

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Senior District Judge Richard P. Matsch**

Date: November 19, 2010  
Courtroom Deputy: J. Chris Smith  
FTR Technician: Kathy Terasaki

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Civil Action No. 09-cv-02311-RPM

MICHAEL CACIOPPO,

Brice A. Tondre

Plaintiff,

v.

THE TOWN OF VAIL, COLORADO and  
DARREN ANDERSON

Josh A. Marks  
Eric M. Ziporin

Defendants.

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**COURTROOM MINUTES**

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**Hearing on Pending Motions**

**3:03 a.m. Court in session.**

Court's preliminary remarks.

Counsel answers questions asked by the Court regarding the applications / process records.

Argument by counsel.

**ORDERED: Plaintiff's Motion for Leave to File Second Amended Complaint filed October 18, 2010 [30] and [32], is granted but not the proposed amended complaint attached (omit factual allegation in paragraph 32).**

**ORDERED: Supplemental discovery permitted.  
Counsel to submit a revised proposed scheduling order.**

**ORDERED: Defendant Anderson's Motion to Quash, filed October 5, 2010 [26], is denied. Nicoletti to produce all records pursuant to the subpoena as instructed on record.**

**ORDERED: Plaintiff's Motion for In Camera Inspection and Reclassification of Documents, filed October 18, 2010 [29] and [31], is granted.**

**ORDERED: Unopposed Motion to Vacate Dispositive Motion Deadline, filed November 2, 2010 [40], is granted.**

**3:25 p.m. Court in recess.** Hearing concluded. Total time: 22 min.