

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

Date: November 1, 2013
Courtroom Deputy: J. Chris Smith
FTR Technician: Kathy Terasaki

Civil Action No. 12-cv-01570-RPM

HAROLD CUNNINGHAM,
CARLTON DUNBAR,
JOHN W. NARDUCCI JR.,
JEREMY PINSON,
JOHN J. POWERS,
ERNEST NORMAN SHAIFER, and
MARCELLUS WASHINGTON,
Each individually and on behalf of all others similarly situated,

Edwin P. Aro
Robert P. Taylor
Maurice A. Leiter

And

CENTER FOR LEGAL ADVOCACY,
d/b/a the Legal Center for People With Disabilities and
Older People, Colorado's Protection and Advocacy
System,

Plaintiffs,

v.

FEDERAL BUREAU OF PRISONS,
Defendant.

Amy L. Padden
Marcy E. Cook

COURTROOM MINUTES

Hearing on Motion for Partial Summary Judgment

1:57 p.m. Court in session.

Counsel for the ADX Kaitlin Turner and Clay Cook and CLA Mark Ivendick and Chester Chapman are present in the courtroom.

Court's preliminary remarks.

Counsel agree there is no dispute or challenge that there is no federal grant money being used in the prosecution of this case.

Argument by Mr. Leiter.

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Argument by Ms. Padden.
Rebuttal argument by Mr. Leiter.

Court instructs Ms. Padden to file a stipulation regarding mootness in the event of transfer of named plaintiffs.

ORDERED: Plaintiffs' Motion for Partial Summary Judgment [92], is taken under advisement.

Statements by Mr. Aro re [121] Status Report.

Discussion regarding scheduling.

ORDERED: Defendant's stipulation due November 15, 2013.

Court states it will grant an extension of time on the deadline for plaintiffs' motion class certification upon the filing of a motion or stipulation.

2:30 p.m. Court in recess.

Hearing concluded. Total time: 33 min.