

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Magistrate Judge Kathleen M. Tafoya**

**Civil Action No.** 07-cv-00913-WDM-KMT

FTR

**Date:** February 01, 2008

Debra Nawls, Deputy Clerk

J.D. Hillberry

Thomas P. Howard  
Wendi T. Nadel

Plaintiff,

v.

Wooden Teddy Bear, Inc., The

Brett Nathan Dorny

Winfield Collection, Ltd., The

James Barry Powers

Defendants.

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**COURTROOM MINUTES / MINUTE ORDER**

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**MOTIONS HEARING**

**Court in Session 8:59 a.m.**

Court calls case. Appearances of counsel.

Discussion regarding [59] MOTION to Compel Discovery Responses From Defendant Jeff Zaffino by Counter Defendant J. D. Hillberry and [60] MOTION to Compel Discovery Responses From Defendant All American Crafts, Inc. filed by J. D. Hillberry.

Statements made by Defendant's counsel.

Statements regarding unanswered interrogatories by Plaintiff's Counsel.

**ORDERED:** [59] MOTION to Compel Discovery Responses From Defendant Jeff Zaffino by Counter Defendant J. D. Hillberry and [60] MOTION to Compel Discovery Responses From Defendant All American Crafts, Inc. filed by J. D. Hillberry are **GRANTED**.

\ **ORDERED:** Defendant's Counsel shall respond to the Interrogatories as specified on the record.

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**ORDERED:** Plaintiff is awarded costs and fees associated with these two motions. The parties shall file a stipulated assessment of the reasonable attorney fees only as to these two motions. If Counsel cannot agree on a stipulated sum, then each shall file a separate assessment on or before February 15, 2008.

**Court in recess 9:49 a.m**  
Total In-Court Time 0:59; hearing concluded

\*To obtain a transcript of this proceeding, please contact Avery Woods Reporting at (303)825-6119.