

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
CHIEF JUDGE MARCIA S. KRIEGER**

Courtroom Deputy: Patricia Glover
Court Reporter: Terri Lindblom

Date: April 9, 2014

Civil Action No. 13-cv-01300-MSK-MJW

Parties:

COLORADO OUTFITTERS ASSOCIATION;
COLORADO FARM BUREAU;
NATIONAL SHOOTING SPORTS
FOUNDATION;
MAGPUL INDUSTRIES;
USA LIBERTY ARMS;
OUTDOOR BUDDIES, INC.;
WOMEN FOR CONCEALED CARRY;
COLORADO STATE SHOOTING
ASSOCIATION;
HAMILTON FAMILY ENTERPRISES, INC.,
d/b/a FAMILY SHOOTING CENTER AT
CHERRY CREEK STATE PARK;
DAVID STRUMILLO;
DAVID BAYNE;
DYLAN HARRELL;
ROCKY MOUNTAIN SHOOTERS SUPPLY;
2ND AMENDMENT GUNSMITH & SHOOTER
SUPPLY, LLC;
BURRUD ARMS INC. D/B/A JENSEN ARMS;
GREEN MOUNTAIN GUNS;
JERRY'S OUTDOOR SPORTS;
GRAND PRIX GUNS;
SPECIALTY SPORTS & SUPPLY; and
GOODS FOR THE WOODS;

Plaintiffs

v.

JOHN W. HICKENLOOPER, Governor of the
State of Colorado,

Defendant.

Counsel:

Peter J. Krumholz
Richard A. Westfall
Douglas L. Abbott

Marc F. Colin

Anthony J. Fabian

David B. Kopel

Matthew D. Grove
Kathleen L. Spalding
Stephanie L. Scoville
LeeAnn Morrill

COURTROOM MINUTES

HEARING: Bench Trial - Day Eight

8:48 a.m. Court in session

Counsel present as listed above.

Continued cross examination of witness Douglas Fuchs by Mr. Colin.

Re-direct examination of witness by Ms. Spalding.

The Court addresses plaintiffs' motions in *limine* (**Doc. #148, #150**).

Argument.

ORDER: Plaintiff's motion in *limine* (**Doc. #150**) is **DENIED**. Plaintiff's motion in *limine* (**Doc. #148**) is **WITHDRAWN**.

Witness sworn for the defendant: Jeffrey Zax:

9:56 a.m. Direct examination of witness by Mr. Grove.

10:24 a.m. Court in recess

10:53 a.m. Court in session

Continued direct examination of witness by Mr. Grove.

EXHIBITS: Received: 66, 67, 68, 69, 70, 59, 60, 61, 62, 63, 65

Counsel stipulate to facts as read into and reflected on the record.

12:08 p.m. Court in recess

1:46 p.m. Court in session

Witness called out of order:

Witness sworn for the defendant: Andrew Logan:

1:47 p.m. Direct examination of witness by Ms. Scoville.

Cross examination of witness by Mr. Fabian.

No re-direct examination of witness.

Continued direct examination of witness Jeffrey Zax by Mr. Grove resumes.

EXHIBITS: Received: 78, 73

Cross examination of witness by Mr. Krumholz.

3:14 p.m. Court in recess
3:41 p.m. Court in session

Continued cross examination of witness by Mr. Grove.

Re-direct examination of witness by Mr. Krumholz

Witness sworn for the defendant: Randy Hampton:
4:45 p.m. Direct examination of witness by Ms. Scoville.

Cross examination of witness by Mr. Fabian.

No redirect examination of witness.

Plaintiff makes a proffer regarding the evidentiary issue that arose during Mr. Zak's testimony.

EXHIBITS: Received: 140

The Court addresses rebuttal testimony and closing arguments to take place tomorrow.

5:14 p.m. Court in recess

Total Time: 5 hours 52 minutes.
Trial continued.