

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

JUDGE PHILIP A. BRIMMER

COURTROOM MINUTES

Courtroom Deputy: Kathy Preuitt-Parks
Court Reporter: Janet Coppock

Date: May 6, 2010
Time: one hour and 56 minutes

CASE NO. 07-cv-02371-PAB-BNB

Parties

Counsel

CITY OF AURORA,

Martha Bauer

Plaintiff (s),

vs.

**PS SYSTEMS, INC.,
RAR GROUP, LLC, and
GRIMM CONSTRUCTION COMPANY,
INC.,**

Peter Gergely

Defendant (s).

MOTIONS HEARING

8:35 a.m. COURT IN SESSION

APPEARANCES OF COUNSEL.

Opening remarks by the Court indicating how this hearing will proceed.

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Plaintiff's Motion for Summary Judgment of Non-Infringement of U.S. Patent No. 6,840,710 (Doc #57), filed 10/7/08.

8:40 a.m. Argument by Ms. Bauer. Questions by the Court.

8:54 p.m. Argument by Mr. Gergely. Questions by the Court.

9:12 a.m. Rebuttal argument by Ms. Bauer.

9:19 a.m. Rebuttal argument by Mr. Gergely.

Plaintiff's Motion for Summary Judgment of Non-Infringement of U.S. Patent No. 7,192,218 (Doc #59), filed 10/8/08.

9:20 a.m. Argument by Ms. Bauer. Questions by the Court.

9:33 a.m. Argument by Mr. Gergely. Questions by the Court.

9:47 a.m. Rebuttal argument by Ms. Bauer.

9:52 p.m. Rebuttal argument by Mr. Gergely.

9:55 a.m. COURT IN RECESS

10:14 a.m. COURT IN SESSION

Plaintiff's Motion to Dismiss For Lack Of Jurisdiction (Doc #149), filed 4/12/10.

10:15 a.m. Argument by Ms. Bauer. Questions by the Court.

10:26 a.m. Argument by Mr. Gergely. Questions by the Court.

Court determines that plaintiff's motion to dismiss for lack of jurisdiction should not be limited to subject matter jurisdiction.

ORDERED: Counsel may file supplemental briefs, if they choose, limited to **10 pages**, given the fact that the Court is not limiting the motion to dismiss on the issue of subject matter jurisdiction by **May 27, 2010**.

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ORDERED: Motions taken under advisement.

ORDERED: Hearing to address infringement, equivalence theories, motion to dismiss and the order of presentation at trial is scheduled for **June 4, 2010 at 8:00 a.m.**

10:50 a.m. COURT IN RECESS

Total in court time: 116 minutes

Hearing concluded