

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
JUDGE DANIEL D. DOMENICO**

Civil Action No.: 23-cv-00939-DDD-SKC
Courtroom Deputy: Robert R. Keech

Date: April 24, 2023
Court Reporter: Julie Thomas

Parties:

BELLA HEALTH AND WELLNESS,
DENISE "DEDE" CHISM,
ABBY SINNETT, and
KATHLEEN SANDER, on behalf of themselves
and their patients,

Plaintiffs,

v.

PHIL WEISER, in his official capacity as
Attorney General of Colorado;
ROLAND FLORES,
AMANDA MIXON,
JENNIFER BLAIR,
BECKETT CZARNECKI,
ROBERT M. MAULITZ,
SAUGHAR SAMALI,
ALAN E. SHACKELFORD,
KIELY M. SCHULTZ,
AMY E. COLEN,
ANITA KUMAR,
DONALD LEFKOWITS,
MAIDUL MEHMUD,
KIAN MODANLOU,
SCOTT C. STRAUSS,
CHRISTOPHER A. BATES,
JULIE ANN HARPER, and
HIEN H. LY, in their official capacity as
members of the Colorado Medical Board;
BERNARD JOSEPH FRANTA,
LORI RAE HAMILTON,
KARRIE TOMLIN,
LENNY ROTHERMUND,

Counsel:

Mark L. Rienzi
Daniel M. Vitagliano
Rebekah P. Ricketts
Laura W. Slavis

Michael T. Kotlarczyk
Brian J. Urankar
Abigail M. Hinchcliff
Elizabeth V. Kenny
David E. Hughes
Andrew D. Ringel
Ann B. Tomsic

HAYLEY HITCHCOCK,
ALISSA M. SHELTON,
PHYLLIS GRAHAM-DICKERSON,
BRANDY VALDEZ MURPHY,
DIANE REINHARD,
NICHELE BRATTON, and
AECIAN PENDLETON, in their official capacity
as members of the Colorado State
Board of Nursing;
JOHN KELLNER, in his official capacity
as District Attorney of the 18th Judicial
District of Colorado;
MICHAEL DOUGHERTY, in his official
capacity as District Attorney of the 20th
Judicial District of Colorado; and
BETH McCANN, in her official capacity as
District Attorney of the 2nd Judicial District
of Colorado,

Defendants.

COURTROOM MINUTES

HEARING ON PRELIMINARY INJUNCTION

9:35 a.m. Court in session.

Appearances of counsel.

Court's opening remarks.

9:42 a.m. Opening statement by Plaintiffs by Ms. Ricketts.

9:47 a.m. Opening statement by Defendants by Mr. Kotlarczyk.

9:50 a.m. Plaintiffs' witness **Denise Mary "Dede" Chism** sworn.

Cross examination by Defendants by Ms. Kenny.

Exhibit(s) identified: 6

10:11 a.m. Re-direct examination by Plaintiffs by Ms. Ricketts.
Exhibit(s) identified: 3

Exhibits 1-12 and 101-106 RECEIVED.

10:23 a.m. Defendants' witness **Samuel Delp** sworn.

Cross examination by Plaintiffs by Mr. Rienzi.
Exhibit(s) identified: 102

10:43 a.m. Re-direct examination by Defendants by Mr. Urankar.

10:47 a.m. Re-direct examination by Defendants by Ms. Tomsic.

10:54 a.m. Re-cross examination by Plaintiffs by Mr. Rienzi.

10:55 a.m. Defendants' witness **Natalie Hanlon Leh** sworn.

Cross examination by Plaintiffs by Mr. Rienzi.
Exhibit(s) identified: 10

11:11 a.m. Re-direct examination by Defendants by Ms. Hinchcliff.

11:15 a.m. Court in recess.

12:10 p.m. Court in session.

12:10 p.m. Argument by Plaintiffs by Mr. Rienzi.

12:38 p.m. Argument by Defendants by Mr. Kotlarczyk.

1:11 p.m. Argument by Plaintiffs by Mr. Rienzi.

1:22 p.m. Argument by Defendants by Mr. Kotlarczyk.

ORDERED: [7] Plaintiffs' Emergency Motion for Preliminary Injunction is **TAKEN UNDER ADVISEMENT.**

Court indicates a written order shall follow.

1:23 p.m. Court in recess. Hearing concluded. Total in court time: 2:53

CLERK'S NOTE: EXHIBITS WERE RETURNED TO COUNSEL AT THE CONCLUSION OF THE HEARING.