

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

Date: December 8, 2010
Courtroom Deputy: J. Chris Smith
FTR Technician: Bernique Abiakam

Civil Action No. 08-cv-02112-RPM

RICHARD (Chance) LEOFF,

Plaintiff,

Jay S. Horowitz

v.

S and J LAND COMPANY, a Colorado Limited Liability Company,

Defendant.

Joseph C. Coleman

COURTROOM MINUTES

Oral Arguments

9:59 a.m. Court in session.

Plaintiff and Steven Finger are present.

Court statements regarding its review of recent pleadings filed.

Mr. Coleman states defendant opposes adding Mr. Finger as a defendant re: [137].

Mr. Coleman answers questions asked by the Court regarding related litigation issues concerning with the potential sale of the property.

Argument by Mr. Coleman.

Court's findings as stated on record.

ORDERED: Plaintiff Richard "Chance" Leoff's Opposed Motion for Leave to File His Second Amended Complaint to add Steven Finger as a defendant, filed December 6, 2010 [137], is denied. The motion is granted as to the Seventh Claim for Relief as to defendant S&J Land Company to conform to the evidence at trial.

10:21 a.m. Plaintiff's closing argument by Mr. Horowitz.

10:56 a.m. Argument by Mr. Coleman.

Discussion regarding proposed order and sale of property.

ORDERED: Property to be sold. Counsel shall confer and submit a proposed order as directed on record by December 17, 2010.

11:51 a.m. Court in recess. Hearing concluded. Total time: 1 hr. 52 min.