

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

Date: February 15, 2013
Courtroom Deputy: J. Chris Smith
FTR Technician: Kathy Terasaki

Civil Action No. 11-cv-02584-RPM

KEVIN STRINGER,
RYAN O'NEILL,
JOAQUIN MARTINEZ,
CHRISTOPHER ANDERSON, and
WILLIAM LEGER III, individually and
on behalf of all others similarly situated,

Plaintiffs,

v.

THE UNITED STATES OF AMERICA,

Defendant.

L. Daniel Rector
Kimberly P. Everette

Scott A. Risner

COURTROOM MINUTES

Hearing on Motion for Class Certification

2:00 p.m. Court in session.

Defendant's representative Major Wayne Williams present.

Court's preliminary remarks and statement regarding the issue of commonality.

2:04 p.m. Argument by Mr. Rector.

Mr. Rector clarifies its class definition to only the Army branch of the U.S. Armed Forces.
Ms. Everette states her client adopts Mr. Rector's argument.

2:24 p.m. Argument by Mr. Risner.

2:43 p.m. Rebuttal argument by Mr. Rector.

2:51 p.m. Further argument by Mr. Risner

Court and counsel agree that both sides will each select one Colorado resident plaintiff to serve as test cases. Mr. Risner will file applicable Administrative records and plaintiffs' counsel may file a motion for leave to supplement the records if necessary.

ORDERED: Plaintiffs' Motion for Class Certification [51], is deferred.

2:55 p.m. Court in recess. Hearing concluded. Total time: 55 min.