

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

Date: July 29, 2009  
Courtroom Deputy: J. Chris Smith  
FTR Technician: Kathy Terasaki

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Civil Action No. 07-cv-01989-RPM

STANDARD BANK, PLC,

Plaintiff,

Lee A. Russo  
Thomas Johnson  
Lindsey Dates

v.

RUNGE, INC.,  
f/k/a Runge Mining, Inc. and d/b/a Pincock, Allen & Holt,

Jay S. Horowitz  
Peter C. Forbes

Defendant.

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**COURTROOM MINUTES**

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**Hearing on Pending Motions**

**1:58 p.m. Court in session.**

Court's preliminary remarks.

1:59 p.m. Argument by Mr. Horowitz [102].

Court suggests filing a motion for summary judgment.

Mr. Horowitz concurs with Court's suggestion.

**2:35 p.m. Court in recess.**

**2:39 p.m. Court in session.**

Ms. Russo states she also agrees with Court's suggestion.

Counsel agree Colorado law applicable.

Discussion regarding scheduling.

**ORDERED: Discovery stayed.**

**ORDERED: Defendant Pincock Allen & Holt's [Partially Opposed] Motion for a Further Extension of the Deadlines Regarding Phase I Discovery Contained in the Revised Scheduling Order, filed April 10, 2009 [95], is moot.**

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**ORDERED:** Pah's Motion for an Extension of Time to Respond to Standard's Second Set of Interrogatories, filed April 17, 2009 [99], is moot.

**ORDERED:** Plaintiff's Motion for Protective Order Regarding The Depositions of Paul Hartwell, Michael Cooke, and Arnaud Stark, filed April 17, 2009 [100], is moot.

**ORDERED:** Defendant Pah's Motion Requesting That the Court Reconsider its Earlier-entered Order Respecting Pah's Discovery into "Trade Usage", filed April 24, 2009 [102], is moot.

**ORDERED:** Defendant Pincock Allen & Holt's Motion to Compel Standard Bank's Production of its Tape Recordings of Secretly Recorded Telephone Conversations Involving Standard Personnel and Concerning the Hazleton Minex, filed April 27, 2009 [104], is moot.

**ORDERED:** Pah's Request That the Court Re-schedule a Hearing upon Pending Matters and Schedule a Status Conference, filed June 22, 2009 [117], is moot.

**ORDERED:** Plaintiff Standard Bank Plc's Motion to Compel Discovery, filed July 22, 2009 [125], is moot.

**ORDERED:** Pah's [Opposed] Motion to Compel Standard to Produce Standard's Current and Former Officers for Depositions upon Oral Examination in London, England, filed July 27, 2009 [129], is moot.

**ORDERED:** Standard Bank PLC's Motion for Protective Order Regarding PAH's Attempt to Depose Standard Bank London Employees, filed July 28, 2009 [132], is moot.

2:46 p.m. Court in recess.

Hearing concluded. Total time: 48 min.

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