

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

Date: December 11, 2015
Courtroom Deputy: Emily Buchanan
FTR Technician: Kathy Terasaki

Civil Action No. 15-cv-01003-RPM

Counsel:

RK MECHANICAL, INC., and
THE UNITED STATES FOR THE USE OF
RK MECHANICAL, INC.,

Buck Beltzer

Plaintiffs,

v.

CENTERRE CONSTRUCTION, INC.,
MATSUO ENGINEERING CENTERRE
CONSTRUCTION A JOINT VENTURE,
LLC,
BERKLEY REGIONAL INSURANCE
COMPANY, and
BERKLEY SURETY GROUP, LLC,

Edward DeLisle

Defendants.

COURTROOM MINUTES

MOTION HEARING

2:23 p.m. Court in session.

2:25 p.m. Mr. Beltzer answers questions regarding claims, plaintiffs' contention as to the root cause of the construction delays, and mediation.

2:31 p.m. Mr. DeLisle answers questions regarding claims, a case pending in the Court of Federal Claims, the claim against Centerre being arbitrated, and mediation.

2:39 p.m. Mr. Beltzer responds and answers questions regarding discovery related to arbitration.

2:44 p.m. Mr. DeLisle responds and answers questions regarding arbitration.

ORDERED: Defendants' Motion to Dismiss, or in the Alternative, Stay, Plaintiffs' Claims Pending Completion of Alternative Dispute Resolution Procedures (Doc. No. 18) is **DEEMED MOOT**, as a motion to dismiss the amended complaint was filed.

ORDERED: Defendants' Motion to Dismiss the Amended Complaint, or in the Alternative, Stay, Plaintiffs' Claims Pending Completion of Alternative Dispute Resolution Procedures (Doc. No. 22) is **DENIED**.

ORDERED: Parties shall proceed with arbitration. The remainder of the case is stayed. A formal order to enter.

2:46 p.m. Court in recess.

Hearing concluded. Total time: 23 minutes.