

**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: February 11, 2009  
Time: one hour and 58 minutes

**CASE NO. 07-cv-02611-PAB-BNB**

Parties

Counsel

**ECHOSTAR SATELLITE, LLC.,**

Jeffrey Cohen  
Richard Simmons

Plaintiff (s),

vs.

**SPLASH MEDIA PARTNERS, L.P.,  
SPLASH GP, INC.,  
MARC SPARKS, and  
CHRIS KRAFT,**

Frank Visciano

Defendant (s).

**MOTIONS HEARING**

**2:05 p.m. COURT IN SESSION**

APPEARANCES OF COUNSEL. Defendant Chris Kraft is also present.

Discussion regarding how this hearing should proceed.

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**Plaintiff's Motion for Preliminary Injunctive Relief and Writs of Attachments (Doc #56), filed 11/4/08.**

**2:12 p.m.** Argument by Mr. Cohen. Questions by the Court.

**2:38 p.m.** Argument by Mr. Visciano. Questions by the Court.

**2:57 p.m.** Further argument by Mr. Cohen.

**3:09 p.m.** Further argument by Mr. Visciano.

Court states its findings and conclusions.

**ORDERED:** Plaintiff's Motion for Preliminary Injunctive Relief and Writs of Attachments (Doc #56), filed 11/4/08 is **DENIED**.

**Plaintiff's Motion for Sanctions (Doc #75), filed 1/2/09.**

**3:22 p.m.** Argument by Mr. Cohen. Questions by the Court.

**3:33 p.m.** Argument by Mr. Visciano. Questions by the Court.

Court states its findings and conclusions.

**ORDERED:** Plaintiff's Motion for Sanctions (Doc #75), filed 1/2/09 is **DENIED**.

**ORDERED:** Defendants' Motion to Strike Motion for Sanctions (Doc #82), filed 1/13/09 is **DENIED AS MOOT**.

**ORDERED:** Defendants' request for attorney fees is **DENIED**.

**4:02 p.m. COURT IN RECESS**

**Total in court time: 118 minutes**

**Hearing concluded**