

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

JUDGE PHILIP A. BRIMMER

COURTROOM MINUTES

Courtroom Deputy: Kathy Preuitt-Parks
Court Reporter: Janet Coppock

Date: September 8, 2009
Time: 5 hours and 49 minutes

CASE NO. 09-cv-02052-PAB

Parties

Counsel

**ALLISON MAYNARD, and
GERALD LEWIS,**

Pro Se
Pro Se

Plaintiff (s),

vs.

**COLORADO SUPREME COURT
OFFICE OF THE ATTORNEY
REGIONAL COUNSEL, et al,**

Maurice Knaizer
James Coyle

Defendant (s).

HEARING ON MOTION FOR PRELIMINARY INJUNCTION

9:07 a.m. COURT IN SESSION

APPEARANCES OF COUNSEL for defendants.

Plaintiffs' Motion for Preliminary Injunction (Doc #2), filed 8/27/09.

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Discussion regarding Ms. Maynard's failure to comply with the Court's Practice Standards in submitting her witness and exhibit lists.

Court will hear argument as to the applicability of Rooker-Feldman to plaintiffs' challenges of the 2007, 2008 and 2009 disciplinary matters.

9:16 a.m. Argument by Ms. Maynard. Questions by the Court.

9:36 a.m. Statement by Mr. Lewis.

9:38 a.m. Argument by Mr. Knaizer. Questions by the Court.

Court states its findings and concludes under the Rooker-Feldman doctrine, the Court is prohibited from reviewing both claims decided by a state court and that the claims are inextricably intertwined with a prior state court judgment.

Counsel and the plaintiffs waive opening statements.

9:54 a.m. Direct testimony of plaintiff Alison Maynard.

Plaintiffs' **exhibit 40** identified, offered and ADMITTED for purposes of these proceedings, over objection by Mr. Knaizer.

Plaintiffs' **exhibits 1 through 39** (inclusive) are offered and ADMITTED for purposes of these proceedings.

10:42 a.m. COURT IN RECESS

11:02 a.m. COURT IN SESSION

Direct testimony of plaintiff Alison Maynard continues.

Testimony regarding Plaintiffs' exhibit 13 which was admitted under seal. Mr. Knaizer expresses his concerns regarding the confidentiality of that exhibit and objects to it remaining under seal and its admission. Court will take the objection under advisement.

12:09 p.m. COURT IN RECESS

1:14 p.m. COURT IN SESSION

Court concludes plaintiffs' exhibit 13 will remain under seal.

Direct testimony of plaintiff Alison Maynard continues.

1:59 p.m. Cross examination by Mr. Knaizer.

Defendants' **exhibit A3** identified, offered and ADMITTED for purposes of these proceedings.

Defendants **exhibits A through Z, A1, A2 and A4 through A8** are offered. Objection by Ms. Maynard.

Ms. Maynard is directed to review defendants' exhibits and which ones she objects to during the afternoon break.

2:55 a.m. COURT IN RECESS

3:10 p.m. COURT IN SESSION

Court addresses Ms. Maynard's objections.

ORDERED: Ms. Maynard's objection to the admission of Defendants' exhibit D is sustained. All other objections are overruled.

Defendants' **exhibits A through C, E through A2, A4 and A8** are ADMITTED for purposes of these proceedings.

3:15 p.m. Redirect testimony by the plaintiff Alison Maynard.

3:19 p.m. Direct testimony by plaintiff Gerald Lewis.

3:35 p.m. Mr. Knaizer orally motions the Court to deny plaintiffs' Motion for Preliminary Injunction and argues in support of that motion.

3:51 p.m. Argument by Ms. Maynard.

4:06 p.m. Comments by Mr. Lewis.

4:08 p.m. COURT IN RECESS

4:49 p.m. COURT IN SESSION

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Court states its findings and conclusions.

ORDERED: Plaintiffs' Motion for Preliminary Injunction (Doc #2), filed 8/27/09 is
DENIED.

ORDERED: Plaintiffs' Motion for Temporary Restraining Order (Doc #14), filed 9/4/09
is **DENIED as MOOT.**

5:17 p.m. **COURT IN RECESS**

Total in court time: 349 minutes

Hearing concluded