

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

Date: January 12, 2010
Courtroom Deputy: J. Chris Smith
FTR Technician: Kathy Terasaki

Civil Action No. 07-cv-01989-RPM

STANDARD BANK, PLC,

Plaintiff,

Lee A. Russo
Thomas Johnson

v.

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

Jay S. Horowitz
Peter C. Forbes

Defendant.

COURTROOM MINUTES

Hearing on Motions for Summary Judgment

10:00 a.m. Court in session.

Plaintiff's client representative Karin Melling present.

Court's preliminary remarks and states its summary of the case facts with respect to the pending motions.

10:30 a.m. Argument by Mr. Horowitz.
11:05 a.m. Argument by Ms. Russo.

ORDERED: Standard Bank PLC's Motion for Partial Summary Judgment on PAH's Implied Contract Affirmative Defenses, filed September 4, 2009 [135], is denied.

ORDERED: Defendant Pincock, Allen & Holt's Motion for Summary Judgment, filed September 18, 2009 [136], will be granted and a written order to be issued.

11:40 a.m. Court in recess.

Hearing concluded. Total time: 1 hr. 40 min.