

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
JUDGE RAYMOND P. MOORE**

Courtroom Deputy: Nick Richards
Court Reporter: Terri Lindblom

Date: March 6, 2014

CASE NO. 12-cv-02987-RM-MJW

Parties

BUCK HOWARD, and
PAT MARTIN, Individually and On Behalf of
All Others Similarly Situated,

Plaintiffs,

v.

J&A SERVICES, L.L.C.,
TEXAS J&A SERVICES, L.L.C.,
JAMES WHITELEY, and
ANN MARIE WHITELEY,

Defendants.

Counsel

Galvin Bernard Kennedy
Brian David Gonzales

Jonathan M. Allen
Michael E. Lindsay

COURTROOM MINUTES

MOTION HEARING

COURT IN SESSION: 1:28 p.m.

Court calls case. Appearances of counsel.

Motion Hearing called regarding Joint Motion for Dismissal Without Prejudice [Doc. No. 88, filed January 27, 2014] and Joint Motion for Approval of Settlement Agreement [Doc. No. 89, filed January 28, 2014].

Discussion regarding Joint Motion for Dismissal Without Prejudice [88].

ORDERED: Joint Motion for Dismissal Without Prejudice [88] is **TAKEN UNDER ADVISEMENT**.

Discussion regarding further conditions for dismissal of Mr. Mark Turner.

ORDERED: Mr. Turner may file a new lawsuit against Defendants within 60 days of the date of an order on the motion.

Plaintiffs' counsel shall attempt to serve Mr. Tuner by mail at his last known address and by email upon receipt of the order on the motion, 20 days from the date of the order, and 40 days from the date of the order.

Counsel shall file a certificate of compliance with the Court after the last service on Mr. Turner.

Discussion regarding Joint Motion for Approval of Settlement Agreement [89].

ORDERED: Joint Motion for Approval of Settlement Agreement [89] is **DENIED WITHOUT PREJUDICE**. The parties shall resubmit the motion with the corrections as noted on the record.

ORDERED: Plaintiffs' Motion to Compel Discovery Responses [Doc. No. 83, filed December 19, 2013] and Plaintiffs' Motion for Partial Summary Judgment and Statement of Facts [Doc. No. 85, filed December 31, 2013] are **MOOT**.

COURT IN RECESS: 2:07 p.m.

Total in court time: 00:39

Hearing concluded