

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Chief Judge Edward W. Nottingham

Nel Steffens, Deputy Clerk
Therese Lindblom, Court Reporter

Date: September 14, 2007

Civil Action No. 92-cv-00870-EWN
[Consolidated for all purposes with Civil Action No. 96-cv-00343]

Parties:

Counsel:

JESSE F. MONTEZ, *et al.*,

Paula Greisen, Edward Ramey, and Terrance
Carroll

Plaintiffs,

v.

BILL RITTER, *et al.*,

Elizabeth McCann, James Quinn, and Jess
Dance

Defendants.

COURTROOM MINUTES

Motions Hearing

9:01 a.m. Court in session.

Appearances of counsel.

Discussion regarding which motions are being handled by Judge Kane and which by this court.
Motions #2234 and #2245 will be handled by this court.

Discussion regarding the class motion for clarification of standards, #2245.

ORDERED: **Plaintiff Class Motion for Clarification on Standards Used to Determine Disability Status (#2245, filed September 6, 2006) is GRANTED. Court declares that defendants have to create a special class of individuals who are not disabled with devices under Sutton,**

but who would be disabled absent those devices, and those individuals are to receive special treatment under the remedial plan. Money damages are to be determined by the Special Master.

Further discussion regarding composition of special class of individuals.

Discussion regarding medical co-pay statute with regard to special class per above. Discussion includes those with chronic conditions, especially those with diabetes.

Further discussion regarding which issues will be handled by Judge Kane.

Continued discussion regarding co-pays.

Court directs counsel to file a status report by September 19, 2007.

9:51 a.m. Court in recess.

Hearing concluded.

Total time in court: 00:50