

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior District Judge Richard P. Matsch**

Date: August 26, 2015
Courtroom Deputy: Robert R. Keech
FTR Technician: Kathy Terasaki

Civil Action No. **14-cv-01237-RPM**

Counsel:

UET RR, LLC,

Bruce A. Featherstone
Elizabeth M. Bryans

Plaintiff,

v.

**BENJAMIN D. COMIS,
TALANDA SYKES,
K3B PARTNERS, ULC,
BARRY W. COMIS,
FALCON CREEK ASSET
MANAGEMENT, INC.,
RKB INVESTMENTS, LTD.,**

John F. Reha
David J. Caras

Defendants.

COURTROOM MINUTES

MOTION HEARING

1:56 p.m. Court in session.

Court calls case.

Appearances of counsel.

ORDERED: Plaintiff's Unopposed Request and Motion for Judicial Notice in Connection with Response to Motion to Dismiss [ECF Doc. No. 92], filed May 12, 2015, is **GRANTED as an additional submission of pleaded facts, but the Court will not take judicial notice.**

ORDERED: Motion to Stay Discovery on Behalf of Defendants Benjamin D. Comis, K3B Partners ULC, Barry W. Comis, Falcon Creek Asset Management Inc., RKB Investments, Ltd., Richard K. Brugger, K. Todd Hicks and Viero Group, Inc. [ECF Doc. No. 85], filed March 23, 2015, is **DENIED**.

Motion to Dismiss of Defendants Benjamin D. Comis, K3B Partners ULC, Barry W. Comis, Falcon Creek Asset Management Inc., RKB Investments, Ltd., Richard K. Brugger, K. Todd Hicks and Viero Group, Inc. [ECF Doc. No. 82], filed March 10, 2015, is raised for argument.

2:05 p.m. Argument by Plaintiff by Mr. Featherstone.

2:30 p.m. Argument by Defendants by Mr. Reha.

2:39 p.m. Argument by Plaintiff by Mr. Featherstone.

ORDERED: Motion to Dismiss of Defendants Benjamin D. Comis, K3B Partners ULC, Barry W. Comis, Falcon Creek Asset Management Inc., RKB Investments, Ltd., Richard K. Brugger, K. Todd Hicks and Viero Group, Inc. [ECF Doc. No. 82], filed March 10, 2015, is **TAKEN UNDER ADVISEMENT**.

Court indicates a written order shall follow.

2:53 p.m. Court in recess.

Hearing concluded. Total time: 57 min.