

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

Date: March 6, 2013  
Courtroom Deputy: J. Chris Smith  
FTR Technician: Kathy Terasaki

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Civil Action No. 11-cv-02030-RPM

DIANE DAVID,  
  
Plaintiff,

Darold W. Killmer  
Tiffany J. Drahota

v.

SIRUS COMPUTER SOLUTIONS,  
  
Defendant.

William D. Nelson  
David M. Hyams

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**COURTROOM MINUTES**

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**Hearing on Motion for Summary Judgment**

**1:58 p.m. Court in session.**

Defendant's client representative Justin Sobey present.

Court's preliminary remarks and states its understanding of the case based on its review of the pleadings.

2:05 p.m. Mr. Nelson describes business model of the defendant.

Argument by Mr. Nelson.

2:31 p.m. Argument by Mr. Killmer.

2:49 p.m. Rebuttal argument by Mr. Nelson.

**ORDERED: Defendant's Motion for Summary Judgment [32] / [34], is denied with respect to negligent and fraudulent misrepresentations claims and granted with respect to the promissory estoppel claim.**

Discovery is reopened for 60 days (May 6, 2013).

**2:55 p.m. Court in recess.**

Hearing concluded. Total time: 57 min.