

**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: July 30, 2009
Time: 58 minutes

CASE NO. 08-cv-00495-PAB-MJW

Parties

Counsel

**REGISTRY SYSTEMS
INTERNATIONAL, Ltd.,**

Terrence Gill

Plaintiff,

vs.

KIM KEELING,

Defendant,

and

**VINCENT HAMM, KAREN HAMM,
AIM HIGH!, INC., KAIM CHIGH, LLC,**

Kenzo Kawanabe
Elizabeth Smith Titus

Defendants and Third Party
Plaintiffs,

vs.

**EDWARD J. SWEENEY, CHARLES A.
SWEENEY, and CAPITAL
NETWORKS, PTY., LTD.,**

Terrence Gill

Third-Party Defendants.

MOTIONS HEARING

1:35 p.m. COURT IN SESSION

APPEARANCES OF COUNSEL. Also present are Defendants and Third Party Plaintiffs Karen Hamm and Vincent Hamm.

Discussion how this hearing will proceed.

Court issued a Show Cause Order to satisfy that the Court has diversity jurisdiction. After reviewing the parties' responses, the Court discharges the show cause order.

Court will address Plaintiff's Objection to Magistrate Judge Decision (Doc #177), filed 6/18/09.

1:38 p.m. Argument by Mr. Gill.

1:42 p.m. Argument by Ms. Smith Titus.

ORDERED: Plaintiff's Objection to Magistrate Judge Decision (Doc #177), filed 6/18/09 is **GRANTED in PART** as follows: The objection is overruled as to the portion that requires the plaintiff to provide all production requests. Plaintiff shall produce the documents outlined on page 4 of Defendant and Third-Party Plaintiffs' Response in Opposition to Plaintiff's Objection to Judge Watanabe's Order (Doc #194), filed 7/2/09 by **August 13, 2009**.

Third Party Defendant's Motion to Amend/Correct/Modify Answer (Doc #122), filed 5/12/09.

Defendants and Third Party Plaintiffs Karen Hamm and Kaim Chigh, LLC's Motion for Summary Judgment (Doc #102), filed 3/30/09.

Defendants and Third Party Plaintiff's Motion for Partial Summary Judgment (Doc #101), filed 3/30/09.

1:46 p.m. Argument by Ms. Smith Titus. Questions by the Court.

1:58 p.m. Argument by Mr. Kawanabe. Questions by the Court.

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2:06 p.m. Argument by Mr. Gill. Questions by the Court.

2:18 p.m. Rebuttal argument by Mr. Kawanabe.

2:20 p.m. Rebuttal argument by Ms. Smith Titus.

Discussion regarding the status of the dismissal of defendant Kim Keeling.

ORDERED: Court will issue a written order on the motions for summary judgment and Third Party Defendants' motion to amend/correct modify answer

ORDERED: Jury instruction conference is scheduled for **September 10, 2009 at 1:30 p.m.** Proposed jury instructions, witness and exhibits lists are due by **5:00 p.m. on September 4, 2009.**

2:33 p.m. COURT IN RECESS

Total in court time: 58 minutes

Hearing concluded