

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
SENIOR JUDGE WILEY Y. DANIEL**

Courtroom Deputy: Robert R. Keech
E.C.R./Reporter: Janet Coppock

Date: September 17, 2014

Civil Action No: **13-cv-00399-WYD-KLM**

Counsel:

**BITUMINOUS CASUALTY
CORPORATION,**

John A. Husmann
Steven R. Kabler

Plaintiff,

v.

**FRONT RANGE EXCAVATING, INC., et
al.,**

Jeremy A. Sitcoff
Elisabeth L. Owen

Defendants.

COURTROOM MINUTES

MOTION HEARING

10:03 a.m. Court in Session

APPEARANCES OF COUNSEL.

Court's opening remarks and review of the history of the case.

Plaintiff's Motion for Summary Judgment as to Counts I and II of Bituminous' Complaint for Declaratory Judgment [ECF Doc. No. 46], filed March 7, 2014, is raised for argument.

10:13 a.m. Argument by Plaintiff (Mr. Husmann).

10:19 a.m. Argument by Defendants (Ms. Owen).

10:50 a.m. Argument by Plaintiff (Mr. Husmann).

11:04 a.m. Argument by Defendants (Ms. Owen).

11:05 a.m. Argument by Plaintiff (Mr. Husmann).

11:18 a.m. Argument by Defendants (Ms. Owen).

ORDERED: Plaintiff's Motion for Summary Judgment as to Counts I and II of Bituminous' Complaint for Declaratory Judgment [ECF Doc. No. 46], filed March 7, 2014, is **TAKEN UNDER ADVISEMENT.**

11:19 a.m. Court in Recess - HEARING CONCLUDED.

TOTAL TIME: 1:16