

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Kristen L. Mix**

Civil Action No. 08-cv-00566-WDM-KLM

FTR - Reporter Deck - Courtroom C-204
Byron G. Rogers United States Courthouse
Courtroom Deputy, Nel Steffens

Date: August 11, 2009

BAYVIEW LOAN SERVICING, LLC, a
Delaware limited liability company,

Brittany A. Carver

Plaintiff,

v.

DAVID J. BOLAND, et al

Scott N. Gelman, Mark Wilson Williams,
and James P. Doherty

Defendants.

COURTROOM MINUTES / MINUTE ORDER

HEARING: MOTION HEARING on Motion to Quash Service [#140]

Court in Session: 11:01 a.m.

Court calls case. Appearance of counsel: Scott N. Gelman and Mark Wilson Williams appear for defendants Wyco Equities, Inc. and Floyd Legerski; James P. Doherty appears for defendant Jason Pankoski.

Court's opening remarks.

11:02 a.m. Defendant Jason Pankoski's witness, Janis Mitchell, called and sworn.

Direct examination by Mr. Doherty.

11:09 a.m. Cross examination by Mr. Gelman.

11:11 a.m. Witness is excused.

11:11 a.m. Defendants Wyco Equities, Inc. and Floyd Legerski's witness, Jeremy Glasoe, called and sworn.

Direct examination by Mr. Gelman.

Exhibit Identified: A

Exhibit Admitted: A

11:16 a.m. Cross examination by Mr. Doherty.

11:17 a.m. Witness is excused.

Mr. Gelman states that parties have stipulated to the admission of Exhibits B, C, and D.

Exhibits Admitted: B, C, D

11:17 a.m. Defendant Wyco Equities, Inc. and Floyd Legerski's witness, Henrietta Turner, called and sworn.

Direct examination by Mr. Gelman.

Exhibit Identified: E

Exhibit Admitted: E

11:35 a.m. Cross examination by Mr. Doherty.

11:39 a.m. Examination by Court.

11:40 a.m. Witness is excused.

11:41 a.m. Argument by Mr. Doherty.

11:45 a.m. Argument by Mr. Gelman.

Court's findings.

It is ORDERED:

1. That defendant Jason Pankoski's **Motion to Quash Service** [#140], filed May 28, 2009, is **DENIED**;
2. That the Court will award the defendants Wyco Equities, Inc. and Floyd Legerski costs and attorneys' fees incurred in connection with the hearing and orders that the attorneys for defendants Wyco Equities, Inc. and Floyd Legerski submit an affidavit as to their costs and attorneys' fees on or before August 25, 2009; and
3. That any objection(s) by defendant Jason Pankoski to the affidavit shall be submitted within ten days thereafter, on or before September 4, 2009.

HEARING CONCLUDED.

Court in recess: 12:00 p.m.

Time In Court: 00:59