

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
SENIOR JUDGE JOHN L. KANE**

Courtroom Deputy: Bernique Abiakam
Court Reporter: Tracy Weir

Date: November 21, 2011

Civil Action No.: 09-cv-00938-JLK-KMT (consolidated with 10-cv-00765-JLK-KMT)

Parties:

Counsel:

JAMES P. TENNILLE, et al.,

Plaintiffs,

Richard J. Burke
Seth A. Katz
Jonathan N. Shub

v.

THE WESTERN UNION COMPANY, et al.,

Defendants.

Jason A. Yurasek

COURTROOM MINUTES

Oral Argument

10:04 a.m. Court in session.

Court calls case. Counsel present.

Argument to be heard regarding Doc. No. 56.

Preliminary remarks by the Court.

10:07 a.m. Argument by Mr. Yurasek.

10:44 a.m. Court in recess.

10:55 a.m. Court in session.

10:56 a.m. Rebuttal argument by Mr. Burke.

11:19 a.m. Further argument by Mr. Yurasek.

11:27 a.m. Comments and rulings by the Court.

ORDERED: Defendant Western Union Financial Services, Inc.'s Motion To Compel Arbitration And Stay Proceedings Pending Arbitration (Filed 6/7/11; Doc. No. 56) is DENIED.

ORDERED: The existing STAY of non-arbitration related to discovery is REOPENED.

ORDERED: The parties shall meet and confer and submit an amended scheduling order setting a schedule for the completion of class action and merit based discovery, dispositive motion deadline, and expert witnesses, as specified.

11:42 a.m. Court in recess.

Hearing concluded.

Total time in court: 1 hour 32 minutes.