

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

Date: December 30, 2009
Courtroom Deputy: J. Chris Smith
FTR Technician: Kathy Terasaki

Civil Action No. 08-cv-00144-RPM

SAN JUAN CITIZENS ALLIANCE,
COLORADO ENVIRONMENTAL COALITION,
COLORADO WILD,
OIL AND GAS ACCOUNTABILITY PROJECT, and
THE WILDERNESS SOCIETY,

Michael S. Freeman
Margaret Parish
Edward B. ZuKoski

Plaintiffs,

v.

MARK STILES, in his official capacity as
San Juan National Forest Supervisor and
BLM Center Manager of the San Juan Public Lands Center,
RICK CABLES, in his official capacity as
Regional Forester of the Rocky Mountain Region of the U.S. Forest Service,
UNITED STATES FOREST SERVICE,
CHARLES CONNER, in his official capacity as
Acting Secretary of the Department of Agriculture,
UNITED STATES BUREAU OF LAND MANAGEMENT, and
DIRK KEMPTHORNE, in his official capacity as
Secretary of the Department of Interior,

John S. Most

Defendants,

and

BP AMERICA PRODUCTION COMPANY,
ELM RIDGE EXPLORATION COMPANY, LLC,
EXOK, INC.,
PETROX RESOURCES, INC., and
XTO ENERGY INC.,

Charles L. Kaiser
Ezekiel J. Williams
Bret A. Sumner

Intervenor-Defendants.

COURTROOM MINUTES

Oral Argument

10:00 a.m. Court in session.

December 30, 2009
08-cv-00144-RPM

In-house agency counsel Phil Lowe and Ken Capps for defendants are present

Court's preliminary remarks.

10:09 a.m. Argument by Mr. Freeman.

10:54 a.m. Argument by Mr. Most.

10:59 a.m. Clarifying comments by Mr. Freeman.

11:01 a.m. Continued argument by Mr. Most.

11:34 a.m. Argument by Mr. Kaiser

12:02 p.m. Court in recess.

1:30 p.m. Court in session.

1:30 p.m. Continued argument by Mr. Kaiser.

1:34 p.m. Rebuttal argument by Mr. Freeman.

1:46 p.m. Argument by Mr. Williams.

2:20 p.m. Rebuttal argument by Mr. Freeman.

2:29 p.m. Argument by Mr. Sumner.

2:58 p.m. Rebuttal argument by Mr. Freeman.

ORDERED: Administrative Records, filed 7/30/2008 [49] and 11/26/2008 [62], are taken under advisement.

ORDERED: BP America Production Company's Partial Motion to Dismiss, filed December 17, 2008 [68], is taken under advisement.

ORDERED: Federal Defendants' Motion to Strike Plaintiffs' Notice Regarding Four Corners Air Quality Task Force Report, filed August 7, 2009 [98], is taken under advisement.

3:10 p.m. Court in recess.

Hearing concluded. Total time: 3 hrs. 42 min.