

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

Date: October 22, 2015
Courtroom Deputy: Emily Buchanan
FTR Technician: Deborah Hansen

Civil Action No. 15-cv-00922-RPM

Counsel:

REBECCA ARNDT,
NICOLE BALDWIN,
CATHY BUCKLEY,
STACEY CLARK,
DONYA DAVIS,
JULIE GARRETT,
CAROLYN GRAVES,
SAMANTHA LEMBERGS,
JENNIFER LEWIS,
GERALDINE PRING,
MAGDALENA SANTOS, and
TERRY THRUMSTON,

Donna Dell'Olio
Ian Kalmanowitz

Plaintiffs,

v.

CITY OF COLORADO SPRINGS,

David Powell
Stephen Rotter

Defendant.

COURTROOM MINUTES

MOTION HEARING on Human Performance Systems, Inc.'s Motion to Quash and/or Modify Subpoena

9:28 a.m. Court in session.

Marilyn Doig for movant Human Performance Systems, Inc. is present.

9:30 a.m. Ms. Dell'Olio answers Court's questions regarding depositions, the subpoena issued to Human Performance Systems, Inc., the officers' names, and coding the performance information.

9:36 a.m. Ms. Doig answers Court's questions regarding the protective order and coding the officers' performance information.

ORDERED: Human Performance Systems, Inc.'s Motion to Quash and/or Modify Subpoena (Doc. No. 27) is **DENIED**. Parties shall proceed in accordance with the procedure Ms. Dell'Olio outlined. The information will be provided for attorneys' eyes only and will be coded.

9:39 a.m. Ms. Dell'Olio answers Court's questions regarding the amended complaint, Plaintiffs' Motion for Preliminary Injunction, and the status of plaintiffs and the P.A.T. test.

9:44 a.m. Mr. Powell answers Court's questions regarding plaintiffs' P.A.T. test and setting a hearing on Plaintiffs' Motion for Preliminary Injunction.

ORDERED: Defendant's Motion for Extension of Time to Respond to Plaintiffs' Motion for Preliminary Injunction (Doc. No. 39) is **DENIED**, as no brief is required. Defendant has up to and including **November 9, 2015** to submit its expert report.

ORDERED: Defendant's Oral Motion for Leave to Conduct Limited Discovery is **DENIED**. Defendant does not need to depose plaintiffs' experts, but may cross examine them in court.

ORDERED: A Preliminary Injunction Hearing is set for **November 23, 2015 at 9:00 a.m.** regarding Plaintiffs' Motion for Preliminary Injunction (Doc. No. 35). Counsel shall be present at **8:30 a.m.**

9:50 a.m. Court in recess.

Hearing concluded. Total time: 22 minutes.