

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
SENIOR JUDGE JOHN L. KANE**

Courtroom Deputy: Bernique Abiakam  
Court Reporter: Janet Coppock

Date: September 18, 2013

Civil Action No. 13-cv-00962-JLK

Parties:

ELBRAM STONE, LLC,  
  
Plaintiff,

Counsel:

Jeffrey W. McCoy  
Steven J. Lechner

v.

UNITED STATES FOREST SERVICE;  
DAVID FRANCOMB, Acting District Ranger,  
Aspen-Sopris Ranger District, White River  
National Forest;  
SCOTT FITZWILLIAMS, Forest Supervisor,  
White River National Forest; and  
DANIEL JIRON, Regional forester, Rocky  
Mountain Region, U.S. Forest Service,

Juan G. Villasenor

Defendants.

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**COURTROOM MINUTES**

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**Oral Argument**

**10:04 a.m Court in session.**

Court calls case. Appearances of counsel and parties. Also present, Kenneth Capps (agency counsel) and Amy Ellis (law clerk).

Preliminary remarks by the Court.

Today's argument heard on Doc. No. 14.

10:05 a.m. Argument by Mr. Villasenor.

13-cv-00962-JLK  
Oral Argument  
September 18, 2013

10:12 a.m. Argument by Mr. McCoy.

10:26 a.m. Rebuttal argument by Mr. Villasenor.

Comments by the Court.

**ORDERED: Defendants' Motion To Dismiss For Lack Of Jurisdiction, And For Failure To Exhaust Administrative Remedies (Filed 7/22/13; Doc. No. 14) is taken UNDER ADVISEMENT.**

**10:28 a.m. Court in recess.**

Hearing concluded.

Time: 00:24