

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

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Courtroom Deputy: Ellen E. Miller  
E.C.R./Reporter: Tammy Hoffschildt

Date: January 24, 2013

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Civil Action No: **09-cv-02757-WYD-KMT**

Counsel:

**COLORADO CROSS-DISABILITY  
COALITION, et al.,**

Plaintiffs,

v.

**ABERCROMBIE & FITCH CO., et al.,**

Defendants.

Amy F. Robertson  
Kevin W. Williams  
Andrew C. Montoya  
Timothy P. Fox

Mark A. Knueve  
Gregory A. Eurich

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**COURTROOM MINUTES**

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**MOTION HEARING**

10:07 a.m. Court in Session

APPEARANCES OF COUNSEL.

Court's opening remarks.

Plaintiffs' Motion for Summary Judgment and Entry of Injunction and Entry of Judgment (ECF Doc. No. 162), filed April 27, 2012, and Defendants' Motion for Summary Judgment or, in the Alternative, to Vacate August 31, 2011 Order (ECF Doc. No. 164), filed May 3, 2012, are raised for argument.

10:29 a.m. Argument by Defendants (Mr. Knueve).

10:46 a.m. Argument by Plaintiffs (Ms. Robertson).

11:01 a.m. Comments and questions by the Court.

**ORDERED:** Plaintiffs' Motion for Summary Judgment and Entry of Injunction and Entry of Judgment (ECF Doc. No. **162**), filed April 27, 2012, is **GRANTED**, for reasons as set forth on the record. Although the motion is granted, the Court is not imposing an actual injunction at this time. An injunction, in its written form, will issue at a future date.

**ORDERED:** Defendants' Motion for Summary Judgment or, in the Alternative, to Vacate August 31, 2011 Order (ECF Doc. No. **164**), filed May 3, 2012, is **DENIED** in its entirety, for reasons as set forth on the record. The Court reaffirms its August 31, 2011 Order (ECF Doc. No. 109).

**ORDERED:** As set forth on the record, Plaintiffs shall file a proposed order addressing both ECF Doc. Nos. 162 and 164 with the Court not later than **Friday, February 8, 2013**.

**ORDERED:** Within forty-five (45) days of today's date, the parties shall meet and confer to determine if they can resolve this case with a settlement or reach an agreement on the remedy/remedies subject to the Defendants maintaining whatever legal rights they choose to maintain. Then, Plaintiffs shall file proposed findings of fact and conclusions of law (proposed order) as to the Injunction. Should the parties be unable to reach agreement as to an acceptable remedy/remedies, the parties are directed to request a hearing.

**11:29: a.m.** Court in Recess - HEARING CONCLUDED.

**TOTAL TIME: 01:22**