

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

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Courtroom Deputy: Nick Richards  
Court Reporter: Tammy Hoffschildt

Date: August 9, 2013

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**CASE NO. 13-cv-01751-RM-CBS**

Parties

STEAK N SHAKE ENTERPRISES, INC.,  
and  
STEAK N SHAKE, LLC,

Plaintiffs,

v.

GLOBEX COMPANY, LLC,  
SPRINGFIELD DOWNS, INC.,  
CHRISTOPHER BAERNS,  
LARRY BAERNS,  
KATHRYN BAERNS, and  
CONTROL, LLC,

Defendants.

Counsel

Andrew M. Unthank  
Kimberly Briggs Still  
Fredric A. Cohen

Scott Thomas Kannady

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**COURTROOM MINUTES**

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**MOTION HEARING**

**COURT IN SESSION: 1:28 p.m.**

Court calls case. Appearances of counsel. Tonya Sallee and Kyle Whitney present with Plaintiff's counsel. Defendant Christopher Baerns present with counsel.

Motion Hearing called regarding Defendants' Motion for a Temporary Restraining Order [Doc. No. 22, filed August 8, 2013].

**1:30 p.m.** Opening remarks by the Court.

The Court reminds the parties that the hearing regarding Steak N Shake Enterprises,

Inc. and Steak N Shake, LLC's Motion for Preliminary Injunction and Memorandum of Law in Support [Doc. No. 11, filed July 19, 2013] will proceed as scheduled on August 23, 2013 at 9:00 a.m.

**1:40 p.m.** Oral argument by Mr. Kannady.

**1:45 p.m.** Oral argument by Mr. Cohen.

**2:09 p.m.** Response by Mr. Kannady.

**2:21 p.m.** Reply by Mr. Cohen.

**COURT IN RECESS: 2:29 p.m.**

**COURT IN SESSION: 2:45 p.m.**

**2:45 p.m.** Findings by the Court.

**ORDERED:** Defendants' Motion for a Temporary Restraining Order [22] is **DENIED** as stated on the record.

**COURT IN RECESS: 2:57 p.m.**

**Total in court time: 1:13**

**Hearing concluded**