

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
HONORABLE MARCIA S. KRIEGER**

Courtroom Deputy: Patricia Glover
Court Reporter: Paul Zuckerman

Date: June 5, 2009

Civil Action No. 08-cv-01693-MSK-KLM

Parties:

Counsel Appearing:

MUSE JAMA,
JOSE ERNESTO IBARRA,
DENNIS MICHAEL SMITH, and
SAMUEL POWELL MOORE,

Mark Silverstein
Taylor Pendergrass
Ty Cheung Gee

Plaintiff,

v.

CITY AND COUNTY OF DENVER,
MARK DALVIT, a detective with the Denver Police
Department, in his individual capacity,
CURT PETERSON, an officer with the Denver Police
Department, in his individual capacity,
JOHN BISHOP, an officer with the Denver Police
Department, in his individual capacity,
C.A.M., whose true name is unknown, a law enforcement
officer working for the City and County of Denver, in his
or her individual capacity,
CHOICE JOHNSON, an officer with the Denver Police
Department, in his individual capacity,
ANDREW RICHMOND, an officer with the Denver Police
Department, in his individual capacity, and
PAUL ORTEGA, a sergeant with the Denver Sheriff
Department, in his individual capacity,

Stuart Shapiro
L. Douglas Jewell
Sonja McKenzie
Thomas Rice

Defendants.

COURTROOM MINUTES

HEARING: Law and Motion

3:04 p.m. Court in session

The Court addresses Motion to Sever.

Argument by Mr. Rice on behalf of all defendants and Mr. Gee on behalf of plaintiffs.

ORDER: Defendants' Motion to Sever (**Doc. #19**) is **DENIED** with leave to renew at the time the ruling on the dispositive motion has been made

The Court addresses Defendant City and County of Denver's Motion to Set Aside (**Doc. #110**)

Argument by counsel Shapiro and Gee.

ORDER: Defendant's Motion to Set Aside the judgment in favor of Plaintiff Davis is **DENIED**.

The Court addresses Defendant's Objections (**Doc. #166**) to the Magistrate Judge's April 27, 2009 Order (**Doc# 153**) granting Carlos Sanchez's Motion to Intervene (**Doc. # 117**).

No further argument.

ORDER: the Defendants' objections are overruled and the Court affirms the Magistrate Judge's Order (**Doc. #153**) permitting Mr. Sanchez's intervention.

The Court addresses Defendants' Objections (**# 168**) to the Magistrate Judge's April 29, 2009 Order (**# 155**) granting in part the Plaintiffs' Motion for Approval to Disclose Discrete Statements Made In a Settlement Conference (**# 130**).

No further argument.

ORDER: the Defendants objections are overruled solely because they are moot

The Court addresses Plaintiffs' Renewed Motion to Strike (**# 180**).

No further argument.

ORDER: The Plaintiffs' Motion to Strike (**Doc. #180**) is **DENIED** as moot.

4:16 p.m. Court in recess.
Total Time: 1 hour 12 minutes.
Hearing concluded.