

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

Date: July 21, 2009  
Courtroom Deputy: J. Chris Smith  
FTR Technician: Kathy Terasaki

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Civil Action No. 09-cv-00509-RPM

GERDA CLARK, Daniel G. Kay

Plaintiff,

v.

UNITED STATES OF AMERICA and  
W. HARRIS GOVERNMENT SERVICE CONTRACTORS, INC.,

Marcy E. Cook  
John M. Lebsack

Defendants.

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**COURTROOM MINUTES**

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**Hearing on Motion to Dismiss**

**2:46 p.m. Court in session.**

Court's preliminary remarks and its summary of the case.

2:49 p.m. Argument by Ms. Cook.

**ORDERED: Defendant United States of America's Motion to Dismiss Amended Complaint, filed 6/24/2009 [27], is denied.**

Court admonishes Ms. Cook citing 28 U.S.C. § 1927.

Discussion regarding defendant W. Harris Government Service Contractors as a party, current condition of plaintiff and defendants anticipated answers.

**2:54 p.m. Court in recess.**

Hearing concluded. Total time: 8 min.