

DATE 1979	NR.	PROCEEDINGS
8/1		COMPLAINT -- pd Issued Summons
8/22		Marshal's Return, S&C, Req. for Prod., Aspen Skiing Corp., by serving Ellen Smith, Corp. Co., as Agent for Svc., 8-3-79; Buttermilk Mountain Skiing Corp., by serving Cindy Timmers, for Mr. Claude M. Maer, Jr., Agt. for Svc., 8-3-79; Snowmass Skiing Corp., by serving Cindy Timmers, for Claude Maer, Agt. for Svc., 8-3-79; J.R.S. Investments, Inc., bu serving Russ Frasier, Sect. of Corp., 8-17-79
8/17		MOTION for Extension of Time Within Which to Answer or Otherwise Respond MINUTE ORDER (gmz): Defts. Aspen Skiing Corp., Buttermilk Mtn. Skiing Corp. and Snowmass Skiing Corp. granted to 9-11-79 to answer complaint...COM..eod 8-23-79
9/6		MOTION for Extension of Time to move to complaint of Deft. J.R.S. Investments, Inc. ...COM MINUTE ORDER (gmz): Deft. J.R.S. Investments, Inc. granted to 9-27-79 to respond to Complaint...Clk's COM...eod 9-6-79
9/11		ANSWER of Defts. Aspen Skiing, Buttermilk Mountain Skiing, ans Snowmass Skiing Corp.
9/28		ANSWER of Deft. J.R.S. Investments, Inc....COM
Oct 11, 78	5	Letter re reassignment to ZLW
12/12		MINUTE ORDER: <u>Preliminary pretrial set 12-12-79, 3:00 p.m....COM...eod 12-4-79</u> PREL PRETRIAL CONF... <u>status conf set 5/9/80 at 8:00...eod 12/13/79</u> MINUTE ORDER... <u>status conf set for 5/9/80 at 8:00...COM...eod 12/13/79</u>
1980		
1/25		Notice to take deposition of W. V. N. Jones 1/31/80 ...c.o.m.
2/12		Notice to Take Deposition - W. V. N. Jones - 2-19-80, 9:00 a.m. - by Defts....COS
3/12		MOTION for Extension of Time Pursuant to Local Rule 4 (to reply to interrogatories)... MINUTE ORDER (gmz): Pltf. granted to 4-4-80 to reply to interrogatories of Defts. Aspen Skiing Corp., Buttermilk Mtn. Skiing Corp. and Snowmass Skiing Corp....COM...eod 3-12-80
3/21		Deposition of WHIPPLE V. N. JONES - 2-19-80
4/4		Notice of Change of Address of Attys. for Pltf.
4/7		Certificate of Mailing re Pltf's Answers to Interrgs.
4/10		First MOTION to Compel Discovery of Pltf....COM
4/11		MINUTE ORDER: Hearing on Pltf's Motion to Compel will be heard at Status Conference set 5-9-80, 8:00 a.m....COM..eod 4-11-80
5/8		Memorandum in Opposition to Pltf's First Motion to Compel Discovery of Defts. Aspen Skiing Corp., Buttermilk Mtn. Skiing Corp. and Snowmass Skiing Corp....COS
5/9		STATUS CONFERENCE (ZLW)...Arguments of counsel...ORDERED: Dfdts may file jurisdiction motions within 30 days... <u>Further status conference 9/9/80 at 8 a.m.</u> Motion to Compel GRANTED in part (as to general information re Aspen area)...eod 5/12/80 MINUTE ORDER (ZLW)... <u>Further status conference set 9/9/80 at 8 a.m.</u> COM...eod 5/12/80
9/5		NOTICE TO TAKE DEPOSITION of TOM RICHARDSON at 9:00am on 9/22/80 at 434 East Cooper St., Aspen, Co...by Plft...COM
9/9		STATUS CONFERENCE...ORDERED <u>Discovery cutoff 3/31/81...pretrial set 4/30/81...stipulated pretrial order due 4/30/81...jury trial set one week 6/1/81 at 10:30...</u> case referred to Magistrate for settlement conf in 12/80...further status conf set, 1/16/81 at 8:15...eod 9/9/80 Notice of Trial Setting 5 days to jury 10:30 6/1/81...status conf set 1/16/81 at 8:15 ...pretrial set 4/30/81 at 8:15...COM...eod 9/9/80 ORDER (ZLW)...case referred to Magistrate Sickler for status and settlement conf during 12/80...COM...eod 9/9/80 ORDER (RDS) FOR SETTLEMENT CONF....Settlement Conf. set for 9:00am on 12/3/80...COM ...eod 9/9/80

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	DOCKET NO. 79-Z-1012
ASPEN HIGHLANDS SKIING CORP.	ASPEN SKIING CORP, et al	PAGE 2 OF ___ PAGES

DATE 1980	NR.	PROCEEDINGS
9/12		NOTICE OF DEPOSITION of Peter McMahon at 9:00am on 9/25/80, Vivian E. Jones at 3:00pm on 9/25/80 & George Lloyd at 10:00am on 9/26/80 at the offices of Holland & Hart, Mountain Plaza Bldg., 434 E. Cooper St., Aspen, Co...by Defts...COS
9/24		NOTICE TO TAKE DEPOSITION of GEORGE MADSEN at 1:00pm on 10/20/80 at the offices of Holland & Hart, 434 East Cooper Street, Aspen, Colorado and continued to 10/21/80 at 9:00am...by Plft...COM
		NOTICE TO TAKE DEPOSITIONS of PETER SULLIVAN at 1:30pm on 10/16/80 at the office of Ireland, Stapleton & Pryor, 1675 Broadway #2600, Denver, Co. ...by Plft...COM
10/1		MOTION for Extension of time to reply to Interrogatories of Deft. J.R.S. Investments, Inc....by Plft...COM
		MINUTE ORDER (ZLW)...ORDERED: that Plft's Motion for Extension of Time in Which to reply to the Interrogatories of Deft: J.R.S. Investments, Inc. is granted to & including 11/3/80...COM...eod 10/2/80
11/26		NOTICE TO TAKE DEPOSITION of J.R. STURGIS at 10:00am on 12/12/80 at the offices of Holland & Hart, 600 E. Main St., Aspen, Co...by Plft...COM
12/3		SETTLEMENT CONF. (RDS)...ORDERED: Further Settlement Conf. to be held on 1/16/81 at 8:30am... (when Status Conf. before ZLW is Completed)...eod 12/3/80
1981 1/16		SETTLEMENT CONF. (RDS)...Discussion of Settlement...Conf. concluded...eod 1/16/81 STATUS CONF. (ZLW)...Counsel State Settlement has been reach with J.R.S. Motion & Order will follow...ORDERED: Plft's. will file a motion to Amend the Complaint and the Amended Complaint by 1/26/81...The Court will grant this Motion...The Deft's. will have 20 days to Answer or otherwise plead to the Amended Complaint...Should counsel need additional time on discovery, Court will permit such time by Stipulation of Counsel...Pre-Trial Order date need not be changed at this time...Counsel to have instructions prepared ahead of trial...Counsel to have exhibits all marked and read with as many Stipulation as possible...eod 1/16/81
1/19		Certificate of Mailing...Plft's. Second request for Production of Documents
1/26		MOTION to File Amended Complaint...by Plft...COD
X		AMENDED COMPLAINT...by Plft...COD
1/30		Certificate of Mailing...Plft's. First Set of Interrogatories Propounded to Deft's.
2/11		MINUTE ORDER (ZLW)...ORDERED: that Plft's. Motion to file Amended Complaint is Granted and the Amended Complaint as tendered is filed with the Court, nun pro tunc 1/26/81...COM...eod 2/11/81
3/10		NOTICE OF DEPOSITION of TED FARWELL at 9:00am on 3/25/81...by Deft's...COS
X 3/11		ANSWER to Amended Complaint...by Deft's Aspen Skiing Corp, Buttermilk Mountain Skiing Corp. & Snowmass Skiing Corp...COS
3/12		JOINT MOTION to Dismiss...signed by counsel
3/16		ORDER OF DISMISSAL (ZLW)...ORDERED: that this civil action and Complaint are dismissed as to Deft. J.R.S. Investments, Inc., with prejudice, each part to pay its own costs...COM...eod 3/16/81
3/26		Certificate of Mailing...Plft's. Answers to Second Set of Interrogatories & Response to First Request for Production of Documents

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF ASPEN HIGHLANDS SKIING CORP.	DEFENDANT ASPEN SKIING CORP., et al	DOCKET NO. <u>79-2-1012</u> PAGE <u>3</u> OF <u>    </u> PAGES
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DATE 1981	NR.	PROCEEDINGS
3/27		Stipulation re: Confidentiality of certain research, development, or commercial information...signed by counsel
3/30	<del>11</del>	MOTION to Extend Discovery Cutoff Date...by Plft...COD
	<del>11</del>	MOTION to Compel Production of Documents...by Plft...COD
		NOTICE OF DEPOSITION of MR. THORBECK at 9:00am on 4/3/81, MR. RICHARDSON at 1:30pm on 4/3/81, MR. SULLIVAN at 1:30pm on 4/4/81 & MS. TAYLOR at 9:00am on 4/4/81 ...by Plft...COM
3/31		NOTICE OF DEPOSITION of PAUL NITZE at 1:30pm on 4/27/81 & PETER NITZE at 2:30pm on 4/27/81...by Plft's...COM
		NOTICE OF DEPOSITION of CHARLES GOELDNER at 9:30am on 4/20/81...by Plft...COM
		NOTICE OF DEPOSITION of RONALD THOMPSON at 9:00am on 4/8/81 & RUSSELL FRAZIER at 1:30pm on 4/8/81...Subpoenas Issued...by Plft...COM
		AMENDED ORDER OF REFERENCE TO MAGISTRATE (ZLW)...Case Referred to Magistrate Sickler to Conduct hearing on all discovery Motions & to Conduct Status & Settlement Conf...COM...eod 3/31/81
*3/30		PROTECTIVE ORDER (ZLW)...ORDERED: the Documents described by Exhibit A to this Order shall be deemed to be Confidential Material consistent with Rule 26(c) (7) until further order of this Court...Such Confidential Material shall be marked as "Confidential Use and Disclosure of Information Designated Confidential is Governed by Court Order"...Each person to whom such confidential Material is disclosed shall be bound by the terms of this Order...No such person shall divulge any Confidential Material to any other person except as provided...The Attys. for Aspen Skiing Corp. shall keep a list identifying each person to whom Confidential Material has been given as set forth in the order... Confidential Material shall not be used for any purpose other than this action ...Confidential Material shall not be reproduced, without permission of Aspen Highlands Skiing Corp...Counsel are directed to cooperate with one another in order to promote the expeditious resolution of any dispute under this Order... Upon the termination of this action, whether by trial, settlement, dismissal or other disposition, originals and all copies of such Confidential Material shall be returned to the producing party, except as may be necessary in connection with an appeal...Treatment of such Confidential Material at trial will be subject to further orders of this Court...All parties to this action shall be bound by the terms of this Order and shall conduct themselves accordingly...COM ...eod 4/1/81
4/1		Certification Pursuant to Local Rule 5(g)...COM
4/2		Deft's. Memorandum in Opposition to Plft's. Motion to Compel Production of Documents...COS
		HEARING (RDS) Motion to Compel...ORDERED: Motion for extension of discovery cutoff is Granted to 4/30/81...ORDERED: No Sanctions shall be imposed...ORDERED: The Motion to Compel is Granted for Production of Those documents in compassed in the Motion which relate strictly to marketing & financial projections of the Aspen Ski Area...FURTHER ORDERED: that any such documents produced by the Deft. at this time, & until further order of court, shall only be viewed by trial counsel of Plft. & that no information shall be imparted to Plft. or any of its officers or directors...This matter obtained may be used for deposition of Deft's., but if Deft. so determines the Depositions, when prepared will be sealed except for use of trial counsel...Further, to include those matters concerning consideration of the acquisition of other ski areas within the state of Colo... ORDERED: Any objection to this Order under local rule 17 must be filed before 5:00pm on 4/3/81

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	DOCKET NO. 79-Z-101
ASPEN HIGHLANDS SKIING CORP.	ASPEN SKIING CORP.	PAGE 4 OF _____ PAGES

DATE 1981	NR.	PROCEEDINGS
X 4/10	<del>11</del>	MOTION in Limine...by Deft's...COS
X		Memorandum in Support of Motion in Limine...COS
X 4/22		Plft's. Memorandum in Opposition to Deft's. Motion in Limine...COS
X 4/24	<del>11</del>	MOTION for Partial Summary Judgment...by Deft's...COS
X		Memorandum in Support of Deft's. Motion for Partial Summary Judgment...COS
4/27		ORDER (ZLW)... <u>Case is set for Trial at 10:30am on 6/1/81...COM...eod 4/27/81</u>
4/30		PRE-TRIAL CONF. (ZLW)...ORDERED: Plft's. Brief in opposition to Deft's. partial summary Judgment due 5/13/81...Hearing on Motions set for 5/22/81 at 2:30pm for one hour (Motion in Limine & Motion for partial Summary Judgment)...Pre-Trial Order to be submitted by 5/15/81...Discovery cut-off 5/15/81 including expert witnesses...eod 4/30/81
		MINUTE ORDER (ZLW)...ORDERED: that Deft's. Motion in Limine and Motion for Partial Summary Judgment are set for hearing on 5/22/81 at 2:30pm...A Stipulated pre-trial Order shall be filed on or before 5/15/81...Discovery cut-off is 5/15/81...COM...eod 4/30/81
X 5/11	<del>11</del>	MOTION In Limine by plf...COM
		Deposition of Ted FARWELL
X 5/13	<del>11</del>	CROSS MOTION for Partial Summary Judgment...by Plft's...COS
X 5/15		Deft's Proposed jury instructions...c.o.m.
X		Plft's. Tendered Jury Instructions
X 5/19		Plft's. Trial Brief and Brief in Support of Requested Jury Instructions...COS Memorandum in Opposition to Plft's. Motion in Limine Re Testimony of George Bardwell
5/22	<del>11</del>	MOTION by Plaintiff to compel...c.o.m. HEARING (ZLW) Motion in Limine & Motion for Partial Summary Judgment...ORDERED: Deft's. Motion for Partial Summary Judgment DENIED...Plft's. Cross Motion for Partial Summary Judgment DENIED...Deft's. Motion in Limine (witness Mr. Forwill) DENIED except least minute Forwill charts for in camera inspection prior to being handed to the jury...Oral Motion of Deft. to take the deposition of Mr. Foye...ORDERED: Mr. Palmer should have the opportunity to take his deposition...Plft's. Motion in Limine (Mr. Bardwell) reserved ruling to be decided in the midst of trial...Pre-Trial Order due 5/26/81...Plft. to in-form Court by Wednesday of settlement possibility...Plft's. Motion to Compel documents GRANTED...Deft. to submit financial statements by 5/27/81 5:00pm if exists...Confidentiality to be enforced concerning contents...eod 5/26/81
X 5/29		Designation of Deposition of Paul Nitze...by Plft...COD
X		Designation of Deposition of Paul P. Palangi...by Plft...COD
6/1		Deft's. Trial Memorandum...COS TRIAL TO JURY (ZLW) 1st Day...Opening Statements...Jury Selection...Jury Sworn ...Opening Statements...Witness...Exhibits...eod 6/2/81
X		Deft's. Cross-Designation of Deposition Testimony of Paul H. Nitze...COS
X		Citations in Support of Proposed Jury Instructions...by Deft's...COS Deft's. Designation of Deposition Testimony of Peter P. Nitze...COS
6/2		TRIAL TO JURY (ZLW) 2nd Day...Exhibits...Witnesses...eod 6/3/81
6/3		TRIAL TO JURY (ZLW) 3rd Day...Witnesses...Exhibits...recess...eod 6/5/81
6/4		TRIAL TO JURY (ZLW) 4th Day...Witnesses...Exhibits...recess...eod 6/5/81
6/5		TRIAL TO JURY (ZLW) 5th Day...Witnesses...Exhibits...recess 6/8/81
X 6/8		MOTION to Strike...by Deft's...COS
X		MOTION to Strike...by Deft's...COS

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF ASPEN HIGHLANDS CORP.	DEFENDANT ASPEN SKIING CORP., et al	DOCKET NO. 79-2-1012 PAGE 5 OF _____ PAGES
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DATE 1981	NR.	PROCEEDINGS
6/8		TRIAL TO JURY (ZLW) 6th Day...Discussion of Motions to Strike...The Court will review the Motions once the evening session and rule in the morning...Witnesses ...exhibits...eod
6/9		TRIAL TO JURY (ZLW) 7th Day...Motion to Strike (Illoyd exhibits 90 & 92) Granted (not to be admitted)...Motion to Strike (Forwelle) DENIED...witnesses...The Court will allow Forwell to give testimony...exhibits...eod 6/10/81
6/11		Deft's. Reply Brief in Opposition to Plft's. Proposed Jury Instructions and Trial Brief...COS
*6/10		TRIAL TO JURY (ZLW) 8th Day...Witness...Renewed Oral Motion to Strike testimony of Mr. Farwell DENIED...Exhibits...Plft. rests...Oral Motion for directed Verdict DENIED...Oral Motion of Plft. to sequestor Deft's. witnesses DENIED... eod 6/12/81
6/11		TRIAL TO JURY (ZLW) 9th Day...Witnesses...Exhibits...Deft's Exhibits II, KK & JJ received & stipulated with small 8 x 10 photos after a verdict is in...Court informs counsel regarding possible scheduling problems...recess...eod 6/12/81
6/12		TRIAL TO JURY (ZLW) 10th Day...Witnesses...Exhibits...recess...eod 6/15/81
X 6/15		MOTION to Submit Special Interrogatories to the Jury...by Deft's...COS
6/16		TRIAL TO JURY (ZLW) 11th Day...Witnesses...Exhibits...Oral Renewed Motion in Limine DENIED...Oral Motion of Deft. for directed Verdict DENIED...eod 6/16/81
6/16		TRIAL TO JURY (ZLW) 12th Day...Witness...Exhibits...Oral argument on renewed Motion for Directed Verdict...ORDERED: Deft's. Motion for Directed Verdict as to Section 1 violation of conspiracy to monopolize and Section 1 of Conspiracy to restrain trade among subsidiaries and the Corporation is GRANTED...Closing Arguments...eod 6/17/81
6/17		TRIAL TO JURY (ZLW) 13th Day...Instructions given to Jury...Jury Deliberates... eod 6/18/81
6/18		Receipt for Exhibits...Plft's. Exhibits...by counsel for Plft. TRIAL TO JURY (ZLW) 14th Day...Jury returns with verdict...ORDERED: The verdict to be entered in accordance with the statute which states that damages are to be trebled in the amount of \$7,500,000 for the Plft. and against the Deft. plus attorneys fees and costs...An injunction may issue within 20 days...Post Trial motions by Deft. granted a 20 days stay thru stipulation of counsel, Briefs to be filed 20 days thereafter...Attys. fees to be submitted with an affidavit and copy of time sheets, to be filed within 30 days...eod 6/18/81
X 6/19		PRETRIAL ORDER (ZLW)...No Amendments...Motions in Limine & Motions for Partial Summary Judgment...Discovery has been completed...Trial to Jury 6/1/81 for two weeks
X		VERDICT...Special Interrogatories to the Jury Plft's & Deft's. Exhibit & Witness List
*6/11		Deft's. Reply Brief...COS
6/18		Receipt for Deft's. Exhibits II, JJ & KK returned
X 6/19		JUDGMENT (ZLW)...ORDERED: that Judgment enter for the Plft. and against the Deft's. in the sum of \$7,500,000.00, plus attorneys fees and costs...FURTHER ORDERED: that there be a 20 days stay of execution, during which time motions briefs and affidavits may be filed...The Court will rule on injunctive relief and attorneys fees within 30 days...COM...eod 6/19/81
6/22		Receipt for Depositions returned to Deft's. counsel
6/24		Receipt for Deft's. Exhibit GG, Depositions of Alan Anderson & Bill Comstock returned to Deft's. counsel

CIVIL DOCKET CONTINUATION SHEET

FPI-MAR-7-14-80-70N-439

INTIFF ASPEN HIGHLANDS SKIING CORP.	DEFENDANT ASPEN SKIING CORPORATION, et al	DOCKET NO. <u>79-2-101</u> PAGE <u>6</u> OF <u>    </u> PAGES
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DATE	NR.	PROCEEDINGS
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X7/8/81 MOTION for Judgment Notwithstanding The Verdict or in the Alternative, for a New Trial, or In the Alternative, To Alter or Amend The Judgment...by Deft's...COS  
 Memorandum In Support of Deft's. Motion for Judgment Notwithstanding The Verdict, or, In the Alternative, for a New Trial or, In the Alternative, to Alter or Amend the Judgment...COS  
 MOTION for Stay Pending Disposition of Deft's. Motion for Judgment Notwithstanding The Verdict or in the Alternative, for a New Trial or, In the Alternative to Alter or Amend Judgment...by Deft's...COS  
 Deft's. Statement of Position and Proposed Form of Injunction...by Deft. Aspen Skiing Corp...COS

X7/8/81 MOTION for Entry of Permanent Injunction...by Plft...COD  
 Memorandum of Points and Authorities in Support of Motion for Entry of Permanent Injunction...COD  
 Plft's. Petition for Award of Attorney's Fees and Costs...w/attachments.  
 Memorandum of Points and Authorities in Support of Plft's. Petition for Award of Attorneys' Fees and Costs...COS

7/9/81 MINUTE ORDER (ZLW)...ORDERED: that Plft's. Motion for Entry of Permanent Injunction is set for hearing on 7/15/81 at 8:30am...COM...eod 7/9/81

7/15/81 HEARING (ZLW)...On Motion for Entry of Permanent Injunction...ORDERED: The Language that "Aspen Skiing Corp. & Aspen Highlands are not affiliated" is agreed to by parties and approved by the Court...Time period for the injunction is 3 years or until Little Annie goes into operation at which time the Court will set a review hearing...The price of the 6 day-area ticket is set by the Court at \$120.00...The refund policy should be competitive with Aspen Skiing Corp's. refund policy, Refund will be by mail...10% Commission is approved, although either Corporation may offer additional commissions if it so chooses...Advertising & Marketing : The Corporations may advertise freely if it is done fairly...The Court will not order a Marketing fund...The 4-Area ticket must be mentioned in the advertising of lift tickets...Each party to pay for their own costs of tickets...Deft. should submit a proposed injunction in Conformance with Court's oral ruling; Plft. to approve as to form...The Court's Order shall take effect immediately...eod 7/16/81

X7/20/81 REPORTER'S TRANSCRIPT...Court's Ruling on Permanent Injunction on 7/15/81

7/24/81 Certificate of Judgment for Lien Upon Land and Tenements issued by Clerk

X 7/24 MINUTE ORDER (ZLW) 7/23, that Defendants' Motion for Judgment Notwithstanding the Verdict, or in the Alternative, for a New Trial or in the Alternative to Alter or Amend the Judgment is denied, nunc pro tunc 7/15/81. C.O.M. eod 7/24/81.

MOTION of Defendants for Approval of Supersedeas Bond and for Stay Upon Appeal; with Exhibit A. C.O.S.

NOTICE OF APPEAL, filed by Defendants, re Judgment of 6/19/81, and Order of 7/24/81. C.O.S. Designation Conference set for Fri., July 31, 1981, at 8:30 a.m. Transcript Order due 8/3/81. (\$5.00 and \$65.00 pd).

Plaintiff's Response to Defendants' Motion for Approval of Supersedeas Bond; with Attachment. C.O.S.

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	DOCKET NO. <u>79-2-1012</u>
AS : HIGHLANDS SKIING CORP.	ASPEN SKIING CORP., et al	PAGE <u>7</u> OF <u>    </u> PAGES

DATE	NR.	PROCEEDINGS
<u>1981</u>		
7/27		Transcript Order filed. (not signed by Court Reporter).
7/28		Transcript Order, filed by Court Reporter. Estimated Due Date: 9/28/81 Signed (ZLW) 7/28, ORDER Granting Supersedeas Bond in the amount of \$10,000,000.00 to be filed, whereupon the enforcement of the judgment will be stayed. Exhibit 1 attached. C.O.M. eod 7/29/81.
7/29		Case No. 81-1836 assigned by the Court of Appeals.
8/3		Approved (JRC) 8/3, SUPERSEDEAS BOND in the amount of \$10,000,000.00. eod 8/3/81. Certificate of Stay of Judgment of Filing of Supersedeas Bond, issued; with Attachments.
8/4 X		Signed (ZLW) 8/4, INJUNCTION re ski lift tickets. (See Order). This Injunction shall be in effect either for a period of 3 years from the date of its entry, or until such time as the Little Annie ski area opens for business in Pitkin County, Colorado, under ownership which is independent of the Aspen Skiing Corporation, whichever period is shorter, at which time the Court shall review the circumstances existing at the time to determine whether the terms and conditions of this Injunction should be modified, eliminated or remain the same. Jurisdiction is retained by the Court during the time that this Injunction remains in effect, to enable the parties to apply for such further orders or directions as may be necessary or appropriate to effectuate or modify the provisions hereof, or to enforce compliance herewith. C.O.M. eod 8/4/81.
8/5 X		NOTICE OF CROSS-APPEAL, filed Plaintiff RE: Judgment June 19, 1981 COS (paid \$65.00 and \$5.00)
8/11		Designation of Record on Appeal (stipulated). Case No. 81-1892 assigned by the Court of Appeals.
8/13		Copy of ORDER from the Court of Appeals granting Court Reporter's Request for extension to complete transcripts until 9/28/81.
8/20		HEARING (ZLW) 8/20, Status Conference. ORDERED: Injunction should remain in full force and effect as signed and dated on 8/4/81. Price of four area ticket will remain at \$120.00. The paragraph in commissions shall remain as previously ordered. Refund policy will remain as set forth in the injunction. eod 8/21/81.
8/27		Reporter's Transcript of Hearing on Injunction on Aug. 20, 1981, before Judge Weinshienk. Pages 1-19 (0).
9/23		Copy of ORDER from the Court of Appeals granting Court Reporter's Request for extension of time to complete transcripts until 10/28/81. eod 9/23/81.
10/28		Copy of ORDER from the Court of Appeals granting Court Reporter's Request for extension of Time to complete transcripts until 10/30/81. eod 10/28/81.

CIVIL DOCKET CONTINUATION SHEET

FPI-MAP-7-14-ED-70K-435

PLAINTIFF ASPEN HIGHLANDS SKIING CORPORATION	DEFENDANT ASPEN SKIING CORPORATION, et al	DOCKET NO. <u>79-2-101</u> PAGE <u>8</u> OF <u>    </u> PAGES
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DATE	NR.	PROCEEDINGS
<u>1981</u>		
10/30		Reporter's Transcripts of Trial Proceedings on June 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 15, 16 and 17, 1981. Volumes I through XIII. Pages 1-2345 (0). Reporter's Transcript of Hearing on Permanent Injunction on July 15, 1981, before Judge Weinshienk. Pages 1-37 (0).
11/10	X	Record on Appeal, consisting of Volumes I through XIX, transmitted to the Court of Appeals.
12/28	X	Copy of ORDER from the Court of Appeals 12/22, to Supplement the Record on Appeal with certain pages of deposition of Ted Farwell. eod 12/29/81.
<u>1982</u>		
1/5		STATUS CONFERENCE (ZLW). ORDERED: Attorneys are to file Preliminary Statements of Position on Attorneys' Fees by 1/15/82. eod 1/7/82.
1/25		Copy of Letter dated 1/15/82 from Defendants' counsel to the Court re settlement; another report will be filed by 1/22/82.
1/29		MANDATE from the Court of Appeals 1/28, that the Appeals are <u>dismissed</u> without prejudice. eod 2/1/82.
2/5		Record on Appeal, consisting of Volumes I through XIX, returned.
* 12/23/81		Copy of Letter from Plaintiff's counsel to the Court regarding attorneys' fees and the appeal.
2/9	X	<u>Stipulation for Entry of Final Judgment.</u> Copy of Letter from Plaintiff's counsel that a copy of the Stipulation for Entry of Final Judgment has been sent to all parties.
2/10	X	FINAL JUDGMENT (ZLW) that Plaintiff shall have judgment for attorneys' fees for work performed up to and including Aug. 31, 1981, in the amount of \$190,000.00. FURTHER ORDERED: that the Judgment previously entered on 6/19/81 is amended accordingly. eod 2/10/82.
2/22	X	MOTION of Defendants for Judgment Notwithstanding the Verdict or, in the Alternative, for New Trial or, in the Alternative, to Alter or Amend Judgment. C.O.S.
	X	Memorandum of Defendants in Support of Motion for Judgment Notwithstanding the Verdict or, in the Alternative, for New Trial or, in the Alternative, to Alter or Amend Judgment; with Affidavit of Peter F. Sullivan and Attachments. C.O.S.
3/3	X	MINUTE ORDER (ZLW) that Defendants' Motion for Judgment Notwithstanding the Verdict or in the alternative, for New Trial or in the alternative to Alter or Amend Judgment is <u>denied</u> . C.O.M. eod 3/3/82.
3/4		Bill of Costs (SPL) in the amount of \$3,211.30 for Plaintiff's counsel. C.O.M. eod 3/4/82. Attachments.
3/9		<i>Motion to Retain Costs... Com</i>



CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF ASPEN HIGHLANDS SKIING CORPORATION	DEFENDANT ASPEN SKIING CORPORATION, et al	DOCKET NO. <u>79-Z-1012</u> PAGE <u>9</u> OF <u>    </u> PAGES
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DATE	NR.	PROCEEDINGS
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<u>982</u>		
1/22	X	MOTION of Defendants to Substitute Party; with Exhibit A. C.O.S.
1/30	X	Waiver of Service, filed by ASPEN SKIING COMPANY, re Motion of Defendants to Substitute Party .
	X	NOTICE OF APPEAL, filed by Defendants, re Final Judgment of 2/10/82 amending the the Judgment of 6/19/81 and the injunction Order in connection, etc. Designation Conference set for Thurs., April 8, 1982, at 8:30 a.m. Transcript Order due: 4/9/82. C.O.S. (filing fees need to be paid)
	X	Order Regarding MOTION of Defendants to Substitute Party
	X	<i>Notice of Cross-Appeal</i>

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PLAINTIFFS

*PROTECTIVE ORDER*

DEFENDANTS

*79-2-1012*

ASPEN HIGHLANDS SKIING CORPORATION, a Delaware Corporation

1. ASPEN SKIING CORPORATION, a Delaware Corporation
2. BUTTERMILK MOUNTAIN SKIING CORPORATION a Colorado Corporation
3. SNOWMASS SKIING CORPORATION, a Colorado Corporation
4. J.R.S. INVESTMENTS, INC., a Colorado Corporation

**APPEAL**

*81-1836*  
*81-1892*  
*82-1176*

*J.S.G*  
*4/19/81*

**APPEAL**

ASPEN SKIING COMPANY

Complaint for violation of the anti-trust (Sherman/Clayton) Act 15 USC 1-7

CAUSE

ATTORNEYS

IRELAND, STAPLETON & PRYOR  
D. Monte Pascoe  
Tucker K. Trautman  
Ralston H. Deffenbaugh, Jr.  
~~1700 Broadway, Suite 2000~~  
Denver, Colorado 80290  
~~(303) 861-4600~~

1675 Broadway - Suite #2600  
Denver, Colorado 80202  
623-2700

#1, #2 and #3:  
David G. Palmer  
William W. Maywhort  
HOLLAND & HART  
Post Office Box 8749  
Denver, Colorado 80201 575-8000

#4: Robert R. Marshall  
RODDEN AND MARSHALL  
1860 Lincoln Street - Suite #810  
Denver, Colorado 80295 861-9180

<input type="checkbox"/> CHECK HERE IF CASE WAS FILED IN FORM 1A FOR PAUPERS	FILING FEES PAID			STATISTICAL CARDS	
	DATE	RECEIPT NUMBER	C.D. NUMBER	CARD	DATE MAILED
				JS-5	9/10/79
				JS-6	

DATE 1979	NR.	PROCEEDINGS
		COMPLAINT -- pd Issued Summons
8/22		Marshal's Return, S&C, Req. for Prod., Aspen Skiing Corp., by serving Ellen Smith, Corp. Co., as Agent for Svc., 8-3-79; Buttermilk Mountain Skiing Corp., by serving Cindy Timmers, for Mr. Claude M. Maer, Jr., Agt. for Svc., 8-3-79; Snowmass Skiing Corp., by serving Cindy Timmers, for Claude Maer, Agt. for Svc., 8-3-79; J.R.S. Investments, Inc., bu serving Russ Frasier, Sect. of Corp., 8-17-79
8/17		MOTION for Extension of Time Within Which to Answer or Otherwise Respond MINUTE ORDER (gmz): Defts. Aspen Skiing Corp., Buttermilk Mtn. Skiing Corp. and Snowmass Skiing Corp. granted to 9-11-79 to answer complaint...COM..eod 8-23-79
9/6		MOTION for Extension of Time to move to complaint of Deft. J.R.S. Investments, Inc. ...COM MINUTE ORDER (gmz): Deft. J.R.S. Investments, Inc. granted to 9-27-79 to respond to Complaint...Clk's COM...eod 9-6-79
9/11		ANSWER of Defts. Aspen Skiing, Buttermilk Mountain Skiing, ans Snowmass Skiing Corp.
9/28		ANSWER of Deft. J.R.S. Investments, Inc....COM
11/28	5	Letter re reassignment to ZLW MINUTE ORDER: <u>Preliminary pretrial set 12-12-79, 3:00 p.m....COM...eod 12-4-79</u> PREL PRETRIAL CONF... <u>status conf set 5/9/80 at 8:00...eod 12/13/79</u> MINUTE ORDER... <u>status conf set for 5/9/80 at 8:00...COM...eod 12/13/79</u>
12/12		
1/25		Notice to take deposition of W. V. N. Jones 1/31/80 ...c.o.m.
2/12		Notice to Take Deposition - W. V. N. Jones - 2-19-80, 9:00 a.m. - by Defts....COS
3/12		MOTION for Extension of Time Pursuant to Local Rule 4 (to reply to interrogatories). MINUTE ORDER (gmz): Pltf. granted to 4-4-80 to reply to interrogatories of Defts. Aspen Skiing Corp., Buttermilk Mtn. Skiing Corp. and Snowmass Skiing Corp....COM.. eod 3-12-80
3/21		Deposition of WHIPPLE V. N. JONES - 2-19-80
4/4		Notice of Change of Address of Attys. for Pltf.
4/7		Certificate of Mailing re Pltf's Answers to Interrgs.
4/10		First MOTION to Compel Discovery of Pltf....COM
4/11		MINUTE ORDER: Hearing on Pltf's Motion to Compel will be heard at Status Conference set 5-9-80, 8:00 a.m....COM..eod 4-11-80
5/8		Memorandum in Opposition to Pltf's First Motion to Compel Discovery of Defts. Aspen Skiing Corp., Buttermilk Mtn. Skiing Corp. and Snowmass Skiing Corp....COS
5/9		STATUS CONFERENCE (ZLW)...Arguments of counsel...ORDERED: Dfdts may file jurisdiction motions within 30 days...Further status conference 9/9/80 at 8 a.m..Motion to Compel GRANTED in part (as to general information re Aspen area)...eod 5/12/80 MINUTE ORDER (ZLW)...Further status conference set 9/9/80 at 8 a.m..COM...eod 5/12/80
9/5		NOTICE TO TAKE DEPOSITION of TOM RICHARDSON at 9:00am on 9/22/80 at 434 East Cooper St., Aspen, Co...by Plft...COM
9/9		STATUS CONFERENCE...ORDERED <u>Discovery cutoff 3/31/81...pretrial set 4/30/81...stipulated pretrial order due 4/30/81...jury trial set one week 6/1/81 at 10:30...case referred to Magistrate for settlement conf in 12/80...further status conf set 1/16/81 at 8:15...eod 9/9/80</u> Notice of Trial Setting 5 days to jury 10:30 6/1/81...status conf set 1/16/81 at 8:15 ...pretrial set 4/30/81 at 8:15...COM...eod 9/9/80 ORDER (ZLW)...case referred to Magistrate Sickler for status and settlement conf during 12/80...COM...eod 9/9/80 ORDER (RDS) FOR SETTLEMENT CONF.... <u>Settlement Conf. set for 9:00am on 12/3/80...COM</u> ...eod 9/9/80

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CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF ASPEN HIGHLANDS SKIING CORP.	DEFENDANT ASPEN SKIING CORP, et al	DOCKET NO. <u>79-Z-1012</u> PAGE <u>2</u> OF <u>    </u> PAGES
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DATE 1980	NR.	PROCEEDINGS
9/12		NOTICE OF DEPOSITION of Peter McMahon at 9:00am on 9/25/80, Vivian E. Jones at 3:00pm on 9/25/80 & George Lloyd at 10:00am on 9/26/80 at the offices of Holland & Hart, Mountain Plaza Bldg., 434 E. Cooper St., Aspen, Co...by Defts...COS
9/24		NOTICE TO TAKE DEPOSITION of GEORGE MADSEN at 1:00pm on 10/20/80 at the offices of Holland & Hart, 434 East Cooper Street, Aspen, Colorado and continued to 10/21/80 at 9:00am...by Plft...COM  NOTICE TO TAKE DEPOSITIONS of PETER SULLIVAN at 1:30pm on 10/16/80 at the office of Ireland, Stapleton & Pryor, 1675 Broadway #2600, Denver, Co. ...by Plft...COM
10/1		MOTION for Extension of time to reply to Interrogatories of Deft. J.R.S. Investments, Inc....by Plft...COM  MINUTE ORDER (ZLW)...ORDERED: that Plft's Motion for Extension of Time in Which to reply to the Interrogatories of Deft. J.R.S. Investments, Inc. is granted to & including 11/3/80...COM...eod 10/2/80
11/26		NOTICE TO TAKE DEPOSITION of J.R. STURGIS at 10:00am on 12/12/80 at the offices of Holland & Hart, 600 E. Main St., Aspen, Co...by Plft...COM
12/3		SETTLEMENT CONF. (RDS)...ORDERED: Further Settlement Conf. to be held on 1/16/81 at 8:30am... (when Status Conf. before ZLW is Completed)...eod 12/3/80
1981 1/16		SETTLEMENT CONF. (RDS)...Discussion of Settlement...Conf. concluded...eod 1/16/81 STATUS CONF. (ZLW)...Counsel State Settlement has been reach with J.R.S. Motion & Order will follow...ORDERED: Plft's. will file a motion to Amend the Complaint and the Amended Complaint by 1/26/81...The Court will grant this Motion...The Deft's. will have 20 days to Answer or otherwise plead to the Amended Complaint...Should counsel need additional time on discovery, Court will permit such time by Stipulation of Counsel...Pre-Trial Order date need not be changed at this time...Counsel to have instructions prepared ahead of trial...Counsel to have exhibits all marked and read with as many Stipulation as possible...eod 1/16/81
1/19		Certificate of Mailing...Plft's. Second request for Production of Documents
1/26		MOTION to File Amended Complaint...by Plft...COD AMENDED COMPLAINT...by Plft...COD
1/30		Certificate of Mailing...Plft's. First Set of Interrogatories Propounded to Deft's.
2/11		MINUTE ORDER (ZLW)...ORDERED: that Plft's. Motion to file Amended Complaint is Granted and the Amended Complaint as tendered is filed with the Court, nunc pro tunc 1/26/81...COM...eod 2/11/81
3/10		NOTICE OF DEPOSITION of TED FARWELL at 9:00am on 3/25/81...by Deft's...COS
3/11		ANSWER to Amended Complaint...by Deft's Aspen Skiing Corp, Buttermilk Mountain, Skiing Corp. & Snowmass Skiing Corp...COS
3/12		JOINT MOTION to Dismiss...signed by counsel
3/16		ORDER OF DISMISSAL (ZLW)...ORDERED: that this civil action and Complaint are dismissed as to Deft. J.R.S. Investments, Inc., with prejudice, each party to pay its own costs...COM...eod 3/16/81
3/26		Certificate of Mailing...Plft's. Answers to Second Set of Interrogatories & Response to First Request for Production of Documents

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	DOCKET NO. <u>79-Z-1012</u>
ASPEN HIGHLANDS SKIING CORP.	ASPEN SKIING CORP., et al	PAGE <u>3</u> OF <u>    </u> PAGES

DATE 1981	NR.	PROCEEDINGS
3/27		Stipulation re: Confidentiality of certain research, development, or commercial information...signed by counsel
3/30		MOTION to Extend Discovery Cutoff Date...by Plft...COD MOTION to Compel Production of Documents...by Plft...COD NOTICE OF DEPOSITION of MR. THORBECK at 9:00am on 4/3/81, MR. RICHARDSON at 1:30pm on 4/3/81, MR. SULLIVAN at 1:30pm on 4/4/81 & MS. TAYLOR at 9:00am on 4/4/81...by Plft...COM
3/31		NOTICE OF DEPOSITION of PAUL NITZE at 1:30pm on 4/27/81 & PETER NITZE at 2:30pm on 4/27/81...by Plft's...COM NOTICE OF DEPOSITION of CHARLES GOELDNER at 9:30am on 4/20/81...by Plft...COM NOTICE OF DEPOSITION of RONALD THOMPSON at 9:00am on 4/8/81 & RUSSELL FRAZIER at 1:30pm on 4/8/81...Subpoenas Issued...by Plft...COM AMENDED ORDER OF REFERENCE TO MAGISTRATE (ZLW)...Case Referred to Magistrate Sickler to Conduct hearing on all discovery Motions & to Conduct Status & Settlement Conf...COM...eod 3/31/81
*3/30		PROTECTIVE ORDER (ZLW)...ORDERED: the Documents described by Exhibit A to this Order shall be deemed to be Confidential Material consistent with Rule 26(c) (7) until further order of this Court...Such Confidential Material shall be marked as "Confidential Use and Disclosure of Information Designated Confidential is Governed by Court Order"...Each person to whom such confidential Material is disclosed shall be bound by the terms of this Order...No such person shall divulge any Confidential Material to any other person except as provided...The Attys. for Aspen Skiing Corp. shall keep a list identifying each person to whom Confidential Material has been given as set forth in the order... Confidential Material shall not be used for any purpose other than this action...Confidential Material shall not be reproduced, without permission of Aspen Highlands Skiing Corp...Counsel are directed to cooperate with one another in order to promote the expeditious resolution of any dispute under this Order... Upon the termination of this action, whether by trial, settlement, dismissal or other disposition, originals and all copies of such Confidential Material shall be returned to the producing party, except as may be necessary in connection with an appeal...Treatment of such Confidential Material at trial will be subject to further orders of this Court...All parties to this action shall be bound by the terms of this Order and shall conduct themselves accordingly...COM...eod 4/1/81
4/1		Certification Pursuant to Local Rule 5(g)...COM
4/2		Deft's. Memorandum in Opposition to Plft's. Motion to Compel Production of Documents...COS HEARING (RDS) Motion to Compel...ORDERED: Motion for extension of discovery cutoff is Granted to 4/30/81...ORDERED: No Sanctions shall be imposed...ORDERED: The Motion to Compel is Granted for Production of Those documents in compassed in the Motion which relate strictly to marketing & financial projections of the Aspen Ski Area...FURTHER ORDERED: that any such documents produced by the Deft. at this time, & until further order of court, shall only be viewed by trial counsel of Plft. & that no information shall be imparted to Plft. or any of its officers or directors...This matter obtained may be used for deposition of Deft's., but if Deft. so determines the Depositions, when prepared will be sealed except for use of trial counsel...Further, to include those matters concerning consideration of the acquisition of other ski areas within the state of Colo... ORDERED: Any objection to this Order under local rule 17 must be filed before 5:00pm on 4/3/81
4/7		NOTICE OF DEPOSITION of ALAN R. ANDERASEN at 9:30am on 4/17/81...by Deft's...COS

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF  ASPEN HIGHLANDS SKIING CORP.	DEFENDANT  ASPEN SKIING CORP.	DOCKET NO. <u>79-Z-101</u> PAGE <u>4</u> OF <u>    </u> PAGES
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DATE	NR.	PROCEEDINGS
4/10	<del>11</del>	MOTION in Limine...by Deft's...COS Memorandum in Support of Motion in Limine...COS
4/22		Plft's. Memorandum in Opposition to Deft's. Motion in Limine...COS
4/24	<del>11</del>	MOTION for Partial Summary Judgment...by Deft's...COS Memorandum In Support of Deft's. Motion for Partial Summary Judgment...COS
4/27		ORDER (ZLW)... <u>Case is set for Trial at 10:30am on 6/1/81...COM...eod 4/27/81</u>
4/30		PRE-TRIAL CONF. (ZLW)...ORDERED: Plft's. Brief in opposition to Deft's. partial summary Judgment due 5/13/81...Hearing on Motions set for 5/22/81 at 2:30pm for one hour (Motion in Limine & Motion for partial Summary Judgment)...Pre-Trial Order to be submitted by 5/15/81...Discovery cut-off 5/15/81 including expert witnesses...eod 4/30/81 MINUTE ORDER (ZLW)...ORDERED: that Deft's. Motion in Limine and Motion for Partial Summary Judgment are set for hearing on 5/22/81 at 2:30pm...A Stipulated pre-trial Order shall be filed on or before 5/15/81...Discovery cut-off is 5/15/81...COM...eod 4/30/81
5/11	<del>11</del>	MOTION In Limine by plf...COM Deposition of Ted FARWELL
5/13	<del>11</del>	CROSS MOTION for Partial Summary Judgment...by Plft's...COS
5/15		Deft's Proposed jury instructions...c.o.m. Plft's. Tendered Jury Instructions
5/19		Plft's. Trial Brief and Brief in Support of Requested Jury Instructions...COS Memorandum in Opposition to Plft's. Motion in Limine Re Testimony of George Bardwell
5/22	<del>11</del>	MOTION by Plaintiff to compel...c.o.m. HEARING (ZLW) Motion in Limine & Motion for Partial Summary Judgment...ORDERED: Deft's. Motion for Partial Summary Judgment DENIED...Plft's. Cross Motion for Partial Summary Judgment DENIED...Deft's. Motion in Limine (witness Mr. Forwill) DENIED except least minute Forwill charts for in camera inspection prior to being handed to the jury...Oral Motion of Deft. to take the deposition of Mr. Foye...ORDERED: Mr. Palmer should have the opportunity to take his deposition...Plft's. Motion in Limine (Mr. Bardwell) reserved ruling to be decided in the midst of trial...Pre-Trial Order due 5/26/81...Plft. to in-form Court by Wednesday of settlement possibility...Plft's. Motion to Compel documents GRANTED...Deft. to submit financial statements by 5/27/81 5:00pm if exists...Confidentiality to be enforced concerning contents...eod 5/26/81
5/29		Designation of Deposition of Paul Nitze...by Plft...COD Designation of Deposition of Paul P. Palangi...by Plft...COD Deft's. Trial Memorandum...COS
6/1		TRIAL TO JURY (ZLW) 1st Day...Opening Statements...Jury Selection...Jury Sworn ...Opening Statements...Witness...Exhibits...eod 6/2/81 Deft's. Cross-Designation of Deposition Testimony of Paul H. Nitze...COS Citations in Support of Proposed Jury Instructions...by Deft's...COS Deft's. Designation of Deposition Testimony of Peter P. Nitze...COS
6/2		TRIAL TO JURY (ZLW) 2nd Day...Exhibits...Witnesses...eod 6/3/81
6/3		TRIAL TO JURY (ZLW) 3rd Day...Witnesses...Exhibits...recess...eod 6/5/81
6/4		TRIAL TO JURY (ZLW) 4th Day...Witnesses...Exhibits...recess...eod 6/5/81
6/5		TRIAL TO JURY (ZLW) 5th Day...Witnesses...Exhibits...recess 6/8/81
6/8		MOTION to Strike...by Deft's...COS MOTION to Strike...by Deft's...COS

CIVIL DOCKET CONTINUATION SHEET

PLA. TIFP ASPEN HIGHLANDS CORP.	DEFENDANT ASPEN SKIING CORP., et al	DOCKET NO. 79-Z-1012 PAGE 5 OF ___ PAGES
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DATE 1981	NR.	PROCEEDINGS
6/8		TRIAL TO JURY (ZLW) 6th Day...Discussion of Motions to Strike...The Court will review the Motions once the evening session and rule in the morning...Witnesses ...exhibits...eod
6/9		TRIAL TO JURY (ZLW) 7th Day...Motion to Strike (Elloyd exhibits 90 & 92) Granted (not to be admitted)...Motion to Strike (Forwelle) DENIED...witnesses...The Court will allow Forwell to give testimony...exhibits...eod 6/10/81
6/11		Deft's. Reply Brief in Opposition to Plft's. Proposed Jury Instructions and Trial Brief...COS
*6/10		TRIAL TO JURY (ZLW) 8th Day...Witness...Renewed Oral Motion to Strike testimony of Mr. Farwell DENIED...Exhibits...Plft. rests...Oral Motion for directed Verdict DENIED...Oral Motion of Plft. to sequestor Deft's. witnesses DENIED... eod 6/12/81
6/11		TRIAL TO JURY (ZLW) 9th Day...Witnesses...Exhibits...Deft's Exhibits II, KK & JJ received & stipulated with small 8 x 10 photos after a verdict is in...Court informs counsel regarding possible scheduling problems...recess...eod 6/12/81
6/12		TRIAL TO JURY (ZLW) 10th Day...Witnesses...Exhibits...recess...eod 6/15/81
6/15		MOTION to Submit Special Interrogatories to the Jury...by Deft's...COS
		TRIAL TO JURY (ZLW) 11th Day...Witnesses...Exhibits...Oral Renewed Motion in Limine DENIED...Oral Motion of Deft. for directed Verdict DENIED...eod 6/16/81
6/16		TRIAL TO JURY (ZLW) 12th Day...Witness...Exhibits...Oral argument on renewed Motion for Directed Verdict...ORDERED: Deft's. Motion for Directed Verdict as to Section 1 violation of conspiracy to monopolize and Section 1 of Conspiracy to restrain trade among subsidiaries and the Corporation is GRANTED...Closing Arguments...eod 6/17/81
6/17		TRIAL TO JURY (ZLW) 13th Day...Instructions given to Jury...Jury Deliberates... eod 6/18/81
6/18		Receipt for Exhibits...Plft's. Exhibits...by counsel for Plft. TRIAL TO JURY (ZLW) 14th Day...Jury returns with verdict...ORDERED: The verdict to be entered in accordance with the statute which states that damages are to be trebled in the amount of \$7,500,000 for the Plft. and against the Deft. plus attorneys fees and costs...An injunction may issue within 20 days...Post Trial motions by Deft. granted a 20 days stay thru stipulation of counsel, Briefs to be filed 20 days thereafter...Attys. fees to be submitted with an affidavit and copy of time sheets, to be filed within 30 days...eod 6/18/81
6/19		PRETRIAL ORDER (ZLW)...No Amendments...Motions in Limine & Motions for Partial Summary Judgment...Discovery has been completed...Trial to Jury 6/1/81 for two weeks VERDICT...Special Interrogatories to the Jury Plft's & Deft's. Exhibit & Witness List
*6/11		Deft's. Reply Brief...COS
6/18		Receipt for Deft's. Exhibits II, JJ & KK returned
6/19		JUDGMENT (ZLW)...ORDERED: that Judgment enter for the Plft. and against the Deft's. in the sum of \$7,500,000.00, plus attorneys fees and costs...FURTHER ORDERED: that there be a 20 days stay of execution, during which time motions briefs and affidavits may be filed...The Court will rule on injunctive relief and attorneys fees within 30 days...COM...eod 6/19/81
6/22		Receipt for Depositions returned to Deft's. counsel
6/24		Receipt for Deft's. Exhibit GG, Depositions of Alan Anderson & Bill Comstock returned to Deft's. counsel

CIVIL DOCKET CONTINUATION SHEET

FPI-MAR-7-14-80-70N-4398

PLAINTIFF ASPEN HIGHLANDS SKIING CORP.		DEFENDANT ASPEN SKIING CORPORATION, et al	DOCKET NO. <u>79-2-1012</u> PAGE <u>6</u> OF <u>    </u> PAGES
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DATE	NR.	PROCEEDINGS
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- 7/8/81 MOTION for Judgment Notwithstanding The Verdict or in the Alternative, for a New Trial, or In the Alternative, To Alter or Amend The Judgment...by Deft's...COS  
Memorandum In Support of Deft's. Motion for Judgment Notwithstanding The Verdict, or, In the Alternative, for a New Trial or, In the Alternative, to Alter or Amend the Judgment...COS  
MOTION for Stay Pending Disposition of Deft's. Motion for Judgment Notwithstanding The Verdict or in the Alternative, for a New Trial or, In the Alternative to Alter or Amend Judgment...by Deft's...COS  
Deft's. Statement of Position and Proposed Form of Injunction...by Deft. Aspen Skiing Corp...COS
- 7/8/81 MOTION for Entry of Permanent Injunction...by Plft...COD  
Memorandum of Points and Authorities in Support of Motion for Entry of Permanent Injunction...COD  
Plft's. Petition for Award of Attorney's Fees and Costs...w/attachments  
Memorandum of Points and Authorities in Support of Plft's. Petition for Award of Attorneys' Fees and Costs...COS
- 7/9/81 MINUTE ORDER (ZLW)...ORDERED: that Plft's. Motion for Entry of Permanent Injunction is set for hearing on 7/15/81 at 8:30am...COM...eod 7/9/81
- 7/15/81 HEARING (ZLW)...On Motion for Entry of Permanent Injunction...ORDERED: The Language that "Aspen Skiing Corp. & Aspen Highlands are not affiliated" is agreed to by parties and approved by the Court...Time period for the injunction is 3 years or until Little Annie goes into operation at which time the Court will set a review hearing...The price of the 6 day-area ticket is set by the Court at \$120.00...The refund policy should be competitive with Aspen Skiing Corp's. refund policy, Refund will be by mail...10% Commission is approved, although either Corporation may offer additional commissions if it so chooses...Advertising & Marketing : The Corporations may advertise freely if it is done fairly...The Court will not order a Marketing fund...The 4-Area ticket must be mentioned in the advertising of lift tickets...Each party to pay for their own costs of tickets...Deft. should submit a proposed injunction in Conformance with Court's oral ruling; Plft. to approve as to form...The Court's Order shall take effect immediately...eod 7/16/81
- 7/20/81 REPORTER'S TRANSCRIPT...Court's Ruling on Permanent Injunction on 7/15/81
- 7/24/81 Certificate of Judgment for Lien Upon Land and Tenements issued by Clerk
- 7/24 MINUTE ORDER (ZLW) 7/23, that Defendants' Motion for Judgment Notwithstanding the Verdict, or in the Alternative, for a New Trial or in the Alternative to Alter or Amend the Judgment is denied, nunc pro tunc 7/15/81. C.O.M. eod 7/24/81.  
MOTION of Defendants for Approval of Supersedeas Bond and for Stay Upon Appeal; with Exhibit A. C.O.S.  
NOTICE OF APPEAL, filed by Defendants, re Judgment of 6/19/81, and Order of 7/24/81. C.O.S. Designation Conference set for Fri., July 31, 1981, at 8:30 a.m. Transcript Order due 8/3/81. (\$5.00 and \$65.00 pd).  
Plaintiff's Response to Defendants' Motion for Approval of Supersedeas Bond; with Attachment. C.O.S.



CIVIL DOCKET CONTINUATION SHEET

FPI-MAR-7-14-80-70M-4398

PLAINTIFF

DEFENDANT

HIGHLANDS SKIING CORP.

ASPEN SKIING CORP., et al

DOCKET NO. 79-Z-1012

PAGE 7 OF      PAGES

DATE	NR.	PROCEEDINGS
1981		
7/27		Transcript Order filed. (not signed by Court Reporter).
7/28		Transcript Order, filed by Court Reporter. Estimated Due Date: 9/28/81
		Signed (ZLW) 7/28, ORDER Granting Supersedeas Bond in the amount of \$10,000,000.00 to be filed, whereupon the enforcement of the judgment will be stayed. Exhibit 1 attached. C.O.M. eod 7/29/81.
7/29		Case No. 81-1836 assigned by the Court of Appeals.
7/3		Approved (JRC) 8/3, SUPERSEDEAS BOND in the amount of \$10,000,000.00. eod 8/3/81.
		Certificate of Stay of Judgment of Filing of Supersedeas Bond, issued; with Attachments.
8/4		Signed (ZLW) 8/4, INJUNCTION re ski lift tickets. (See Order). This Injunction shall be in effect either for a period of 3 years from the date of its entry, or until such time as the Little Annie ski area opens for business in Pitkin County, Colorado, under ownership which is independent of the Aspen Skiing Corporation, whichever period is shorter, at which time the Court shall review the circumstances existing at the time to determine whether the terms and conditions of this Injunction should be modified, eliminated or remain the same. Jurisdiction is retained by the Court during the time that this Injunction remains in effect, to enable the parties to apply for such further orders or directions as may be necessary or appropriate to effectuate or modify the provisions hereof, or to enforce compliance herewith. C.O.M. eod 8/4/81.
8/5		NOTICE OF CROSS-APPEAL, filed Plaintiff RE: Judgment June 19, 1981 COS (paid \$65.00 and \$5.00)
8/11		Designation of Record on Appeal (stipulated). Case No. 81-1892 assigned by the Court of Appeals.
8/13		Copy of ORDER from the Court of Appeals granting Court Reporter's Request for extension to complete transcripts until 9/28/81.
8/20		HEARING (ZLW) 8/20, Status Conference. ORDERED: Injunction should remain in full force and effect as signed and dated on 8/4/81. Price of four area ticket will remain at \$120.00. The paragraph in commissions shall remain as previously ordered. Refund policy will remain as set forth in the injunction. eod 8/21/81.
8/27		Reporter's Transcript of Hearing on Injunction on Aug. 20, 1981, before Judge Weinshienk. Pages 1-19 (0).
9/23		Copy of ORDER from the Court of Appeals granting Court Reporter's Request for extension of time to complete transcripts until 10/28/81. eod 9/23/81.
10/28		Copy of ORDER from the Court of Appeals granting Court Reporter's Request for extension of Time to complete transcripts until 10/30/81. eod 10/28/81.

CIVIL DOCKET CONTINUATION SHEET

FPI-MAR-7-12-80-70M-4298

PLAINTIFF  PEN HIGHLANDS SKIING CORPORATION	DEFENDANT  ASPEN SKIING CORPORATION, et al	DOCKET NO. <u>79-Z-1012</u>  PAGE <u>8</u> OF <u>    </u> PAGES
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DATE	NR.	PROCEEDINGS
<u>1981</u>		
10/30		Reporter's Transcripts of Trial Proceedings on June 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 15, 16 and 17, 1981. Volumes I through XIII. Pages 1-2345 (0). Reporter's Transcript of Hearing on Permanent Injunction on July 15, 1981, before Judge Weinshienk. Pages 1-37 (0).
11/10		Record on Appeal, consisting of Volumes I through XIX, transmitted to the Court of Appeals.
12/28		Copy of ORDER from the Court of Appeals 12/22, to Supplement the Record on Appeal with certain pages of deposition of Ted Farwell. eod 12/29/81.
<u>1982</u>		
1/5		STATUS CONFERENCE (ZLW). ORDERED: Attorneys are to file Preliminary Statements of Position on Attorneys' Fees by 1/15/82. eod 1/7/82.
1/25		Copy of Letter dated 1/15/82 from Defendants' counsel to the Court re settlement; another report will be filed by 1/22/82.
1/29		MANDATE from the Court of Appeals 1/28, that the Appeals are <u>dismissed</u> without prejudice. eod 2/1/82.
2/5		Record on Appeal, consisting of Volumes I through XIX, returned.
* 12/23/81		Copy of Letter from Plaintiff's counsel to the Court regarding attorneys' fees and the appeal.
2/9		Stipulation for Entry of Final Judgment. Copy of Letter from Plaintiff's counsel that a copy of the Stipulation for Entry of Final Judgment has been sent to all parties.
2/10		FINAL JUDGMENT (ZLW) that Plaintiff shall have judgment for attorneys' fees for work performed up to and including Aug. 31, 1981, in the amount of \$190,000.00. FURTHER ORDERED: that the Judgment previously entered on 6/19/81 is amended accordingly. eod 2/10/82.
2/22		MOTION of Defendants for Judgment Notwithstanding the Verdict or, in the Alternative, for New Trial or, in the Alternative, to Alter or Amend Judgment. C.O.S. Memorandum of Defendants in Support of Motion for Judgment Notwithstanding the Verdict or, in the Alternative, for New Trial or, in the Alternative, to Alter or Amend Judgment; with Affidavit of Peter F. Sullivan and Attachments. C.O.S.
3/3		MINUTE ORDER (ZLW) that Defendants' Motion for Judgment Notwithstanding the Verdict or in the alternative, for New Trial or in the alternative to Alter or Amend Judgment is <u>denied</u> . C.O.M. eod 3/3/82.
3/4		Bill of Costs (SPE) in the amount of \$3,211.30 for Plaintiff's counsel. C.O.M. eod 3/4/82. Attachments.
3/9		<i>Motion to Retax Costs. Com</i>

3/16/82 Memorandum in Opposition to Plft's. Motion to Retax Costs...by Deft's...COS  
MINUTE ORDER (ZLW)...ORDERED: that Plft's. Motion to Re-Tax Costs is DENIED...COM.

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF  ASPEN HIGHLANDS SKIING CORPORATION	DEFENDANT  ASPEN SKIING CORPORATION, et al	DOCKET NO. <u>79-Z-1012</u> PAGE <u>9</u> OF <u>    </u> PAGES
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DATE	NR.	PROCEEDINGS
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<u>982</u>		
3/22		MOTION of Defendants to Substitute Party; with Exhibit A. C.O.S.
4/30		Waiver of Service, filed by ASPEN SKIING COMPANY, re Motion of Defendants to Substitute Party .
		NOTICE OF APPEAL, filed by Defendants, re Final Judgment of 2/10/82 amending the the Judgment of 6/19/81 and the injunction Order in connection, etc. Designation Conference set for Thurs., April 8, 1982, at 8:30 a.m. Transcript Order due: 4/9/82. C.O.S. (filing fees need to be paid) \$5.00 and \$65.00 filing fees paid.
2		ORDER (ZLW) that ASPEN SKIING COMPANY is substituted to the position formerly held in this case by Defendants ASPEN SKIING CORPORATION, BUTTERMILK MOUNTAIN SKIING CORPORATION and SNOWMASS SKIING CORPORATION. FURTHER ORDERED: that the surety rider filed by Defendants and reflecting the substitution of party indicated above is accepted for filing. C.O.M. eod 4/2/82.
5		NOTICE OF CROSS APPEAL, filed by Plaintiff, re Orders of 6/9/81, 6/17/81 and 6/16/81. C.O.S. (\$5.00 and \$65.00 paid). Note: Designation Conference has already been set for 4/8/82.
8		Designation of Record on Appeal (stipulated)

DATE 1979	NR.	PROCEEDINGS
		COMPLAINT -- pd Issued summons
8/22		Marshal's Return, S&C, Req. for Prod., Aspen Skiing Corp., by serving Ellen Smith, Corp. Co., as Agent for Svc., 8-3-79; Buttermilk Mountain Skiing Corp., by serving Cindy Timmers, for Mr. Claude M. Maer, Jr., Agt. for Svc., 8-3-79; Snowmass Skiing Corp., by serving Cindy Timmers, for Claude Maer, Agt. for Svc., 8-3-79; J.R.S. Investments, Inc., bu serving Russ Frasier, Sect. of Corp., 8-17-79
8/17		MOTION for Extension of Time Within Which to Answer or Otherwise Respond MINUTE ORDER (gmz): Defts. Aspen Skiing Corp., Buttermilk Mtn. Skiing Corp. and Snowmass Skiing Corp. granted to 9-11-79 to answer complaint...COM...eod 8-23-79
9/6		MOTION for Extension of Time to move to complaint of Deft. J.R.S. Investments, Inc. ...COM MINUTE ORDER (gmz): Deft. J.R.S. Investments, Inc. granted to 9-27-79 to respond to Complaint...Clk's COM...eod 9-6-79
9/11		ANSWER of Defts. Aspen Skiing, Buttermilk Mountain Skiing, ans Snowmass Skiing Corp.
9/28		ANSWER of Deft. J.R.S. Investments, Inc....COM
	5	Letter re reassignment to ZLW
11/28		MINUTE ORDER: Preliminary pretrial set 12-12-79, 3:00 p.m....COM...eod 12-4-79
12/12		PREL PRETRIAL CONF...status conf set 5/9/80 at 8:00...eod 12/13/79
1980		MINUTE ORDER...status conf set for 5/9/80 at 8:00...COM...eod 12/13/79
1/25		Notice to take deposition of W. V. N. Jones 1/31/80 ...c.o.m.
2/12		Notice to Take Deposition - W. V. N. Jones - 2-19-80, 9:00 a.m. - by Defts....COS
3/12		MOTION for Extension of Time Pursuant to Local Rule 4 (to reply to interrogatories). MINUTE ORDER (gmz): Pltf. granted to 4-4-80 to reply to interrogatories of Defts. Aspen Skiing Corp., Buttermilk Mtn. Skiing Corp. and Snowmass Skiing Corp....COM...eod 3-12-80
3/21		Deposition of WHIPPLE V. N. JONES - 2-19-80
4/4		Notice of Change of Address of Attys. for Pltf.
4/7		Certificate of Mailing re Pltf's Answers to Interrgs.
4/10		First MOTION to Compel Discovery of Pltf....COM
4/11		MINUTE ORDER: Hearing on Pltf's Motion to Compel will be heard at Status Conference set 5-9-80, 8:00 a.m....COM...eod 4-11-80
5/8		Memorandum in Opposition to Pltf's First Motion to Compel Discovery of Defts. Aspen Skiing Corp., Buttermilk Mtn. Skiing Corp. and Snowmass Skiing Corp....COS
5/9		STATUS CONFERENCE (ZLW)...Arguments of counsel...ORDERED: Dfdts may file jurisdiction motions within 30 days...Further status conference 9/9/80 at 8 a.m..Motion to Compel GRANTED in part (as to general information re Aspen area)...eod 5/12/80 MINUTE ORDER (ZLW)...Further status conference set 9/9/80 at 8 a.m..COM...eod 5/12/80
9/5		NOTICE TO TAKE DEPOSITION of TOM RICHARDSON at 9:00am on 9/22/80 at 434 East Cooper St., Aspen, Co...by Plft...COM
9/9		STATUS CONFERENCE...ORDERED Discovery cutoff 3/31/81...pretrial set 4/30/81..stipulated pretrial order due 4/30/81...jury trial set one week 6/1/81 at 10:30...case referred to Magistrate for settlement conf in 12/80...further status conf set, 1/16/81 at 8:15...eod 9/9/80 Notice of Trial Setting 5 days to jury 10:30 6/1/81...status conf set 1/16/81 at 8:15 ...pretrial set 4/30/81 at 8:15...COM...eod 9/9/80 ORDER (ZLW)...case referred to Magistrate Sickler for status and settlement conf during 12/80...COM...eod 9/9/80 ORDER (RDS) FOR SETTLEMENT CONF....Settlement Conf. set for 9:00am on 12/3/80...COM ...eod 9/9/80

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CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>79-Z-1012</u>
ASPEN HIGHLANDS SKIING CORP.		ASPEN SKIING CORP, et al	PAGE <u>2</u> OF <u>    </u> PAGES

DATE 1980	NR.	PROCEEDINGS
9/12		NOTICE OF DEPOSITION of Peter McMahon at 9:00am on 9/25/80, Vivian E. Jones at 3:00pm on 9/25/80 & George Lloyd at 10:00am on 9/26/80 at the offices of Holland & Hart, Mountain Plaza Bldg., 434 E. Cooper St., Aspen, Co...by Defts...COS
9/24		NOTICE TO TAKE DEPOSITION of GEORGE MADSEN at 1:00pm on 10/20/80 at the offices of Holland & Hart, 434 East Cooper Street, Aspen, Colorado and continued to 10/21/80 at 9:00am...by Plft...COM
		NOTICE TO TAKE DEPOSITIONS of PETER SULLIVAN at 1:30pm on 10/16/80 at the office of Ireland, Stapleton & Pryor, 1675 Broadway #2600, Denver, Co. ...by Plft...COM
10/1		MOTION for Extension of time to reply to Interrogatories of Deft. J.R.S. Investments, Inc....by Plft...COM
		MINUTE ORDER (ZLW)...ORDERED: that Plft's Motion for Extension of Time in Which to reply to the Interrogatories of Deft. J.R.S. Investments, Inc. is granted to & including 11/3/80...COM...eod 10/2/80
11/26		NOTICE TO TAKE DEPOSITION of J.R. STURGIS at 10:00am on 12/12/80 at the offices of Holland & Hart, 600 E. Main St., Aspen, Co...by Plft...COM
12/3		SETTLEMENT CONF. (RDS)...ORDERED: Further Settlement Conf. to be held on 1/16/81 at 8:30am... (when Status Conf. before ZLW is Completed)...eod 12/3/80
<u>1981</u> 1/16		SETTLEMENT CONF. (RDS)...Discussion of Settlement...Conf. concluded...eod 1/16/81
		STATUS CONF. (ZLW)...Counsel State Settlement has been reach with J.R.S. Motion & Order will follow...ORDERED: Plft's. will file a motion to Amend the Complaint and the Amended Complaint by 1/26/81...The Court will grant this Motion...The Deft's. will have 20 days to Answer or otherwise plead to the Amended Complaint...Should counsel need additional time on discovery, Court will permit such time by Stipulation of Counsel...Pre-Trial Order date need not be changed at this time...Counsel to have instructions prepared ahead of trial...Counsel to have exhibits all marked and read with as many Stipulation as possible...eod 1/16/81
1/19		Certificate of Mailing...Plft's. Second request for Production of Documents
1/26		MOTION to File Amended Complaint...by Plft...COD
X		AMENDED COMPLAINT...by Plft...COD
1/30		Certificate of Mailing...Plft's. First Set of Interrogatories Propounded to Deft's.
2/11		MINUTE ORDER (ZLW)...ORDERED: that Plft's. Motion to file Amended Complaint is Granted and the Amended Complaint as tendered is filed with the Court, nunc pro tunc 1/26/81...COM...eod 2/11/81
3/10		NOTICE OF DEPOSITION of TED FARWELL at 9:00am on 3/25/81...by Deft's...COS
X 3/11		ANSWER to Amended Complaint...by Deft's Aspen Skiing Corp, Buttermilk Mountain, Skiing Corp. & Snowmass Skiing Corp...COS
3/12		JOINT MOTION to Dismiss...signed by counsel
3/16		ORDER OF DISMISSAL (ZLW)...ORDERED: that this civil action and Complaint are dismissed as to Deft. J.R.S. Investments, Inc., with prejudice, each party to pay its own costs...COM...eod 3/16/81
3/26		Certificate of Mailing...Plft's. Answers to Second Set of Interrogatories & Response to First Request for Production of Documents

CIVIL DOCKET CONTINUATION SHEET

PI	TIFF	DEFENDANT	DOCKET NO. <u>79-Z-1012</u>
ASPEN HIGHLANDS SKIING CORP.		ASPEN SKIING CORP., et al	PAGE <u>3</u> OF <u>    </u> PAGES

DATE 1981	NR.	PROCEEDINGS
3/27		Stipulation re: Confidentiality of certain research, development, or commercial information...signed by counsel
3/30		MOTION to Extend Discovery Cutoff Date...by Plft...COD MOTION to Compel Production of Documents...by Plft...COD NOTICE OF DEPOSITION of MR. THORBECK at 9:00am on 4/3/81, MR. RICHARDSON at 1:30pm on 4/3/81, MR. SULLIVAN at 1:30pm on 4/4/81 & MS. TAYLOR at 9:00am on 4/4/81 ...by Plft...COM
3/31		NOTICE OF DEPOSITION of PAUL NITZE at 1:30pm on 4/27/81 & PETER NITZE at 2:30pm on 4/27/81...by Plft's...COM NOTICE OF DEPOSITION of CHARLES GOELDNER at 9:30am on 4/20/81...by Plft...COM NOTICE OF DEPOSITION of RONALD THOMPSON at 9:00am on 4/8/81 & RUSSELL FRAZIER at 1:30pm on 4/8/81...Subpoenas Issued...by Plft...COM AMENDED ORDER OF REFERENCE TO MAGISTRATE (ZLW)...Case Referred to Magistrate Sickler to Conduct hearing on all discovery Motions & to Conduct Status & Settlement Conf...COM...eod 3/31/81
*3/30		PROTECTIVE ORDER (ZLW)...ORDERED: the Documents described by Exhibit A to this Order shall be deemed to be Confidential Material consistent with Rule 26(c)(7) until further order of this Court...Such Confidential Material shall be marked as "Confidential Use and Disclosure of Information Designated Confidential is Governed by Court Order"...Each person to whom such confidential Material is disclosed shall be bound by the terms of this Order...No such person shall divulge any Confidential Material to any other person except as provided...The Attys. for Aspen Skiing Corp. shall keep a list identifying each person to whom Confidential Material has been given as set forth in the order... Confidential Material shall not be used for any purpose other than this action ...Confidential Material shall not be reproduce, without premission of Aspen Highlands Skiing Corp...Counsel are directed to cooperate with one another in order to promite the expeditious resolution of any dispute under this Order... Upon the termination of this action, whether by trial, settlement, dismissal or other disposition, originals and all copies of such Confidential Material shall be returned to the producing party, except as may be necessary in connection with an appeal...Treatment of such Confidential Material at trial will be subject to further orders of this Court...All parties to this action shall be bound by the terms of this Order and shall conduct themselves accordingly...COM ...eod 4/1/81
4/1		Certification Pursuant to Local Rule 5(g)...COM
4/2		Deft's. Memorandum in Opposition to Plft's. Motion to Compel Production of Documents...COS HEARING (RDS) Motion to Compel...ORDERED: Motion for extension of discovery cut-off is Granted to 4/30/81...ORDERED: No Sanctions shall be imposed...ORDERED: The Motion to Compel is Granted for Production of Those documents in compassed in the Motion which relate strickly to marketing & financial projections of the Aspen Ski Area...FURTHER ORDERED: that any such documents produced by the Deft. at this time, & until further order of court, shall only be viewed by trial counsel of Plft. & that no information shall be imparted to Plft. or any of its officers or directors...This matter obtained may be used for deposition of Deft's., but if Deft. so determines the Depositions, when prepared will be sealed except for use of trial counsel...Further, to include those matters concerning consideration of the acquisition of other ski areas within the state of Colo... ORDERED: Any objection to this Order under local rule 17 must be filed before 5:00pm on 4/3/81
4/7		NOTICE OF DEPOSITION of ALAN R. ANDERSEN at 9:30am on 4/17/81...by Deft's...COS

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. 79-Z-101
ASPEN HIGHLANDS SKIING CORP.		ASPEN SKIING CORP.	PAGE 4 OF _____ PAGES

DATE 1981	NR.	PROCEEDINGS
X 4/10		MOTION in Limine...by Deft's...COS
X		Memorandum in Support of Motion in Limine...COS
X 4/22		Plft's. Memorandum in Opposition to Deft's. Motion in Limine...COS
X 4/24		MOTION for Partial Summary Judgment...by Deft's...COS
X		Memorandum In Support of Deft's. Motion for Partial Summary Judgment...COS
4/27		ORDER (ZLW)... <u>Case is set for Trial at 10:30am on 6/1/81...COM...eod 4/27/81</u>
4/30		PRE-TRIAL CONF. (ZLW)...ORDERED: Plft's. Brief in opposition to Deft's. partial summary Judgment due 5/13/81...Hearing on Motions set for 5/22/81 at 2:30pm for one hour (Motion in Limine & Motion for partial Summary Judgment)...Pre-Trial Order to be submitted by 5/15/81...Discovery cut-off 5/15/81 including expert witnesses...eod 4/30/81
		MINUTE ORDER (ZLW)...ORDERED: that Deft's. Motion in Limine and Motion for Partial Summary Judgment are set for hearing on 5/22/81 at 2:30pm...A Stipulated pre-trial Order shall be filed on or before 5/15/81...Discovery cut-off is 5/15/81...COM...eod 4/30/81
X 5/11		MOTION In Limine by plf...COM
X 5/13		Deposition of Ted FARWELL
X 5/15		CROSS MOTION for Partial Summary Judgment...by Plft's...COS <i>and attached</i>
X 5/15		Deft's Proposed jury instructions...c.o.m. <i>Refused - 14, 32 memoranda</i>
X 5/15		Plft's. Tendered Jury Instructions <i>Refused - 15, 33, 31, 37, 38, 39, 40, 41, 43, 45</i>
X 5/19		Plft's. Trial Brief and Brief in Support of Requested Jury Instructions...COS
5/22		Memorandum in Opposition to Plft's. Motion in Limine Re Testimony of George Bardwell
		MOTION by Plaintiff to compel...c.o.m.
		HEARING (ZLW) Motion in Limine & Motion for Partial Summary Judgment...ORDERED: Deft's. Motion for Partial Summary Judgment DENIED...Plft's. Cross Motion for Partial Summary Judgment DENIED...Deft's. Motion in Limine (witness Mr. Forwill) DENIED except least minute Forwill charts for in camera inspection prior to being handed to the jury...Oral Motion of Deft. to take the deposition of Mr. Foye...ORDERED: Mr. Palmer should have the opportunity to take his deposition...Plft's. Motion in Limine (Mr. Bardwell) reserved ruling to be decided in the midst of trial...Pre-Trial Order due 5/26/81...Plft. to in-form Court by Wednesday of settlement possibility...Plft's. Motion to Compel documents GRANTED...Deft. to submit financial statements by 5/27/81 5:00pm if exists...Confidentiality to be enforced concerning contents...eod 5/26/81
X 5/29		Designation of Deposition of Paul Nitze...by Plft...COD
X		Designation of Deposition of Paul P. Palangi...by Plft...COD
6/1		Deft's. Trial Memorandum...COS
		TRIAL TO JURY (ZLW) 1st Day...Opening Statements...Jury Selection...Jury Sworn ...Opening Statements...Witness...Exhibits...eod 6/2/81
X		Deft's. Cross-Designation of Deposition Testimony of Paul H. Nitze...COS
X		Citations in Support of Proposed Jury Instructions...by Deft's...COS
X		Deft's. Designation of Deposition Testimony of Peter P. Nitze...COS
6/2		TRIAL TO JURY (ZLW) 2nd Day...Exhibits...Witnesses...eod 6/3/81
6/3		TRIAL TO JURY (ZLW) 3rd Day...Witnesses...Exhibits...recess...eod 6/5/81
6/4		TRIAL TO JURY (ZLW) 4th Day...Witnesses...Exhibits...recess...eod 6/5/81
6/5		TRIAL TO JURY (ZLW) 5th Day...Witnesses...Exhibits...recess 6/8/81
X 6/8		MOTION to Strike...by Deft's...COS
X		MOTION to Strike...by Deft's...COS

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CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF ASPEN HIGHLANDS CORP.	DEFENDANT ASPEN SKIING CORP., et al	DOCKET NO. 79-Z-1012 PAGE 5 OF _____ PAGES
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DATE 1981	NR.	PROCEEDINGS
6/8		TRIAL TO JURY (ZLW) 6th Day...Discussion of Motions to Strike...The Court will review the Motions once the evening session and rule in the morning...Witnesses ...exhibits...eod
6/9		TRIAL TO JURY (ZLW) 7th Day...Motion to Strike (Elloyd exhibits 90 & 92) Granted (not to be admitted)...Motion to Strike (Forwelle) DENIED...witnesses...The Court will allow Forwell to give testimony...exhibits...eod 6/10/81
6/11		Deft's. Reply Brief in Opposition to Plft's. Proposed Jury Instructions and Trial Brief...COS
*6/10		TRIAL TO JURY (ZLW) 8th Day...Witness...Renewed Oral Motion to Strike testimony of Mr. Farwell DENIED...Exhibits...Plft. rests...Oral Motion for directed Verdict DENIED...Oral Motion of Plft. to sequestor Deft's. witnesses DENIED... eod 6/12/81
		TRIAL TO JURY (ZLW) 9th Day...Witnesses...Exhibits...Deft's Exhibits II, KK & JJ received & stipulated with small 8 x 10 photos after a verdict is in...Court informs counsel regarding possible scheduling problems...recess...eod 6/12/81
6/12		TRIAL TO JURY (ZLW) 10th Day...Witnesses...Exhibits...recess...eod 6/15/81
6/15		MOTION to Submit Special Interrogatories to the Jury...by Deft's...COS
6/16		TRIAL TO JURY (ZLW) 11th Day...Witnesses...Exhibits...Oral Renewed Motion in Limine DENIED...Oral Motion of Deft. for directed Verdict DENIED...eod 6/16/81
		TRIAL TO JURY (ZLW) 12th Day...Witness...Exhibits...Oral argument on renewed Motion for Directed Verdict...ORDERED: Deft's. Motion for Directed Verdict as to Section 1 violation of conspiracy to monopolize and Section 1 of Conspiracy to restrain trade among subsidiaries and the Corporation is GRANTED...Closing Arguments...eod 6/17/81
6/17		TRIAL TO JURY (ZLW) 13th Day...Instructions given to Jury...Jury Deliberates... eod 6/18/81
6/18		Receipt for Exhibits...Plft's. Exhibits...by counsel for Plft. TRIAL TO JURY (ZLW) 14th Day...Jury returns with verdict...ORDERED: The verdict to be entered in accordance with the statute which states that damages are to be trebled in the amount of \$7,500,000 for the Plft. and against the Deft. plus attorneys fees and costs...An injunction may issue within 20 days...Post Trial motions by Deft. granted a 20 days stay thru stipulation of counsel, Briefs to be filed 20 days thereafter...Attys. fees to be submitted with an affidavit and copy of time sheets, to be filed within 30 days...eod 6/18/81
6/19		PRETRIAL ORDER (ZLW)...No Amendments...Motions in Limine & Motions for Partial Summary Judgment...Discovery has been completed...Trial to Jury 6/1/81 for two weeks
		VERDICT...Special Interrogatories to the Jury Plft's & Deft's. Exhibit & Witness List Deft's. Reply Brief...COS
*6/11		Receipt for Deft's. Exhibits II, JJ & KK returned
6/18		JUDGMENT (ZLW)...ORDERED: that Judgment enter for the Plft. and against the Deft's. in the sum of \$7,500,000.00, plus attorneys fees and costs...FURTHER ORDERED: that there be a 20 days stay of execution, during which time motions briefs and affidavits may be filed...The Court will rule on injunctive relief and attorneys fees within 30 days...COM...eod 6/19/81
6/22		Receipt for Depositions returned to Deft's. counsel
6/24		Receipt for Deft's. Exhibit GG, Depositions of Alan Anderson & Bill Comstock returned to Deft's. counsel



CIVIL DOCKET CONTINUATION SHEET

FPI-MAR-7-14-80-70H-4398

PLAINTIFF ASPEN HIGHLANDS SKIING CORP.		DEFENDANT ASPEN SKIING CORPORATION, et al	DOCKET NO. <u>79-2-1012</u> PAGE <u>6</u> OF <u>    </u> PAGES
-------------------------------------------	--	----------------------------------------------	-------------------------------------------------------------------

DATE	NR.	PROCEEDINGS
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7/8/81 MOTION for Judgment Notwithstanding The Verdict or in the Alternative, for a New Trial, or In the Alternative, To Alter or Amend The Judgment...by Deft's...COS  
Memorandum In Support of Deft's. Motion for Judgment Notwithstanding The Verdict, OF, IN the Alternative, for a New Trial or, In the Alternative, to Alter or Amend the Judgment...COS

MOTION for Stay Pending Disposition of Deft's. Motion for Judgment Notwithstanding The Verdict or in the Alternative, for a New Trial or, In the Alternative to Alter or Amend Judgment...by Deft's...COS  
Deft's. Statement of Position and Proposed Form of Injunction...by Deft. Aspen Skiing Corp...COS

7/6/81 MOTION for Entry of Permanent Injunction...by Plft...COD  
Memorandum of Points and Authorities in Support of Motion for Entry of Permanent Injunction...COD  
Plft's. Petition for Award of Attorney's Fees and Costs...w/attachments  
Memorandum of Points and Authorities in Support of Plft's. Petition for Award of Attorneys' Fees and Costs...COS

7/9/81 MINUTE ORDER (ZLW)...ORDERED: that Plft's. Motion for Entry of Permanent Injunction is set for hearing on 7/15/81 at 8:30am...COM...eod 7/9/81

7/15/81 HEARING (ZLW)...On Motion for Entry of Permanent Injunction...ORDERED: The language that "Aspen Skiing Corp. & Aspen Highlands are not affiliated" is agreed to by parties and approved by the Court...Time period for the injunction is 3 years or until Little Annie goes into operation at which time the Court will set a review hearing...The price of the 6 day-area ticket is set by the Court at \$120.00...The refund policy should be competitive with Aspen Skiing Corp's. refund policy, Refund will be by mail...10% Commission is approved, although either Corporation may offer additional commissions if it so chooses...Advertising & Marketing : The Corporations may advertise freely if it is done fairly...The Court will not order a Marketing fund...The 4-Area ticket must be mentioned in the advertising of lift tickets...Each party to pay for their own costs of tickets...Deft. should submit a proposed injunction in Conformance with Court's oral ruling; Plft. to approve as to form...The Court's Order shall take effect immediately...eod 7/16/81

7/20/81 REPORTER'S TRANSCRIPT...Court's Ruling on Permanent Injunction on 7/15/81

7/24/81	Certificate of Judgment for Lien Upon Land and Tenements issued by Clerk
7/24	MINUTE ORDER (ZLW) 7/23, that Defendants' Motion for Judgment Notwithstanding the Verdict, or in the Alternative, for a New Trial or in the Alternative to Alter or Amend the Judgment is denied, <u>nunc pro tunc</u> 7/15/81. C.O.M. eod 7/24/81.  MOTION of Defendants for Approval of Supersedeas Bond and for Stay Upon Appeal; with Exhibit A. C.O.S.  NOTICE OF APPEAL, filed by Defendants, re Judgment of 6/19/81, and Order of 7/24/81. C.O.S. Designation Conference set for Fri., July 31, 1981, at 8:30 a.m. Transcript Order due 8/3/81. (\$5.00 and \$65.00 pd).  Plaintiff's Response to Defendants' Motion for Approval of Supersedeas Bond; with Attachment. C.O.S.

PLAINTIFFS

*PROTECTIVE ORDER*

DEFENDANTS

*79-2-1012*

ASPEN HIGHLANDS SKIING CORPORATION, a  
Delaware Corporation

1. ASPEN SKIING CORPORATION, a Delaware Corporation ✓
2. BUTTERMILK MOUNTAIN SKIING CORPORATION a Colorado Corporation ✓
3. SNOWMASS SKIING CORPORATION, a Colorado Corporation ✓
4. J.R.S. INVESTMENTS, INC., a Colorado Corporation ✓

**APPEAL**

*81-1836*  
*81-1892*

*J.S.G.*  
*6/19/81*

Complaint for violation of the anti-trust (Sherman/Clayton) Act 15 USC 1-7

CAUSE

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IF CASE WAS FILED IN FORM 101	RECEIVED NOTICE	CLASSIFIED	CARD	DATE MAILED
			JS-5	9/10/79
			JS-6	

DATE	NR.	PROCEEDINGS
		COMPLAINT -- pd Issued Summons
8/22		Marshal's Return, S&C, Req. for Prod., Aspen Skiing Corp., by serving Ellen Smith, Corp. Co., as Agent for Svc., 8-3-79; Buttermilk Mountain Skiing Corp., by serving Cindy Timmers, for Mr. Claude M. Maer, Jr., Agt. for Svc., 8-3-79; Snowmass Skiing Corp., by serving Cindy Timmers, for Claude Maer, Agt. for Svc., 8-3-79; J.R.S. Investments, Inc., bu serving Russ Frasier, Sect. of Corp., 8-17-79
8/17		MOTION for Extension of Time Within Which to Answer or Otherwise Respond MINUTE ORDER (gmz): Defts. Aspen Skiing Corp., Buttermilk Mtn. Skiing Corp. and Snowmass Skiing Corp. granted to 9-11-79 to answer complaint...COM..eod 8-23-79
9/6		MOTION for Extension of Time to move to complaint of Deft. J.R.S. Investments, Inc. ...COM MINUTE ORDER (gmz): Deft. J.R.S. Investments, Inc. granted to 9-27-79 to respond to Complaint...Clk's COM...eod 9-6-79
9/11		ANSWER of Defts. Aspen Skiing, Buttermilk Mountain Skiing, ans Snowmass Skiing Corp. ANSWER of Deft. J.R.S. Investments, Inc....COM
OCT 5		Letter re reassignment to ZLW
11/28		MINUTE ORDER: Preliminary pretrial set 12-12-79, 3:00 p.m....COM...eod 12-4-79
12/12		PREL PRETRIAL CONF...status conf set 5/9/80 at 8:00...eod 12/13/79 MINUTE ORDER...status conf set for 5/9/80 at 8:00...COM...eod 12/13/79
1980		
1/25		Notice to take deposition of W. V. N. Jones 1/31/80 ...c.o.m.
2/12		Notice to Take Deposition - W. V. N. Jones - 2-19-80, 9:00 a.m. - by Defts...COS
3/12		MOTION for Extension of Time Pursuant to Local Rule 4 (to reply to interrogatories). MINUTE ORDER (gmz): Pltf. granted to 4-4-80 to reply to interrogatories of Defts. Aspen Skiing Corp., Buttermilk Mtn. Skiing Corp. and Snowmass Skiing Corp....COM.. eod 3-12-80
3/21		Deposition of WHIPPLE V. N. JONES - 2-19-80
4/4		Notice of Change of Address of Attys. for Pltf.
4/7		Certificate of Mailing re Pltf's Answers to Interrgs.
4/10		First MOTION to Compel Discovery of Pltf....COM
4/11		MINUTE ORDER: Hearing on Pltf's Motion to Compel will be heard at Status Conference set 5-9-80, 8:00 a.m....COM..eod 4-11-80
5/8		Memorandum in Opposition to Pltf's First Motion to Compel Discovery of Defts. Aspen Skiing Corp., Buttermilk Mtn. Skiing Corp. and Snowmass Skiing Corp....COS
5/9		STATUS CONFERENCE (ZLW)...Arguments of counsel...ORDERED: Dfdts may file jurisdiction motions within 30 days...Further status conference 9/9/80 at 8 a.m..Motion to Compel GRANTED in part (as to general information re Aspen area)...eod 5/12/80 MINUTE ORDER (ZLW)...Further status conference set 9/9/80 at 8 a.m..COM...eod 5/12/80
9/5		NOTICE TO TAKE DEPOSITION of TOM RICHARDSON at 9:00am on 9/22/80 at 434 East Cooper St., Aspen, Co...by Plft...COM
9/9		STATUS CONFERENCE...ORDERED Discovery cutoff 3/31/81...pretrial set 4/30/81..stipulated pretrial order due 4/30/81...jury trial set one week 6/1/81 at 10:30...case referred to Magistrate for settlement conf in 12/80...further status conf set 1/16/81 at 8:15...eod 9/9/80 Notice of Trial Setting 5 days to jury 10:30 6/1/81...status conf set 1/16/81 at 8:15 ...pretrial set 4/30/81 at 8:15...COM...eod 9/9/80 ORDER (ZLW)...case referred to Magistrate Sickler for status and settlement conf during 12/80...COM...eod 9/9/80 ORDER (RDS) FOR SETTLEMENT CONF....Settlement Conf. set for 9:00am on 12/3/80...COM ...eod 9/9/80

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CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. 79-Z-1012
ASPEN HIGHLANDS SKIING CORP.		ASPEN SKIING CORP, et al	PAGE 2 OF _____ PAGES

DATE 1980	NR.	PROCEEDINGS
9/12		NOTICE OF DEPOSITION of Peter McMahon at 9:00am on 9/25/80, Vivian E. Jones at 3:00pm on 9/25/80 & George Lloyd at 10:00am on 9/26/80 at the offices of Holland & Hart, Mountain Plaza Bldg., 434 E. Cooper St., Aspen, Co...by Defts...COS
9/24		NOTICE TO TAKE DEPOSITION of GEORGE MADSEN at 1:00pm on 10/20/80 at the offices of Holland & Hart, 434 East Cooper Street, Aspen, Colorado and continued to 10/21/80 at 9:00am...by Plft...COM
		NOTICE TO TAKE DEPOSITIONS of PETER SULLIVAN at 1:30pm on 10/16/80 at the office of Ireland, Stapleton & Pryor, 1675 Broadway #2600, Denver, Co...by Plft...COM
0/1		MOTION for Extension of time to reply to Interrogatories of Deft. J.R.S. Investments, Inc...by Plft...COM
		MINUTE ORDER (ZLW)...ORDERED: that Plft's Motion for Extension of Time in Which to reply to the Interrogatories of Deft. J.R.S. Investments, Inc. is granted to & including 11/3/80...COM...eod 10/2/80
11/26		NOTICE TO TAKE DEPOSITION of J.R. STURGIS at 10:00am on 12/12/80 at the offices of Holland & Hart, 600 E. Main St., Aspen, Co...by Plft...COM
12/3		SETTLEMENT CONF. (RDS)...ORDERED: Further Settlement Conf. to be held on 1/16/81 at 8:30am...(when Status Conf. before ZLW is Completed)...eod 12/3/80
<u>1981</u>		
1/16		SETTLEMENT CONF. (RDS)...Discussion of Settlement...Conf. concluded...eod 1/16/81
		STATUS CONF. (ZLW)...Counsel State Settlement has been reach with J.R.S. Motion & Order will follow...ORDERED: Plft's. will file a motion to Amend the Complaint and the Amended Complaint by 1/26/81...The Court will grant this Motion...The Deft's. will have 20 days to Answer or otherwise plead to the Amended Complaint...Should counsel need additional time on discovery, Court will permit such time by Stipulation of Counsel...Pre-Trial Order date need not be changed at this time...Counsel to have instructions prepared ahead of trial...Counsel to have exhibits all marked and read with as many Stipulation as possible...eod 1/16/81
1/19		Certificate of Mailing...Plft's. Second request for Production of Documents
1/26		MOTION to File Amended Complaint...by Plft...COD
		AMENDED COMPLAINT...by Plft...COD
1/30		Certificate of Mailing...Plft's. First Set of Interrogatories Propounded to Deft's.
2/11		MINUTE ORDER (ZLW)...ORDERED: that Plft's. Motion to file Amended Complaint is Granted and the Amended Complaint as tendered is filed with the Court, nunc pro tunc 1/26/81...COM...eod 2/11/81
3/10		NOTICE OF DEPOSITION of TED FARWELL at 9:00am on 3/25/81...by Deft's...COS
3/11		ANSWER to Amended Complaint...by Deft's Aspen Skiing Corp, Buttermilk Mountain, Skiing Corp. & Snowmass Skiing Corp...COS
3/12		JOINT MOTION to Dismiss...signed by counsel
3/16		ORDER OF DISMISSAL (RDS)...ORDERED: that this civil action and Complaint are dismissed as to Deft. J.R.S. Investments, Inc., with prejudice, each party to pay its own costs...COM...eod 3/16/81
3/26		Certificate of Mailing...Plft's. Answers to Second Set of Interrogatories & Responses to First Request for Production of Documents

(Over)

CIVIL DOCKET CONTINUATION SHEET

ASPEN HIGHLANDS SKIING CORP.

DEFENDANT

ASPEN SKIING CORP., et al

DOCKET NO. 17-1111

PAGE 3 OF 3 PAGES

DATE 1981	NR.	PROCEEDINGS
3/27		Stipulation re: Confidentiality of certain research, development, or commercial information...signed by counsel
3/30		MOTION to Extend Discovery Cutoff Date...by Plft...COD
3/30		MOTION to Compel Production of Documents...by Plft...COD
3/30		NOTICE OF DEPOSITION of MR. THORBECK at 9:00am on 4/3/81, MR. RICHARDSON at 1:30pm on 4/3/81, MR. SULLIVAN at 1:30pm on 4/4/81 & MS. TAYLOR at 9:00am on 4/4/81 ...by Plft...COM
3/31		NOTICE OF DEPOSITION of PAUL NITZE at 1:30pm on 4/27/81 & PETER NITZE at 2:30pm on 4/27/81...by Plft's...COM
3/31		NOTICE OF DEPOSITION of CHARLES GOELDNER at 9:30am on 4/20/81...by Plft...COM
3/31		NOTICE OF DEPOSITION of RONALD THOMPSON at 9:00am on 4/8/81 & RUSSELL FRAZIER at 1:30pm on 4/8/81...Subpoenas Issued...by Plft...COM
*3/30		AMENDED ORDER OF REFERENCE TO MAGISTRATE (ZLW)...Case Referred to Magistrate Sickler to Conduct hearing on all discovery Motions & to Conduct Status & Settlement Conf...COM...eod 3/31/81
*3/30		PROTECTIVE ORDER (ZLW)...ORDERED: the Documents described by Exhibit A to this Order shall be deemed to be Confidential Material consistent with Rule 26(c) (7) until further order of this Court...Such Confidential Material shall be marked as "Confidential Use and Disclosure of Information Designated Confidential is Governed by Court Order"...Each person to whom such confidential Material is disclosed shall be bound by the terms of this Order...No such person shall divulge any Confidential Material to any other person except as provided...The Attys. for Aspen Skiing Corp. shall keep a list identifying each person to whom Confidential Material has been given as set forth in the order... Confidential Material shall not be used for any purpose other than that this action ...Confidential Material shall not be reproduce, without premission of Aspen Highlands Skiing Corp...Counsel are directed to cooperate with one another in order to promite the expeditious resolution of any dispute under this Order... Upon the termination of this action, whether by trial, settlement, dismissal or other disposition, originals and all copies of such Confidential Material shall be returned to the producing party, except as may be necessary in connection with an appeal...Treatment of such Confidential Material at trial will be subject to further orders of this Court...All parties to this action shall be bound by the terms of this Order and shall conduct themselves accordingly...COM ...eod 4/1/81
4/1		Certification Pursuant to Local Rule 5(g)...COM
4/2		Deft's. Memorandum in Opposition to Plft's. Motion to Compel Production of Documents...COS
4/2		HEARING (RDS) Motion to Compel...ORDERED: Motion for extension of discovery cutoff is Granted to 4/30/81...ORDERED: No Sanctions shall be imposed...ORDERED: The Motion to Compel is Granted for Production of Those documents in compassed in the Motion which relate strickly to marketing & financial projections of the Aspen Ski Area...FURTHER ORDERED: that any such documents produced by the Deft. at this time, & until further order of court, shall only be viewed by trial counsel of Plft. & that no information shall be imparted to Plft. or any of its officers or directors...This matter obtained may be used for deposition of Deft's., but if Deft. so determines the Depositions, when prepared will be sealed except for use of trial counsel...Further, to include those matters concerning consideration of the acquisition of other ski areas within the state of Colo... ORDERED: Any objection to this Order under local rule 17 must be filed before 5:00pm on 4/3/81
4/7		NOTICE OF DEPOSITION of ALAN R. ANDERASEN at 9:30am on 4/17/81 ...by Deft's...COS

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>79-Z-101</u>
ASPEN HIGHLANDS SKIING CORP.		ASPEN SKIING CORP.	PAGE <u>4</u> OF <u>    </u> PAGES

DATE 1981	NR.	PROCEEDINGS
4/10	///	MOTION in Limine...by Deft's...COS Memorandum in Support of Motion in Limine...COS
4/22		Plft's. Memorandum in Opposition to Deft's. Motion in Limine...COS
4/24	///	MOTION for Partial Summary Judgment...by Deft's...COS Memorandum In Support of Deft's. Motion for Partial Summary Judgment...COS
4/27		ORDER (ZLW)... <u>Case is set for Trial at 10:30am on 6/1/81...COM...eod 4/27/81</u>
4/30		PRE-TRIAL CONF. (ZLW)...ORDERED: Plft's. Brief in opposition to Deft's. partial summary Judgment due 5/13/81...Hearing on Motions set for 5/22/81 at 2:30pm for one hour (Motion in Limine & Motion for partial Summary Judgment)...Pre-Trial Order to be submitted by 5/15/81...Discovery cut-off 5/15/81 including expert witnesses...eod 4/30/81 MINUTE ORDER (ZLW)...ORDERED: that Deft's. Motion in Limine and Motion for Partial Summary Judgment are set for hearing on 5/22/81 at 2:30pm...A Stipulated pre-trial Order shall be filed on or before 5/15/81...Discovery cut-off is 5/15/81...COM...eod 4/30/81
5/11	///	MOTION In Limine by plf...COM Deposition of Ted FARWELL
5/13	///	CROSS MOTION for Partial Summary Judgment...by Plft's...COS
5/15	///	Deft's Proposed jury instructions...c.o.m. Plft's. Tendered Jury Instructions Plft's. Trial Brief and Brief in Support of Requested Jury Instructions...COS
5/19		Memorandum in Opposition to Plft's. Motion in Limine Re Testimony of George Bardwell
5/22	///	MOTION by Plaintiff to compel...c.o.m. HEARING (ZLW) Motion in Limine & Motion for Partial Summary Judgment...ORDERED: Deft's. Motion for Partial Summary Judgment DENIED...Plft's. Cross Motion for Partial Summary Judgment DENIED...Deft's. Motion in Limine (witness Mr. Forwill) DENIED except least minute Forwill charts for in camera inspection prior to being handed to the jury...Oral Motion of Deft. to take the deposition of Mr. Foye...ORDERED: Mr. Palmer should have the opportunity to take his deposition...Plft's. Motion in Limine (Mr. Bardwell) reserved ruling to be decided in the midst of trial...Pre-Trial Order due 5/26/81...Plft. to in-form Court by Wednesday of settlement possibility...Plft's. Motion to Compel documents GRANTED...Deft. to submit financial statements by 5/27/81 5:00pm if exists...Confidentiality to be enforced concerning contents...eod 5/26/81
5/29		Designation of Deposition of Paul Nitze...by Plft...COD Designation of Deposition of Paul P. Palangi...by Plft...COD Deft's. Trial Memorandum...COS
6/1		TRIAL TO JURY (ZLW) 1st Day...Opening Statements...Jury Selection...Jury Sw... ...Opening Statements...Witness...Exhibits...eod 6/2/81 Deft's. Cross-Designation of Deposition Testimony of Paul H. Nitze...COS Citations in Support of Proposed Jury Instructions...by Deft's...COS Deft's. Designation of Deposition Testimony of Peter P. Nitze...COS
6/2		TRIAL TO JURY (ZLW) 2nd Day...Exhibits...Witnesses...eod 6/3/81
6/3		TRIAL TO JURY (ZLW) 3rd Day...Exhibits...recess...eod 6/5/81
6/4		TRIAL TO JURY (ZLW) 4th Day...Witnesses...Exhibits...recess...eod 6/5/81
6/5		TRIAL TO JURY (ZLW) 5th Day...Witnesses...Exhibits...recess 6/8/81
6/8		MOTION to Strike...by Deft's...COS MOTION to Strike...by Deft's...COS

CIVIL DOCKET CONTINUATION SHEET

ASPLIN HIGHLANDS CORP.

DEFENDANT  
ASPLIN SKIING CORP., et al

7-12-1012  
PAGE 5 OF 5 PAGES

DATE 1981	NR.	PROCEEDINGS
6/8		TRIAL TO JURY (ZLW) 6th Day...Discussion of Motions to Strike...The Court will review the Motions once the evening session and rule in the morning...Witnesses ...exhibits...eod
6/9		TRIAL TO JURY (ZLW) 7th Day...Motion to Strike (Illoyd exhibits 90 &92) Granted (not to be admitted)...Motion to Strike (Forwelle) DENIED...witnesses...The Court will allow Forwell to give testimony...exhibits...eod 6/10/81
6/11		Deft's. Reply Brief in Opposition to Plft's. Proposed Jury Instructions and Trial Brief...COS
*6/10		TRIAL TO JURY (ZLW) 8th Day...Witness...Renewed Oral Motion to Strike testimony of Mr. Farwell DENIED...Exhibits...Plft. rests...Oral Motion for directed Verdict DENIED...Oral Motion of Plft. to sequestor Deft's. witnesses DENIED... eod 6/12/81
6/11		TRIAL TO JURY (ZLW) 9th Day...Witnesses...Exhibits...Deft's Exhibits II, KK & JJ received & stipulated with small 8 x 10 photos after a verdict is in...Court informs counsel regarding possible scheduling problems...recess...eod 6/12/81
6/12		TRIAL TO JURY (ZLW) 10th Day...Witnesses...Exhibits...recess...eod 6/15/81
6/15		MOTION to Submit Special Interrogatories to the Jury...by Deft's...COS
		TRIAL TO JURY (ZLW) 11th Day...Witnesses...Exhibits...Oral Renewed Motion in Limine DENIED...Oral Motion of Deft. for directed Verdict DENIED...eod 6/16/81
6/16		TRIAL TO JURY (ZLW) 12th Day...Witness...Exhibits...Oral argument on renewed Motion for Directed Verdict...ORDERED: Deft's. Motion for Directed Verdict as to Section 1 violation of conspiracy to monopolize and Section 1 of Conspiracy to restrain trade among subsidiaries and the Corporation is GRANTED...Closing Arguments...eod 6/17/81
6/17		TRIAL TO JURY (ZLW) 13th Day...Instructions given to Jury...Jury Deliberates... eod 6/18/81
6/18		Receipt for Exhibits...Plft's. Exhibits...by counsel for Plft. TRIAL TO JURY (ZLW) 14th Day...Jury returns with verdict...ORDERED: The verdict to be entered in accordance with the statute which states that damages are to be trebled in the amount of \$7,500,000 for the Plft. and against the Deft. plus attorneys fees and costs...An injunction may issue within 20 days...Post Trial motions by Deft. granted a 20 days stay thru stipulation of counsel, Briefs to be filed 20 days thereafter...Attys. fees to be submitted with an affidavit and copy of time sheets, to be filed within 30 days...eod 6/18/81
6/19		PRETRIAL ORDER (ZLW)...No Amendments...Motions in Limine & Motions for Partial Summary Judgment...Discovery has been completed...Trial to Jury 6/1/81 for two weeks VERDICT...Special Interrogatories to the Jury Plft's & Deft's. Exhibit & Witness List
*6/11		Deft's. Reply Brief...COS
6/18		Receipt for Deft's. Exhibits II, JJ & KK returned
6/19		JUDGMENT (ZLW)...ORDERED: that Judgment enter for the Plft. and against the Deft's. in the sum of \$7,500,000.00, plus attorneys fees and costs...FURTHER ORDERED: that there be a 20 days stay of execution, during which time motions briefs and affidavits may be filed...The Court will rule on injunctive relief and attorneys fees within 30 days...COM...eod 6/19/81
6/22		Receipt for Depositions returned to Deft's. counsel
6/24		Receipt for Deft's. Exhibit GG, Depositions of Alan Anderson & Bill Comstock returned to Deft's. counsel

CIVIL DOCKET CONTINUATION SHEET

FPI-MAR-7-14-80-70M-4398

PLAINTIFF		DEFENDANT	DOCKET NO. <u>79-2-1012</u>
ASPEN HIGHLANDS SKIING CORP.		ASPEN SKIING CORPORATION, et al	PAGE <u>6</u> OF <u>    </u> PAGES

DATE	NR.	PROCEEDINGS
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7/8/81		MOTION for Judgment Notwithstanding The Verdict or in the Alternative, for a New Trial, or In the Alternative, To Alter or Amend The Judgment...by Deft's...COS Memorandum In Support of Deft's. Motion for Judgment Notwithstanding The Verdict, or, In the Alternative, for a New Trial or, In the Alternative, to Alter or Amend the Judgment...COS MOTION for Stay Pending Disposition of Deft's. Motion for Judgment Notwithstanding The Verdict or in the Alternative, for a New Trial or, In the Alternative to Alter or Amend Judgment...by Deft's...COS Deft's. Statement of Position and Proposed Form of Injunction...by Deft. Aspen Skiing Corp...COS
/81		MOTION for Entry of Permanent Injunction...by Plft...COD Memorandum of Points and Authorities in Support of Motion for Entry of Permanent Injunction...COD Plft's. Petition for Award of Attorney's Fees and Costs...w/attachments Memorandum of Points and Authorities in Support of Plft's. Petition for Award of Attorneys' Fees and Costs...COS
7/9/81		MINUTE ORDER (ZLW)...ORDERED: that Plft's. Motion for Entry of Permanent Injunction is set for hearing on 7/15/81 at 8:30am...COM...eod 7/9/81
7/15/81		HEARING (ZLW)...On Motion for Entry of Permanent Injunction...ORDERED: The Language that "Aspen Skiing Corp. & Aspen Highlands are not affiliated" is agreed to by parties and approved by the Court...Time period for the injunction is 3 years or until Little Annie goes into operation at which time the Court will set a review hearing...The price of the 6 day-area ticket is set by the Court at \$120.00...The refund policy should be competitive with Aspen Skiing Corp's. refund policy, Refund will be by mail...10% Commission is approved, although either Corporation may offer additional commissions if it so chooses...Advertising & Marketing : The Corporations may advertise freely if it is done fairly...The Court will not order a Marketing fund...The 4-Area ticket must be mentioned in the advertising of lift tickets...Each party to pay for their own costs of tickets...Deft. should submit a proposed injunction in Conformance with Court's oral ruling; Plft. to approve as to form...The Court's Order shall take effect immediately...eod 7/16/81
7/20/81		REPORTER'S TRANSCRIPT...Court's Ruling on Permanent Injunction on 7/15/81
7/24/81		Certificate of Judgment for Lien Upon Land and Tenements issued by Clerk
7/24		MINUTE ORDER (ZLW) 7/23, that Defendants' Motion for Judgment Notwithstanding the Verdict, or in the Alternative, for a New Trial or in the Alternative to Alter or Amend the Judgment is denied, <u>nunc pro tunc</u> 7/15/81. C.O.M. eod 7/24/81. MOTION of Defendants for Approval of Supersedeas Bond and for Stay Upon Appeal; with Exhibit A. C.O.S. NOTICE OF APPEAL, filed by Defendants, re Judgment of 6/19/81, and Order of 7/24/81. C.O.S. Designation Conference set for Fri., July 31, 1981, at 8:30 a.m. Transcript Order due 8/3/81. (\$5.00 and \$65.00 pd). Plaintiff's Response to Defendants' Motion for Approval of Supersedeas Bond; with Attachment. C.O.S.



CIVIL DOCKET CONTINUATION SHEET

FPI-MAR-7-14-80-70X-2398

PLAINTIFF SUNSHINE HIGHLANDS SKIING CORP.	DEFENDANT ASPEN SKIING CORP., et al	DOCKET NO. 79-7-1018 PAGE 7 OF 10 PAGES
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DATE	NR.	PROCEEDINGS
<u>1981</u>		
7/27		Transcript Order filed. (not signed by Court Reporter).
7/28		Transcript Order, filed by Court Reporter. Estimated Due Date: 9/28/81
		Signed (ZLW) 7/28, ORDER Granting Supersedeas Bond in the amount of \$10,000,000.00 to be filed, whereupon the enforcement of the judgment will be stayed. Exhibit 1 attached. C.O.M. eod 7/29/81.
7/29		Case No. 81-1836 assigned by the Court of Appeals.
8/3		Approved (JRC) 8/3, SUPERSEDEAS BOND in the amount of \$10,000,000.00. eod 8/3/81.
		Certificate of Stay of Judgment of Filing of Supersedeas Bond, issued; with Attachments.
8/4		Signed (ZLW) 8/4, INJUNCTION re ski lift tickets. (See Order). This Injunction shall be in effect either for a period of 3 years from the date of its entry, or until such time as the Little Annie ski area opens for business in Pitkin County, Colorado, under ownership which is independent of the Aspen Skiing Corporation, whichever period is shorter, at which time the Court shall review the circumstances existing at the time to determine whether the terms and conditions of this Injunction should be modified, eliminated or remain the same. Jurisdiction is retained by the Court during the time that this Injunction remains in effect, to enable the parties to apply for such further orders or directions as may be necessary or appropriate to effectuate or modify the provisions hereof, or to enforce compliance herewith. C.O.M. eod 8/4/81.
8/5		NOTICE OF CROSS-APPEAL, filed Plaintiff RE: Judgment June 19, 1981 COS (paid \$65.00 and \$5.00)
8/11		Designation of Record on Appeal (stipulated).
		Case No. 81-1892 assigned by the Court of Appeals.
8/13		Copy of ORDER from the Court of Appeals granting Court Reporter's Request for extension to complete transcripts until 9/28/81.
8/20		HEARING (ZLW) 8/20, Status Conference. ORDERED: Injunction should remain in full force and effect as signed and dated on 8/4/81. Price of four area ticket will remain at \$120.00. The paragraph in commissions shall remain as previously ordered. Refund policy will remain as set forth in the injunction. eod 8/21/81.
8/27		Reporter's Transcript of Hearing on Injunction on Aug. 20, 1981, before Judge Weinshienk. Pages 1-19 (0).
9/23		Copy of ORDER from the Court of Appeals granting Court Reporter's Request for extension of time to complete transcripts until 10/28/81. eod 9/23/81.
10/28		Copy of ORDER from the Court of Appeals granting Court Reporter's Request for extension of Time to complete transcripts until 10/30/81. eod 10/28/81.

CIVIL DOCKET CONTINUATION SHEET

FPI-MAR-7-14-80-70M-2385

PLAINTIFF		DEFENDANT	DOCKET NO. <u>79-Z-1012</u> PAGE <u>8</u> OF <u>    </u> PAGES
ASPEN HIGHLANDS SKIING CORPORATION		ASPEN SKIING CORPORATION, et al	

DATE	NR.	PROCEEDINGS
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<u>1981</u>		
10/30		Reporter's Transcripts of Trial Proceedings on June 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 15, 16 and 17, 1981. Volumes I through XIII. Pages 1-2345 (0). Reporter's Transcript of Hearing on Permanent Injunction on July 15, 1981, before Judge Weinshienk. Pages 1-37 (0).

Records in the National Archives & Records  
Administration, Rocky Mountain Region  
Archival Operations

RG No. 21 Records of the

U.S. District Courts  
District of Columbia