

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

JUDGE PHILIP A. BRIMMER

COURTROOM MINUTES

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

Date: February 2, 2010  
Time: one hour and 38 minutes

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**CASE NO. 09-cv-03038-PAB-KLM**

Parties

Counsel

**LEWIS JACKSON MITCHAM, and  
MARSHAL J. MITCHAM,**

Pro Se

Petitioners,

vs.

**NATIONSTAR MORTGAGE, LLC,  
ANTHONY H. BARONE, President and  
CEO, and  
MARGARET T. CHAPMAN, Public  
Trustee, Jefferson County, and  
all persons unknown, claiming any  
legal or equitable right, title, estate,  
lien, or interest in the property  
described in the complaint adverse to  
Petitioners' title or any cloud upon  
Petitioners' title thereto,**

Craig D. Joyce  
Heather Deere

Respondents.

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**HEARING ON MOTION FOR TEMPORARY RESTRAINING ORDER**

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**2:03 p.m. COURT IN SESSION**

APPEARANCES OF COUNSEL for the respondent Nationstar Mortgage, LLC.

**Petitioners' Verified Emergency Motion for Temporary Restraining Order and Motion for Preliminary Injunction (Doc #10), filed 1/22/10.**

**Petitioners' Supplement/Amendment to Petitioners' Verified Emergency Motion for Temporary Restraining Order and Motion for Preliminary Injunction (Doc #16), filed 1/29/10.**

Court sets forth the four factors that would entitle the petitioners to a temporary restraining order and requests the parties address those four factors.

**2:08 p.m.** Argument by Mr. Mitcham. Questions by the Court.

**2:14 p.m.** Argument by Mr. Joyce. Questions by the Court.

**2:35 p.m.** Further argument by Mr. Mitcham. Further questions by the Court.

Mr. Mitcham tenders petitioners' response to respondent Nationstar Mortgage, LLC's motion to dismiss.

**3:00 p.m.** Further argument by Mr. Joyce. Further questions by the Court.

Discussion regarding addressing both the request for temporary restraining order and preliminary injunction at this hearing.

**ORDERED:** Without objection from either side, the Court will consider both the request for a temporary restraining order and for a preliminary injunction, which are decided under the same standard.

Court states its findings and conclusions.

**ORDERED:** Petitioners' Verified Emergency Motion for Temporary Restraining Order and Motion for Preliminary Injunction (Doc #10), filed 1/22/10 is **DENIED**.

**ORDERED:** Petitioners' Supplement/Amendment to Petitioners' Verified Emergency Motion for Temporary Restraining Order and Motion for Preliminary Injunction (Doc #16), filed 1/29/10 is **DENIED**.

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**3:41 p.m. COURT IN RECESS**

**Total in court time: 98 minutes**

**Hearing concluded**