

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

Date: October 7, 2014
Courtroom Deputy: J. Chris Smith
FTR Technician: Kathy Terasaki

Civil Action No. 12-cv-00928-RPM

VRC, LLC.,
a Colorado Limited Liability Company,

Kerry H. Wallace

Plaintiff,

v.

RCR Vail, LLC.,
a Colorado Limited Liability Company,
LARRY PETERSON,
an individual residing in Colorado and
SILFER, SMITH & FRAMPTON / VAIL ASSOCIATES REAL ESTATE, LLC.,
a Delaware Limited Liability Company,

Annie T. Kao

Curtis W. Shortridge

Defendants.

COURTROOM MINUTES

Hearing on Motions for Summary Judgment

2:00 p.m. Court in session.

Defendant Peterson present.

Court's preliminary remarks.

ORDERED: Plaintiff's First Claim for Relief Violation of 15 U.S.C.S. §1703 (a)(2)(D) of the Interstate Land Sales Full Disclosure Act vs. RCR Vail is dismissed as barred by the statute of limitations.

Plaintiff's Tenth, Eleventh and Twelfth Claims for Relief for Violations of C.R.S. 6-1-105(1)(e), (i) and (u) of the Colorado Consumer Protection Act vs. RCR Vail, are dismissed as failure to show significant public impact.

2:05 p.m. Argument by Mr. Shortridge [67].

Court's comments regarding partial summary judgment.

2:07 p.m. Argument by Ms. Kao [67].

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2:34 p.m. Argument by Ms. Wallace.

2:51 p.m. Rebuttal argument by Ms. Kao

Statements by Mr. Shortridge

ORDERED: Defendants Slifer Smith and Frampton – Vail Associates Real Estate, LLC and Larry Peterson’s Motion for Partial Summary Judgment [66], is taken under advisement.

Defendant RCR Vail, LLC's Motion for Summary Judgment [67], is taken under advisement with respect to claims two through nine and thirteen through sixteen.

2:55 p.m. Court in recess.

Hearing concluded. Total time: 55 min.