

COLORADO COURT OF APPEALS
Court Address: 2 East Fourteenth Ave.
Denver, Colorado 80202

District Court, City and County of Denver, Colorado
Case No. 2013 CV 32444
Hon. Herbert L. Stern III, District Court Judge

Plaintiffs/Appellants FRIENDS OF DENVER
PARKS, INC., a Colorado non-profit corporation; and
STEVE WALDSTEIN, an individual; and ZELDA
HAWKINS, an individual.

Defendants/Appellees: CITY & COUNTY OF
DENVER, a municipal corporation; and SCHOOL
DISTRICT NO. 1 IN THE CITY AND COUNTY OF
DENVER, a public entity; and DEBRA JOHNSON, in
her capacity as clerk and recorder of the City and
County of Denver.

Attorneys for Plaintiffs/Appellants:
John Case, # 2431
Benson & Case, LLP
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Case No.: 13CA1249

MOTION TO SUPPLEMENT THE RECORD

Appellants, by and through counsel, BENSON & CASE, LLP, pursuant to
C.A.R. 10(e), respectfully submit this Motion to Supplement the Record. In support
thereof, Appellants state as follows:

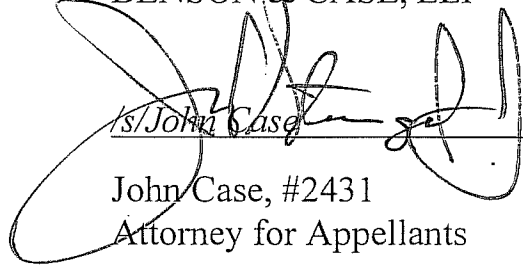
1. This case involves an appeal from the trial court's denial of the Appellant's Motion for Preliminary Injunction.
2. Appellants filed their Designation of Record on July 5, 2013.
3. Since Appellants' Designation of Record was filed, additional proceedings have been conducted which bear on the parties positions in this case.
4. Specifically, a Status Conference was held on September 19, 2013 at which the trial court issued verbal rulings on Appellants' then outstanding motions.
5. The Status Conference was audio-recorded. Appellants have requested and received a certified copy of the transcript of the conference
6. Because the Status Conference was not held until after Appellant's Designation of Record was filed, the transcript is not part of the record on appeal.
7. Because the events that occurred at the Status Conference bear on the parties' positions in this case, the Status Conference transcript should be a part of the record on appeal.
8. Appellants will deliver a certified copy of the Status Conference transcript to the clerk's office immediately upon receipt of this court's ruling.

WHEREFORE, Appellant's respectfully request that this court grant its Motion to Supplement the Record with the transcript of the Status Conference held in the trial court on September 19, 2013.

Date: October 3, 2013.

Respectfully submitted,

BENSON & CASE, LLP


~~/s/ John Case~~ # 38275
John Case
Attorney for Appellants

CERTIFICATE OF SERVICE

I hereby certify that on October 3, 2013 I served and filed the foregoing **MOTION TO SUPPLEMENT THE RECORD** as follows:

Clerk of the Colorado Court of Appeals
2 East 14th Ave., Third Floor
Denver, CO 80203

Via ICCES

Clerk of the Denver District Court
1437 Bannock Street
Denver, Colorado 80202

Via ICCES

David W. Broadwell, Esq.
Mitchel Behr.
Patrick Wheeler
Assistant Denver City Attorneys
1437 Bannock St. R#353
Denver CO 80202
*Attorneys for City and County of Denver
and Debra Johnson*

Via ICCES

John H. Kechriotis , Esq.
Michael J. Hickman
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Denver Public Schools
900 Grant St. #401
Denver CO 80203-2996
Attorneys for Denver Public School District No. 1

Via ICCES


/s/Karen Corner
Karen Corner

Your filing is successfully submitted to the court. This filing is not considered final until it is accepted by the court.

Filing Information:

Filing ID: 434A2F6345830
Court Location: Court of Appeals
Case Number: 2013CA001249
Authorized Date: 10/03/2013 2:55 PM

Filing Party(ies):

Party	Type	Status	Attorney
Friends Of Denver Parks Inc	Plaintiff-Appellant	Active	John M Case (Benson and Case, LLP)
Zelda Hawkins	Plaintiff-Appellant	Active	John M Case (Benson and Case, LLP)
Steve Waldstein	Plaintiff-Appellant	Active	John M Case (Benson and Case, LLP)

Documents :

Document ID	Event	Title	Statutory Fee
34AFDCC786108	<u>Opening Brief</u>	Opening Brief of Appellants	\$0.00
B7FC339470F81	<u>Attachments to Pleading</u>	Addendum to Opening Brief part 1	\$0.00
F95CD61B2FF0C	<u>Attachments to Pleading</u>	Addendum to Opening Brief part 2	\$0.00
C842CE92D831F	<u>Attachments to Pleading</u>	Addendum to Opening Brief part 3	\$0.00
7203182AF4265	<u>Motion or Request</u>	Motion to Supplemental the Record	\$0.00

Service:

Party	Type	Attorney	Organization	Method
City and County Of Denver, a municipal corporation	Defendant-Appellee	Patrick Wheeler	Denver City Attorneys Office	E-Service
Debra Johnson	Defendant-Appellee	Patrick Wheeler	Denver City Attorneys Office	E-Service
School District No 1 In The City and County Of Denver, a public entity	Defendant-Appellee	Michael J Hickman	Denver Public Schools	E-Service
City and County Of Denver, a municipal corporation	Defendant-Appellee	David W Broadwell	Denver City Attorneys Office	E-Service
Debra Johnson	Defendant-Appellee	David W Broadwell	Denver City Attorneys Office	E-Service
City and County Of Denver, a municipal corporation	Defendant-Appellee	Mitchel Todd Behr	Denver City Attorneys Office	E-Service
Debra Johnson	Defendant-Appellee	Mitchel Todd Behr	Denver City Attorneys Office	E-Service

Submission Options:

Note To Clerk: N/A
Primary Attorney: John M Case
Authorizer: John M Case
Submit Options: Submit to the court and serve selected parties.

Billing Information:

Statutory Filing Fees: \$0.00
Filing Fee: \$6.00
Service Fees: \$6.00
Total Fees: \$12.00
Billing Reference: Friends

