

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

Courtroom Deputy: Patricia Glover
Court Reporter: Paul Zuckerman

Date: March 26, 2012

Civil Action No. 09-cv-00832-MSK-MEH

Parties:

TARA WOODS LIMITED PARTNERSHIP,

Counsel:

Dan Rosen
Tammy Pust
Jean Arnold

Plaintiff,

v.

FANNIE MAE, and
EICHLER, FAYNE & ASSOCIATES, a/k/a
EF&A Funding, L.L.C. d/b/a Alliant Capital,
L.L.C.,

Frank Visciano
Mai Pham Robertson

Defendants.

COURTROOM MINUTES

HEARING: Bench Trial - Day One

1:43 p.m. Court in session

Andrew Grossman, Rosann Juracek and Nick Forrette are present as the parties' corporate representatives.

Preliminary matters addressed by the Court.

Stipulations of fact recited by Mr. Visciano for the record.

EXHIBITS: RECEIVED: 1-3; 7-9; 11-13; 16, 20, 23, 34, 42-45; 48-51; 53-56; 58-60; 65-67; 69-76; 79-85; 88-121; 123; 126-127; 129-133; 136-139; 140-153; 154; 156-157; 160-165; 167-170; 171-179; 181; 183-186; 187-200; 203-207; 209-211; 214-215; 216-222; 240; 244; 246-248; 250-251; 255-256; 272-273; 302-303; 305; 309; 373-377; 386; 405; 702-705; 707-709; 712-713; 720-721; 724-726; 728; 730-736; 741; 744; 746; 753-754; 756-758; 760-761; 780; 782; 783; 803-804;

806; 808; 813; 815-818; 820-822; 825-833; 835-836; 837-840 (all
by stipulation);

Opening statement by Mr. Rosen for the plaintiff.

3:07 p.m. Court in recess
3:23 p.m. Court in session

Opening Statement by Mr. Visciano for the defendant.

Witness sworn for the plaintiff : Kurt Barkman :
3:53 p.m. Direct Examination by Mr. Rosen.

The Court addresses defendant's Motion for Attorney Fees (**Doc. #285**).

Argument.

ORDER: Defendant's Motion for Attorney Fees (**Doc. #285**) is **GRANTED**, requiring the posting of either a bond or the sum of \$25,000 to be paid into the registry of the Court by close of business tomorrow, March 27, 2012, 5:00 p.m.

4:54 p.m. Court in recess.

Total Time: 2 hours 55 minutes.
Trial continued.