

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge William J. Martínez

Courtroom Deputy: Deborah Hansen
Court Reporter: Gwen Daniel

Date: November 15, 2012

Civil Action No. 12-cv-00048-WJW

Counsel:

NATIONAL SKI AREAS ASSOCIATION, INC.,

Plaintiff,

Ezekiel J. Williams
Christopher S. Mills
Steven K. Imig

v.

UNITED STATES FOREST SERVICE, an
agency of the United States Department of
Agriculture,
UNITED STATES DEPARTMENT OF
AGRICULTURE, and
HARRIS SHERMAN, Under Secretary for
Natural Resources and Environment of United
States Department of Agriculture,

Barclay T. Samford
Lois Witte

Defendants.

COURTROOM MINUTES

ORAL ARGUMENT

11:00 a.m. Court in Session

Appearances

Court's comments

This matter is before the Court for oral argument on the issues and claims raised by the Plaintiff in its Amended Complaint.

11:07 Argument by Mr. Williams

Court's colloquy with Mr. Williams

11:44 Argument by Mr. Samford

Court's colloquy with Mr. Samford

12:18 Reply Argument by Mr. Williams

The Court addresses two pending motions:

Defendants' Motion To Strike Exhibits Two and Four from Plaintiff's Opening Brief (ECF No. 29) and Plaintiff's Motion to Supplement the Record (ECF No. 40).

12:24 Argument by Mr. Williams

12:29 Argument by Mr. Samford

ORDERED Defendants' Motion To Strike Exhibits Two and Four from Plaintiff's Opening Brief (ECF No. 29) is **GRANTED IN PART AND DENIED IN PART**. The Motion is **DENIED** with respect to Exhibit Two to Plaintiff's Opening Brief (ECF No. 15). The Motion is **GRANTED** with respect to Exhibit Four. Exhibit Four to Plaintiff's Opening Brief (ECF No. 15) is **STRICKEN**.

ORDERED: Plaintiff's Motion to Supplement the Record (ECF No. 40) is **GRANTED**.

ORDERED: On or before Monday, November 26, 2012, the parties shall submit proposed findings of fact, conclusions of law and final judgment.

ORDERED: Matter taken under advisement.

12:36 p.m. Court in Recess
Hearing concluded
Time: one hour and 36 minutes