

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

Date: April 22, 2010  
Courtroom Deputy: J. Chris Smith  
FTR Technician: Kathy Terasaki

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Civil Action No. 09-cv-02398-RPM

DAVID K. PANICO and  
JANICE L. PANICO,

David H. McConaughy  
Christopher D. Bryan

Plaintiffs,

v.

STATE FARM FIRE AND CASUALTY COMPANY,  
  
Defendant.

Marc R. Levy  
Scot C. Kreider

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**COURTROOM MINUTES**

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**Hearing on Motions for Summary Judgment**

**1:56 p.m. Court in session.**

Plaintiffs present.

Court's preliminary remarks.

2:02 p.m. Argument by Mr. Bryan.

**Court's findings as stated on record.**

**ORDERED: Plaintiffs' Motion for Determination of Law On Duty To Defend, filed January 11, 2010 [9], is denied.**

**ORDERED: Defendant's Cross Motion for Summary Judgment On Duty To Defend, filed January 11, 2010 [8], is granted and the case is dismissed.**

**2:21 p.m. Court in recess.**

Hearing concluded. Total time: 25 min.