy, and Kyle Davenport

Daniel Reilly, Kent Modesitt, Douglas  
Olson, April Wurster, and James Fazio

---

**COURTROOM MINUTES**

---

**Hearing Regarding Motion for Preliminary Injunction**

**9:04 a.m.** Court in session.

Court's findings regarding motion to dismiss or transfer. Court finds that proceedings on these matters in this court would be duplicative of ongoing proceedings in the Arizona court.

**ORDERED: 1. Defendant's Motion to Dismiss, Stay or Transfer This Action Under the First-to-File Rule (#21, filed May 24, 2007) is GRANTED in part and DENIED in part. It is granted in that this matter will be transferred to the United States District Court for the District of Arizona for determination by that court as to whether the Arizona case should be consolidated with this case.**

*Courtroom Minutes*  
*07-cv-01018-EWN-MEH*  
*Judge Edward W. Nottingham*  
*Page 2 of 2*

**ORDERED: 2. Plaintiff's Motion for Preliminary Injunction (#2, filed May 15, 2007) is DENIED as moot.**

**9:19 a.m.** Court in recess.

Hearing concluded.

Total time in court: 00:15