

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

Courtroom Deputy: Robert R. Keech
E.C.R./Reporter: Terri Lindblom

Date: June 11, 2014

Civil Action No: **11-cv-02990-WYD-KLM**

Counsel:

SCOTT BURKE, et al.,

Donna E. Dell'Olio

Plaintiffs,

v.

ALTA COLLEGES, INC.,

Noah A. Finkel
William M. Ojile, Jr.

Defendant.

COURTROOM MINUTES

MOTION HEARING

2:04 p.m. Court in Session

APPEARANCES OF COUNSEL.

Court's opening remarks.

Defendant Westwood's Motion for Summary Judgment on the Claims of Plaintiff Scott Burke and Opt-in Plaintiffs Steven Levine and Nicholas Hruby [ECF Doc. No. 115], filed November 14, 2013, is raised for argument.

2:08 p.m. Argument by Defendant (Mr. Finkel).

2:18 p.m. Argument by Plaintiffs (Ms. Dell'Olio).

2:36 p.m. Argument by Defendant (Mr. Finkel).

Court makes findings.

ORDERED: Defendant Westwood's Motion for Summary Judgment on the Claims of Plaintiff Scott Burke and Opt-in Plaintiffs Steven Levine and Nicholas Hruby [ECF Doc. No. 115], filed November 14, 2013, is **DENIED**.

Plaintiffs' Motion to Modify the Scheduling Order for Good Cause [ECF Doc. No. 141], filed May 14, 2014; and Plaintiffs' Motion to Amend Complaint to Join Opt-In Plaintiffs as Parties to the Action [ECF Doc. No. 142], filed May 14, 2014, are raised for argument.

2:50 p.m. Argument by Plaintiffs (Ms. Dell'Olio).

3:00 p.m. Argument by Defendant (Mr. Finkel).

3:03 p.m. Argument by Plaintiffs (Ms. Dell'Olio).

ORDERED: Plaintiffs' Motion to Modify the Scheduling Order for Good Cause [ECF Doc. No. 141], filed May 14, 2014, is **GRANTED**.

ORDERED: Discovery cutoff set for **Friday, August 29, 2014**.

ORDERED: Plaintiffs' Motion to Amend Complaint to Join Opt-In Plaintiffs as Parties to the Action [ECF Doc. No. 142], filed May 14, 2014, is **GRANTED**.

ORDERED: A 7-day bench trial is set to commence on **Monday, December 1, 2014, at 9:00 a.m., in Courtroom A-1002**.

ORDERED: Trial preparation conference is set for **Tuesday, October 28, 2014, at 2:00 p.m., in Courtroom A-1002**.

ORDERED: Proposed findings of fact and conclusions of law shall be filed not later than **Monday, October 20, 2014**.

ORDERED: Parties shall file stipulations of facts not later than **Monday, October 20, 2014**.

ORDERED: Revised final pretrial order shall be submitted not later than **Monday, June 30, 2014**.

3:18 p.m. Court in Recess - HEARING CONCLUDED.

TOTAL TIME: 1:14