

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

Date: July 15, 2009
Courtroom Deputy: J. Chris Smith
FTR Technician: Kathy Terasaki

Civil Action No. 08-cv-01291-RPM

AMKOR NATURAL GAS COMPANY,

Plaintiff,

v.

SPARK ENERGY GAS, LP, a Texas limited partnership,

Defendant.

v.

MICHAEL GREGORY, a Colorado resident,
RHETT C. SHUMWAY, a Colorado resident,
RnD ENERGY, LLC, a Colorado limited liability company and
ASGARD ENERGY, LLC, a Colorado limited liability company,

Additional Counterclaim Defendants.

Denise Riley
R. Livingston Keithley

Charles A. Greenhouse
Bethany A. Johnson

Denise Riley
Christine M Garrison

Cuneyt A. Akay

COURTROOM MINUTES

Status Conference

1:55 p.m. Court in session.

Mr. Greenhouse confirms that parties have stipulated [90] to the dismissal of the Breach of Fiduciary Duty and Fraud claims against Rhett C. Shumway and RND Energy, LLC.

ORDERED: Stipulation for Dismissal with Prejudice of Certain Claims by Spark Energy Gas LP, Against Rhett C. Shumway and RND Energy, LLC, filed July 8, 2009 [90] is approved.

Discussion and argument regarding Plaintiff Amkor Natural Gas Co.'s and Additional Counterclaim Defendant Michael Gregory's Motion for Summary Judgment as To Liability on Amkor's Claims and Dismissing Spark Energy Gas LP's Counterclaims and defendant Spark Energy Gas, LP's request for further discovery.

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ORDERED: Plaintiff Amkor Natural Gas Co.'s and Additional Counterclaim Defendant Michael Gregory's Motion for Summary Judgment as To Liability on Amkor's Claims and Dismissing Spark Energy Gas, LP's Counterclaims, filed July 2, 2009 [86], is denied in part and Spark Energy Gas, LP will file a response to the remainder of the motion which is limited to the relationship between Amkor and Spark Energy by August 4, 2009. Plaintiff permitted to file a reply.

ORDERED: Spark Energy Gas, Lp's Motion to Continue Ruling on Motion for Summary Judgment Pursuant to F.R.C.P. 56(f), filed July 14, 2009 [94], is resolved pursuant to Court's ruling.

Further discussion regarding discovery.

Court states discovery is to be conducted pursuant to the Scheduling Order and requests for modifications will be by the filing of a motion.

2:25 p.m. Court in recess.

Hearing concluded. Total time: 30 min.