

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Magistrate Judge Kathleen M. Tafoya**

**Civil Action No.** 08-cv-00516-PAB-KMT

FTR - Courtroom C-201

**Date:** November 9, 2010

Deputy Clerk, Nick Richards

ROBIN F. CROSS,

Dennis P. Walker

Plaintiff,

v.

THE QWEST DISABILITY PLAN, also known as  
and operating under the designation of  
Qwest Disability Services, and formerly known  
as the US West Disability Plan, and  
QWEST COMMUNICATIONS INTERNATIONAL  
INC., also known as Qwest Inc.,  
Defendants.

Elizabeth I. Kiovsky

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**COURTROOM MINUTES / MINUTE ORDER**

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**MOTION HEARING**

**Court in session: 10:23 a.m.**

Court calls case. Appearances of counsel.

Motion Hearing is set regarding Plaintiff's Verified Motion for Attorney Fees and Costs [Doc. No. 116, filed May 19, 2010].

Plaintiff oral argument.

Defense oral argument.

10:41 a.m. Sworn testimony of Plaintiff Robin F. Cross.

10:46 a.m. Sworn testimony of Mr. Shawn E. McDermott.

10:56 a.m. Cross-examination of Mr. McDermott.

11:02 a.m. Re-direct of Mr. McDermott.

Closing argument from Plaintiff.

Closing argument from Defendant.

**It is ORDERED:** Plaintiff's Verified Motion for Attorney Fees and Costs [116] is **TAKEN UNDER ADVISEMENT**. The offer of proof on the issues as outlined will be accepted as being sworn testimony of attorney Dennis P. Walker, should he have been called to the witness stand. Therefore it will be added to the affidavit information to the extent any new information exists, and the Court will consider that in determining reasonable fees. The Court will apply the Lodestar Method in its determination of reasonable fees.

**Court in Recess: 12:08 p.m.**

Hearing concluded.

Total In-Court Time 01:45

\*To obtain a transcript of this proceeding, please contact Avery Woods Reporting at (303) 825-6119.