

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
CHIEF JUDGE WILEY Y. DANIEL**

Courtroom Deputy: Robert R. Keech
E.C.R./Reporter: Therese Lindblom

Date: March 22, 2010

Civil Action No: **09-cv-01340-WYD-CBS**

Counsel:

JACK P. KATZ,

Kenneth A. Wexler
Lee Squitieri

Plaintiff,

v.

ERNEST A. GERARDI, JR., et al.,

Alex C. Myers
Jonathan D. Polkes
Ashish D. Gandhi

Defendants.

COURTROOM MINUTES

MOTIONS HEARING

2:07 p.m. Court in Session

APPEARANCES OF COUNSEL.

Court's opening remarks.

2:08 p.m. Discussion regarding another case before Judge Robert E. Blackburn.

Defendants' Motion to Dismiss Amended Class Action Complaint [doc. #32], filed September 21, 2009, is raised for argument.

2:10 p.m. Argument by Defendants (Mr. Polkes).

2:35 p.m. Argument by Plaintiff (Mr. Squitieri).

3:14 p.m. Argument by Defendants (Mr. Polkes).

ORDERED: Defendants' Motion to Dismiss Amended Class Action Complaint [doc. #32], filed September 21, 2009, is **TAKEN UNDER ADVISEMENT.**

3:21 p.m. Discussion regarding the status of the case going forward.

3:27 p.m. Court in Recess - HEARING CONCLUDED

TOTAL TIME: 1:20