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

Courtroom Deputy: LaDonne Bush

Court Reporter: Kara Spitler

Date: April 7, 2010

Civil Action No. 07-cv-01104-JLK <u>Counsel:</u>

GEORGE CHRISTOPHER ASH, Andrew T. Brake

Plaintiff,

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COLORADO SPRINGS SCHOOL DISTRICT NO. 11,

Timothy L. Nemechek

Defendant.

COURTROOM MINUTES

Oral Argument on Defendant's Renewed Motion for Summary Judgment (Doc. 46)

2:05 p.m. Court in session.

Plaintiff and Richard Stull from the School District are present.

Preliminary comments by the Court.

Argument by Mr. Brake.

2:16 p.m. Argument by Mr. Nemechek.

Court's comments regarding the motion and possible settlement.

ORDERED: Defendant's Renewed Motion for Summary Judgment (Doc. 46) is denied.

The parties agree to discuss a possible settlement.

2:31 p.m. Court in recess.

Hearing concluded. Time: 00:26