

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior District Judge Richard P. Matsch**

Date: February 1, 2008
Courtroom Deputy: J. Chris Smith
FTR Technician: Kathy Terasaki

Civil Action No. 07-cv-01882-RPM

DESIREE EREMONDI,
PATTY JOHNSON,
JAMES KLODZINSKI,
PATRICIA MCCLELLAND,
JOANNE MCKINNEY,
LAURA TILLEY and
JANE WILEY,

Mathew S. Martin

Plaintiffs,

v.

PUEBLO CITY-COUNTY LIBRARY DISTRICT,
JON WALKER,
NICHOLAS GRADISAR,
JOYCE VIGIL, SEAN TAPIA,
FRANCES TERRAZAS-ALEXANDER and
DAWN S. KRUGER d/b/a Peak Surveys,

William A. Rogers, III
Andrew Peterson
Todd Drake

Defendants.

AMENDED COURTROOM MINUTES

Motions Hearing

2:03 p.m. Court in session.

Plaintiffs Laura Wiley and James Klodzinski and defendant Jon Walker present.

Court's preliminary remarks and its summary of issue before it.

2:06 p.m. Argument by Mr. Rogers [45] [20].

ORDERED: Motion to Strike Various Exhibits Attached to Plaintiffs' Response Briefs, filed December 19, 2007 [45], is granted with respect to the affidavits.

2:11 p.m. Argument by Mr. Peterson [21].

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2:14 p.m. Argument by Mr. Martin.

ORDERED: Plaintiffs' second claim of Conspiracy to Deny First Amendment Rights is dismissed.

2:26 p.m. Argument by Mr. Drake [23].

ORDERED: Pueblo City-County Library District's Motion to Dismiss, filed October 26, 2007 [20], denied.

ORDERED: Motion to Dismiss Defendants Joyce Vigil, Sean Tapia and Frances Terrazas-Alexander, filed October 26, 2007 [21], is denied.

ORDERED: Defendant Jon Walker's Partial Motion to Dismiss, filed October 26, 2007 [22], is denied.

ORDERED: Defendant Nicholas Gradisar's Motion to Dismiss, filed October 26, 2007 [23], is denied.

ORDERED: Scheduling Conference set for March 28, 2008 at 10:00 a.m.

Court states qualified immunity defense raised by Mr. Rogers is premature.

2:29 p.m. Court in recess.

Hearing concluded. Total time: 26 min.