

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Craig B. Shaffer**

Civil Action No.: 07-cv-01465-LTB-CBS
Date: January 26, 2010

FTR - Reporter Deck - Courtroom A402
Courtroom Deputy: Linda Kahoe

EIGHTH DISTRICT ELECTRICAL PENSION
FUND, THE, *et al.*,

Michael J. Belo

Plaintiffs,

v.

ELECTRICAL FORCES LLC,

Defendant,

THOMAS JAMES GACCETTA,

Interested Party.

COURTROOM MINUTES/MINUTE ORDER

HEARING: MOTIONS HEARING

Court in session: 9:59 a.m.

Court calls case. Appearance of counsel. *Also present is Thomas James Gaccetta and his administrative assistant.*

The court advises Mr. Gaccetta that he may not proceed on behalf of Electrical Forces LLC, and that he must obtain counsel to represent the company. The court advises Mr. Gaccetta that there is a default judgment against Electrical Forces LLC.

ORDERED: The Motion to Set Aside Default Judgment, doc #[28], filed 11/10/2009, is **DENIED WITHOUT PREJUDICE**. The Motion may be re-filed by counsel representing Electrical Forces LLC.

ORDERED: The Motion to Quash, doc #[29], filed 11/25/2009, is **DENIED WITHOUT PREJUDICE**. The Motion may be re-filed by counsel representing Electrical Forces LLC.

Mr. Belo makes statements regarding Plaintiffs' Motion to Require Defendant to Answer Interrogatories and for Hearing to Show Cause Why Defendant Should Not Be Held in Contempt, doc #[27], filed 10/21/2009.

Mr. Gaccetta states he was never served the interrogatories.

Mr. Belo states Mr. Gaccetta was served with the interrogatories at 9180 West 74th Avenue in Arvada, CO. Mr. Belo requests that the court order Mr. Gaccetta and his company to respond to the interrogatories. Mr. Belo provides a copy of the interrogatories to Mr. Gaccetta. The court states that Mr. Gaccetta does not need an attorney to answer the interrogatories.

For the reasons as stated on the record, it is:

ORDERED: Mr. Gaccetta is required, on behalf of his company, to answer the interrogatories **WITHIN 30 DAYS.**

ORDERED: Plaintiffs' Motion to Require Defendant to Answer Interrogatories and for Hearing to Show Cause Why Defendant Should Not Be Held in Contempt, doc #[27] is **GRANTED IN PART AND DENIED IN PART.** The Motion is **GRANTED** to the extent that it requires the Defendant to answer the interrogatories. That part of the Motion seeking contempt is **DENIED WITHOUT PREJUDICE.**

HEARING CONCLUDED.

Court in recess: 10:14 a.m.
Total time in court: 00:15

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