

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

Date: March 5, 2013
Courtroom Deputy: J. Chris Smith
FTR Technician: Kathy Terasaki

Civil Action No. 12-cv-02252-RPM

KASEL ASSOCIATES INDUSTRIES, INC., and
RAYMOND J. KASEL,

Plaintiffs,

v.

CITY AND COUNTY OF DENVER,
JUDY MONTERO,
STEPHANIE SYNER,
DOUGLAS LINKHART,
GARY J. LASSWELL,
SHARON BROWN,
EMILY VONSWEARINGEN,
MICHAEL ENSINGER, and
UNKNOWN EMPLOYEES AND
AGENTS OF THE CITY AND COUNTY OF DENVER,

Defendant.

Phillip Parrott
Richard O. Campbell
Margaret R. Pflueger

Joseph M. Rivera

Randall J. Paulsen
No appearance
No appearance

COURTROOM MINUTES

Hearing on Pending Motions

2:02 p.m. Court in session.

Plaintiff Raymond J. Kasel and Kevin O'Toole are present.

Court's preliminary remarks.

ORDERED: Phillip Parrott appearance for plaintiffs is accepted.

2:04 p.m. Argument by Mr. Parrott.
2:20 p.m. Argument by Mr. Rivera.
2:28 p.m. Argument by Mr. Paulsen.
2:32 p.m. Rebuttal argument by Mr. Parrott.

ORDERED: City Defendants' Motion to Dismiss Plaintiffs' [5] Amended Complaint [18], is granted with respect to the 1983 claim and all other claims are dismissed without prejudice.

ORDERED: Defendant Sharon Brown's Motion to Dismiss the Sixth, Eighth and Ninth Claims for Relief Pursuant to Fed.R.Civ.Pro. 12(b)(6) and Motion for Definite Statement as to the Eighth Claim Relief Pursuant to Fed.R.Civ.Pro. 12(e) [16], is moot.

2:40 p.m. Court in recess. Hearing concluded. Total time: 38 min.