

**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-00687-RPM

DEXTEL J. SIMMONS,  
  
Plaintiff,

John F. McBride

v.

JOHN E. POTTER, Postmaster General,  
United States Postal Service,  
  
Defendant.

Marcy E. Cook

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**COURTROOM MINUTES**

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**Hearing on Defendant's Motion for a More Definite Statement**

**1:56 p.m. Court in session.**

Court's preliminary remarks and its comments regarding the pleadings filed by counsel for plaintiff.

1:58 p.m. Mr. McBride answers questions asked by the Court.

2:00 p.m. Ms. Cook states there is no administrative exhaustion issue and defendant will file an answer to the Amended Complaint [11].

**ORDERED: Defendant's Motion for a More Definite Statement, filed 6/1/2009 [6], is moot based on the filing of the Amended Complaint.**

**2:02 p.m. Court in recess.**

Hearing concluded. Total time: 6 min.