

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

Date: September 10, 2015
Courtroom Deputy: Robert R. Keech
FTR Technician: Kathy Terasaki

Civil Action No. **15-cv-01180-RPM**

Counsel:

EVANS WAREHOUSE, LLC,

Perry L. Glantz

Plaintiff,

v.

**SHERYL TRENT and
THE CITY OF EVANS, COLORADO, a
Home Rule Municipality,**

Jonathan A. Cross
Sean J. Lane

Defendants.

COURTROOM MINUTES

MOTION HEARING: Defendants' Motion to Dismiss [ECF Doc. No. 16], filed July 20, 2015

1:54 p.m. Court in session.

Court calls case.

Appearances of counsel.

Defendants' Motion to Dismiss [ECF Doc. No. 16], filed July 20, 2015, is raised for argument.

1:56 p.m. Argument by Defendants by Mr. Lane.

2:00 p.m. Argument by Plaintiff by Mr. Glantz.

ORDERED: Defendants' Motion to Dismiss [ECF Doc. No. 16], filed July 20, 2015, is **GRANTED IN PART and DENIED IN PART**. The motion is **GRANTED** with respect to defendant Cheryl Trent with respect to qualified immunity and **DENIED** as to the remainder of the motion.

ORDERED: The Stay Order is **VACATED** and the case shall go forward.

ORDERED: Defendant shall file an answer.

2:07 p.m. Court in recess.

Hearing concluded. Total time: 13 minutes.