

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
JUDGE RAYMOND P. MOORE**

Courtroom Deputy: Cathy Pearson
Court Reporter: Tammy Hoffschildt

Date: December 23, 2014

CASE NO. 11-cv-01907-RM-KMT

ELECTROLOGY LABORATORY, INC.,
RAY FLUKEN,
JODY RIGGS FLUKEN, and
JESSICA RIGGS,

Harold Bruno, III

Plaintiffs,

v.

LARRY PAUL KUNZE, a/k/a Lorenzo Kunze,
a/k/a Lorenzo Blackstone Kunze, M.E.,
d/b/a American Laser College, d/b/a The Laser College,
LARRY PAUL KUNZE, JR., a/k/a Lorenzo Kunze, Jr.,

Peter Goldstein

Defendants.

COURTROOM MINUTES

MOTIONS HEARING

COURT IN SESSION: 9:04 a.m.

Court calls case. Appearances of counsel. James Wooll is present for dismissed party Rethink the Ink, LLC.

Court's initial remarks.

9:09 a.m. Argument given by Mr. Bruno and Mr. Wooll and discussion held regarding Plaintiff's Motion for Order to Show Cause Why Defendant, Rethink The Ink, LLC, Should Not Be Held In Contempt (Doc. 171, filed 2/21/13) and Rethink The Ink's Motion for Sanctions against Plaintiff, Electrology Laboratory, Inc. (Doc. 175, filed 3/14/13).

Mr. Bruno tenders to the Court Plaintiff's Exhibit 2 regarding Plaintiff's Motion for Order to Show Cause.

Court's findings.

ORDERED: Plaintiff's Motion for Order to Show Cause Why Defendant, Rethink The Ink, LLC, Should Not Be Held In Contempt (Doc. 171, filed 2/21/13) and Rethink The Ink's Motion for Sanctions against Plaintiff, Electrology Laboratory, Inc. (Doc. 175, filed 3/14/13) are **DENIED** as stated on the record.

9:40 a.m. James Wooll is excused from the remainder of this hearing.

Discussion held regarding the issue of jurisdiction.

ORDERED: On or before January 15, 2015, counsel shall file simultaneous briefs on whether or not the third-party claims are properly before this Court under FRCP 14. The briefs shall not exceed five (5) pages, excluding signature page and certificate of mailing.

10:01 a.m. Argument given by Mr. Goldstein and discussion held regarding Defendants' and Third-Party Plaintiffs' Combined Motion for Summary Judgment Dismissing Plaintiff's Third Claim for Relief and Memorandum Brief in Support Thereof (Doc. 203, filed 5/22/14).

10:20 a.m. Court in recess.

10:31 a.m. Court in session.

Continued argument given by Mr. Goldstein regarding the Motion for Summary Judgment.

Mr. Bruno tenders to the Court Plaintiff's Exhibit 1 regarding the Motion for Summary Judgment.

10:36 a.m. Argument given by Mr. Bruno and discussion held regarding the Motion for Summary Judgment.

11:11 a.m. Further argument given by Mr. Goldstein.

11:16 a.m. Further argument given by Mr. Bruno.

The Court takes the matter under advisement.

COURT IN RECESS: 11:20 a.m.
Total in court time: 2:05
Hearing concluded