

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

Date: December 29, 2015  
Courtroom Deputy: Bernique Abiakam  
FTR Technician: Kathy Terasaki

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Civil Action No.: 15-cv-01898-RPM

NV5, INC., formerly known as Nolte Associates, Inc., Armando Y. Aguilar

Plaintiff,

v.

KL&A, INC., and  
WARE MALCOMB,

Robert J. Zavaglia, Jr.  
Katherine Condit

Defendants.

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**COURTROOM MINUTES**

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**Motions Hearing**

**9:59 a.m. Court in session.**

Court calls case. Appearances of counsel. Also present, Michael Bohn.

Court's preliminary remarks.

10:01 a.m. Argument by Mr. Zavaglia, Jr. Questions by the Court.

10:11 a.m. Argument by Mr. Aguilar. Questions by the Court.

10:30 a.m. Argument by Mr. Zavaglia, Jr. Questions by the Court.

**ORDERED: Plaintiff NV5, Inc.'s Motion To Stay Proceedings Pending Arbitration (Filed 11/5/15; Doc. No. 25) is GRANTED through mediation, not arbitration. If mediation isn't successful, a scheduling conference will be set.**

Further argument by Mr. Aguilar. Questions by the Court.

**10:39 a.m. Court in recess.** Hearing concluded. Total time: 40 minutes.